

the foundation. There is substantial damage to the foundation. A previous owner cladded the front of the existing foundation which is an inadequate solution. There is damage to the foundation, interior and exterior walls, floor and roof assemblies, and doors. The house is not habitable.

Commissioner McNally asked when the house was purchased. Mr. Baldwin stated he bought it one year ago. Commissioner McNally asked if the trees are in the same condition as when he purchased the home. Mr. Baldwin stated “yes” but he was not aware of the extent of the damage to the house. Commissioner McNally asked Mr. Baldwin if he had been told about the Heritage Tree Ordinance when he purchased the home. Mr. Baldwin stated “no”. Commissioner McNally asked Mr. Baldwin if he had plans to renovate the house. Mr. Baldwin stated “no”, they plan to fix the house to make it habitable.

Commissioner Blauvelt had questions about the photograph of tree #1. Mr. Baldwin stated the house was uplifted quite a bit. He wants to make the house safe and enjoyable. Commissioner Blauvelt referred to tree #3 and stated that wall could be taken back to its original shape.

Mr. Harry Skolnick, Madrone Avenue, stated removing a tree should be a last resort. He stated it might be easier and less expensive to modify the parts of the house that are problematic. The other alternative might be to remove the bottom part of the tree that is causing the problem.

Mr. Richard Cunningham, West Baltimore Avenue, stated he and his wife lead tours of the canyon and outsiders are always awed by the trees along this one block stretch. All of the trees in the canyon date to the late 1850’s and early 1860’s. He was on the City Council when the Heritage Tree Ordinance was established. The purpose of the ordinance is to prohibit someone from moving to Larkspur and quickly deciding to cut down the trees that give the neighborhood its extraordinary character. Approving the removal of these trees would defy the law. He is sure there are relatively modest structural changes that could be made to the house.

Mr. James Holmes, Larkspur, stated the arborist report was vague relative to the kinds of specific findings that need to be made. It does state that the trees are in good condition. He referred to the photographs and stated the porch has not been raised but rather the rail is slowly collapsing due to rot underneath. The arborist report makes reference to problems with the windows but that is something that tends to happen in old houses as the wood swells due to dampness. He noted one of the previous owners removed the porch deck and stairs and created some stonework to allow room for the tree to grow. Based on the evidence provided, there is no basis to remove the trees.

Chair Friedel closed the Public Hearing.

Commissioner Blauvelt stated it was very expensive to remove a Redwood tree and it might be cheaper to re-do the patio, etc. There is a culture in the canyon and people move there because they love the Redwood trees.

Commissioner Matteo stated these were spectacular trees in a very special area. It looks like they have been affecting the house for many years. He would like to see other ways to mitigate the problem aside from removing the trees. He asked the applicant to be creative. It would be terrible to see the loss of these trees.

Chair Friedel stated she has trouble telling a homeowner what to do with his or her home since she does not have the skill set to figure out options, costs, etc. There were clear criteria that need to be met to remove a tree. She understood that the trees were probably causing damage to the home but the Commission must be able to make the findings set forth in the ordinance. She could not make the findings.

Commissioner McNally stated the trees were magnificent. The house would still need to be fixed even if the trees were to be removed. He thought the house could be fixed while retaining the trees. The ordinance must be followed.

Chair Friedel reopened the Public Hearing.

Mr. Baldwin stated tree #1 was uplifting the foundation dramatically and the foundation could not be fixed without removing the tree. Tree #2 has pushed the assembly. Tree #3 is right up against the house. He hired the City arborist who is an advocate for trees. He received an estimate of \$180,000 for the repairs to the house. The house is very small and it would be difficult to re-do the porch. There are approximately 38 trees on the property and those three trees would not be missed. The old growth trees were removed years ago and produced "fairy rings" which get whipped in the wind and could fall into the house. This is a life/safety issue. The house should not have been built so close to the trees. The trees need to come out. Tree #2 is sick, has been topped, and should have been removed years ago. He noted the findings could be made to remove the trees.

Chair Friedel closed the Public Hearing.

