



# Memo

**To:** The Atherton Planning Commission  
**From:** Sally D Bentz, Town Arborist  
**CC:** Sung Kwon, Town Planner  
**Date:** March 22<sup>nd</sup>, 2023  
**Re:** Heritage Tree Removal Application at 20 Tuscaloosa

I have reviewed the application at 20 Tuscaloosa and offer the following observations and recommendation for your review:

At staff level I approved the below trees for being dangerous trees and the below staff exceptions:

- **Staff approved removal** - Tree 17 is growing beneath Tree 48 and has been deemed hazardous to its heavily over-extended limbs. The consulting arborist does not consider the tree's health vigorous enough to survive reduction pruning. Removal of Tree 17 will benefit the growth of Oak #48.
- **Staff approved removal** - Tree 22 is heavily decayed and has been deemed hazardous and ready to collapse at any moment by the arborist.
- **Staff approved staff exception of 8x** -Tree 46 Coast Live Oak: requesting a TPZ exemption of 8 feet (8x TPZ) for tennis court; located on adjacent property

**I have not approved the below:**

#20 Live oak: 8x TPZ exemption for tennis court

#49 Coast redwood: 8x TPZ exemption for tennis court

The applicant wishes to build a new tennis court. The applicant requests the below:

1. #18 Live Oak, 16" DBH, fair condition: request removal for the tennis court
2. #16 Live oak, 32" DBH, good condition: request a 3x TPZ for the tennis court
3. #19 Live oak, 25" DBH, good condition: request a 3x TPZ for the tennis court

- Tree 18 Coast Live Oak: requesting removal for tennis court 3.  
Quercus agrifolia 16.9" Fair condition, buried root crown
- Tree 16 Coast Live Oak: requesting removal for tennis court and ADU 2.  
Quercus agrifolia 32.7" Good condition, concrete around base
- Tree 19 Coast Live Oak: requesting removal for tennis court 4.  
Quercus agrifolia 25" Good condition, crossing branches with tree #20

**Tree #16 – 3x**



## Trees #18 & 19



## Rubbing branches





**Tree #18 – removal**



**Tree #19- 3x**



I reviewed the trees. I did not find any of the trees to be dead or dangerous.

Tree removal request - Tree #18 – root crown can be excavated, and it can be pruned. I do not find this tree to be dead or dangerous. I cannot recommend the removal.

3x TPZ request - Tree #16 – concrete can be removed around the base, and it can be pruned. Existing garage surrounding the tree. For a tree of this age and species per Matheny and Clark chart the TPZ distance should be 6x. 6x is the critical root zone. Because the existing garage is only 3' away from this tree and they are asking for 8', I can recommend 3x due to the existing conditions. I do have a concern about a proposed ADU being on the other side.

3x TPZ request – Tree #19 crossing branches. For a tree of this age and species per Matheny and Clark chart the TPZ distance should be 6x. 6x is the critical root zone. This is a new location of a structure. No development was in this area. I cannot allow 3x TPZ when 6x is recommended.

I understand the applicant designed a smaller court and there are no other locations on the property for a tennis court. Tennis courts are not a right in the Town of Atherton. I did not find tree # 18 in poor health or in decline.

I do not feel the trees meet the following criteria:

1. The probability of failure which is a function of heritage tree and site conditions such as, but not limited to, structural defects, presence of disease, species history, age or remaining life span, and varying weather conditions;
  2. The probability of a public safety hazard, personal injury or significant property damage as a function of proximity to existing structures and objects of value and interference with utility services;
- In conclusion I cannot recommend tree #18 for removal due to the health.
  - I cannot recommend tree #19 for 3x TPZ due to arboricultural standards.
  - I can recommend tree #16 for 3x TPZ due to existing conditions.

At the discretion of the planning commission, for each heritage tree permitted to be removed the permittee may be required to plant three trees of fifteen-gallon container size, or two trees of twenty-four-inch box container size, or one tree of fifteen-gallon container size and one tree of thirty-six-inch container size. Where heritage oak trees are allowed to be removed from within the buildable area, they shall each be replaced with one or more trees of forty-eight-inch container size of oak species at a location approved by the planning commission. The planning commission may also attach other reasonable conditions to ensure compliance with the intent and purpose of this chapter.

The applicant proposes replacement for tree #17, #22 and #18 will be four (4) quercus Alba X Robur 'Skinny Genes' (36" box). These are to be planted along the rear property line (see L3.0) and will provide additional privacy for the rear neighbors. In communication with the adjacent neighbors to the west, additional hedge screening will be planted between the tennis court and the common property line.

The information included in this memo is believed to be true and based on sound arboricultural principles and practices.

Sincerely, Sally Bentz  
Town Arborist, Certified Arborist WE#9238AM