Recreation Director Whitley asked the Commission to vote on each tree separately.

M/s Matteo/Blauvelt to deny the request to remove tree #1 based on the inability to make the required findings.

Ayes: Blauvelt, Cimino, Matteo, McNally, Chair Friedel

M/s Matteo/Blauvelt to deny the request to remove tree #2 based on the inability to make the required findings.

Ayes: Blauvelt, Cimino, Matteo, McNally, Chair Friedel

M/s Matteo/McNally to deny the request to remove tree #3 based on the inability to make the required findings.

Ayes: Blauvelt, Cimino, Matteo, McNally, Chair Friedel

Recreation Director Whitley stated there was a 15-day appeal period to the City Council. The Council could not look at new evidence and could only review the evidence that was presented to the Commission tonight.

The Commission took a 5-minute break at 8:10 p.m.

BUSINESS ITEMS

1. Larkspur Community Facility Update

Recreation Director Whitley presented a staff report. At last night's meeting the City Council reviewed the arguments for and against the current design for the Library/Community Center Facility. Mayor Chu was absent from the meeting so the Council decided to continue this item to the June 3rd meeting. Some of the options include: 1) Go back to the drawing board; 2) Totally shelve the process; 3) Hire a new architect.

Commissioner Matteo asked what would happen to the parcel if a facility were not built in the near future. Recreation Director Whitley stated the Public Works Director has talked about putting a fence around the parcel and seeding it with grass or wild flowers.

Commissioner McNally asked if the land has been deeded to the City. Recreation Director Whitley stated he was not sure if that has happened yet.

2. Various Park and Facility Updates Report

Recreation Director Whitley presented a staff report. He stated the Public Works Director has been in contact with the Heatherwood Park neighbors regarding improvements to the mini-park. The neighbors have raised around \$40,000 to address the park including the basketball court and the playground. They are going to hold a "work party" very soon.

Chair Friedel asked how decisions would be made regarding the improvements. Recreation Director Whitley stated that would be up to the neighbors since it is their money but the work would need to comply with current codes, guidelines, etc. Commissioner Cimino asked if there would be an approval process. Recreation Director Whitley stated everything would go through the Recreation Commission and the Public Works Department.

Commissioner Matteo asked if the City would still fund any of the improvements. Recreation Director Whitley stated "yes"- they are buying a new play structure, fall zone materials, etc. The \$40,000 would be used for "extras".

It was the consensus of the Commission to move forward as long as the Commission would be presented with the "plan".

Recreation Director Whitley stated the Public Works Director was in the process of applying for Measure "A" funds. The Public Works Director would like these funds used for the various mini-parks throughout Larkspur. It was the consensus of the Commission that these funds be used for mini-park improvements.

Recreation Director Whitley reported the bathrooms at Dolliver Park could not be replaced- the bids came in too high. The Public Works Department crew would begin renovations/remodeling at a substantial savings.

Recreation Director Whitley reported the Public Works Director has meet with several user groups of the sand volleyball courts to talk about the condition of the courts. She is working on getting some new sand for the courts.

Recreation Director Whitley reported the Public Works Director is getting the word out about a new playground in Piper Park. There is \$209,000 to obtain a base playground structure with a theme that would be decided on by the public. Add-ons would be paid for by donations.

RECREATION DIRECTOR'S ORAL REPORT

Recreation Director Whitley reported there were over 500 registrations for the "first round" of the Super Cool Summer School registration process. Over 1,000 kids will participate in the program over the four-week period. Nick Stone, newly hired Recreation Supervisor, will begin on Tuesday, May 26th. The date for the Disneyland Trip is June 12th and 13th. There are 35 Hall Middle School 8th graders signed up- he, along with Recreation Supervisor Stone, will be chaperones.

COMMISSIONER REPORTS

Commissioner Matteo stated it was unfortunate that people purchase homes in Larkspur and were not aware of the Tree Ordinance. Recreation Director Whitley stated he would report back to the Commission whether or not realtors were required to disclose this information to their clients.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary