



contract for the house last summer and consulted with Mr. Bob Morey, arborist with Marin Tree Service. Mr. Morey noted there were about 18 Redwood trees in front of the house, two of which are right up against the house. The root ball of one of the trees is pressing into the foundation of the house. The deck has been notched to accommodate one of the trees. One of the trees is very close to touching the eave of the roof. Mr. Morey is of the opinion that these two trees are not particularly healthy and the growth has stopped. She distributed photographs and a follow-up letter from Mr. Morey to the Commission. She noted she had a certain period of time to decide whether or not to purchase the house and she had to rely on her consultant. She stated she was not able to go through the application process until she purchased the property. Mr. Morey thinks the two trees were not of any value and could pose a threat to the structure in the near future. He also thinks the removal of these two trees would benefit the other trees in the grove and would not impact the enjoyment of the neighbors as they walked up and down the street. She has no intention of touching any of the other trees in the grove except in a positive manner. She stated she spoke to Larkspur Fire Chief Sinnott who indicated he had no jurisdiction in this matter but he felt the request was in compliance with the ordinance.

Commissioner Hauser referred to the photograph and asked if the tree that is up against the deck railing was to the left or the right (as one faces the house). Ms. Kornfeld stated that tree was to the left. Commissioner Hauser stated he would like to refer to this tree as tree #1. He asked about the history of the tree and what could have caused the tree to stop growing. Ms. Kornfeld stated it was due to the lack of sunlight in the middle of the grove. The arborist said the trees had been hacked, were like telephone poles, and could not compete for the sunlight. There is not a lot of growth on these two trees.

Commissioner McNally asked if the arborist suggested that the trees were diseased or unhealthy. Ms. Kornfeld stated Mr. Morey stated they had been hacked, had low to no aesthetic value, and removing them would be beneficial to the other trees in the grove.

Commissioner Matteo asked Ms. Kornfeld if she spoke to the Fire Chief before or after she purchased the house. Ms. Kornfeld stated she spoke to him before she purchased the house.

Commissioner Blauvelt stated there were other trees in the grove that had been topped. Ms. Kornfeld agreed but stated the smaller trees were severely topped and they do not have much of a chance of growing.

Mr. Richard Cunningham, West Baltimore Avenue, stated he had numerous Redwoods on his property and treasures them. He also bears the burden of the trees- dark and damp in the winter. Every four to five years he hires an expert to perform periodic pruning and maintenance on the trees. This work is expensive but worth it. He wished the former owner of the subject property had done some rudimentary maintenance of the Redwood trees. The subject trees need care and maintenance- not removal. The Heritage Tree Ordinance makes the care of maintenance of heritage trees not just a neighborhood issue but also a Citywide policy. The basic premise of the ordinance is that removal is

prohibited. It does not say that a property owner can remove inconvenient trees or trees of low value. He believes it would take decades before either of these trees would expand enough to touch the walls of the house. The deck railing and the roof eaves could be notched if necessary as the trees expand. He urged the Commission to deny the request to remove the trees.

Ms. Sue Cunningham, West Baltimore Avenue, stated she has lived in Baltimore Canyon for 39 years. She feels fortunate to live among the Redwoods. She has been leading canyon walks for quite a while and loves to share the history of the neighborhood. Over the years this feeling of a "special place" has been eroded. They are losing the sense of co-existence within the Redwood forest as these heritage trees are removed. She asked the Commission to deny the request to remove these two trees.

Mr. Joe Hohenrieder, West Baltimore Avenue, stated he lives directly across the street from the subject property. He commended Ms. Kornfeld for the amount of work she has done to the property. The laws are there for a purpose and need to be looked at with reason and discretion. This is a beautiful grove of Redwoods and trees should not be cut down unnecessarily. He asked the Commission to take everything into consideration and make an independent decision.

Mr. Steven Havneraas, West Baltimore Avenue, stated he has lived on this street for almost 40 years. He has met Ms. Kornfeld several times and his objection to the removal of the two Redwood trees is not personal. Tree #2 is 6" away from the roof's fascia board. Tree #1 is approximately 6" from the deck's flooring and a couple inches away from the deck's railing. In both instances absolutely no damage has occurred. At this point there are only hypothetical concerns. He is a licensed contractor and felt that a few minor alterations to the deck's railing and the roof eaves could solve any problems in the future. These Redwood trees should be protected and guarded until every alternative has been exhausted.

Mr. James Holmes, Madrone Avenue, stated what used to be unthinkable is now becoming almost routine- the request to remove a Redwood Tree. They do not want to encourage this trend and he urged the Commission to apply the Heritage Tree Ordinance strictly in accordance with its intent and in accordance with the guidance of the General Plan. The General Plan identifies trees as a resource that should be preserved and replaced if removal is necessary. The factual basis for this application is flawed because of a fundamental contradiction in the report. On the one hand there is a potential threat alleged but on the other hand the arborist's report indicates that the trees are of low vitality (which would indicate less growth and less threat). The arborist's report does not indicate any hazard or any alternatives. These trees are in the front of the property and their loss would bear more directly on the public welfare than if they were in a less visible location. The conditions identified are not unique to this property and both the Commission and the Council have been reluctant to approve the removal of trees on the basis of conditions that are widespread throughout an area. He stated the requirements of the ordinance are not met and the request should be denied.

Ms. Kornfeld stated the arborist was of the opinion that no amount of pruning would restore the vitality of these trees in terms of new growth. This does not mean they are not expanding in girth. The tree is definitely making contact with the deck railing. This part of the deck was replaced, and not expanded, by the former owner. She stated reconfiguring the structure, as a short-term solution, is an unreasonable expectation of a property owner.

Acting Chair Blauvelt closed the Public Hearing.

Commissioner Matteo stated he could appreciate the difficult position Ms. Kornfeld was in having to make a big decision while having concerns about the trees. The trees look sparse, deformed, and of low vitality but these are not conditions that allow the Commission to approve their removal. He acknowledged that the removal of the two trees would not adversely affect the look and feel of the neighborhood. However, they are not posing any hazard or threat to the property. Allowing the removal of trees because they are sparse and deformed is a “slippery slope” that he does not want to go down.

Commissioner Hauser stated one issue that is important in the Baltimore Canyon area is the possible precedent that could be set. This is a good faith application from a person that is not intending to do a remodel down the road or remove more trees. However, the criteria brought forth by the arborist would allow the removal of about 40% of the trees in the neighborhood. The fact that these are not the prettiest trees could not be used as criteria for removal. In addition, there is no damage to the structure that would warrant the removal of the trees.

Commissioner McNally stated he sympathized with the property owner and understood what she was trying to accomplish. He agreed that this is a good faith application. Although the two trees are like “telephone poles” they are live trees and do not pose a hazard to the property or are in danger of falling. In addition, there is no unreasonable interference with the owner’s investment-backed expectations. Larkspur loves its trees and unless they are diseased or a hazard they should not be removed.

Acting Chair Blauvelt stated she agreed with the comments made by the other Commissioners. She understood the difficulty the property owner was in while she was under contract for the property. The Commission is the first line of defense for the trees. She agreed with Commissioner Matteo’s concern about creating a “slippery slope”.

M/s Hauser/McNally to deny the request to remove two Redwood trees at 321 West Baltimore Avenue.

Ayes: All    Absent: Chair Friedel

Acting Chair Blauvelt stated there was a 15-day appeal period to the City Council.

BUSINESS ITEM

1. Election of Recreation Commission Chair and Vice-Chair

M/s McNally/Hauser to elect Vice Chair Blauvelt as Chair.  
Ayes: All Absent: Chair Friedel

M/s Blauvelt/Hauser to elect Commissioner McNally as Vice Chair.  
Ayes: All Absent: Chair Friedel

### COMMISSIONERS' REPORTS

Commissioner McNally asked for clarification about the status of the tree application for 5 Meadowood Drive. Recreation Director Whitley stated it has come to the attention of the Planning Department that there were a series of difficulties with the property. The tree application is now under the auspices of the Planning Department. He noted the previous owner illegally built into easements and other rights-of-way.

Acting Chair Blauvelt referred to the identification and directional signs recently installed in Piper Park and asked if the Commission would be able to address this issue when they review the Piper Park Master Plan. She thought there was going to be a monument sign on Doherty Drive saying "Piper Park". Recreation Director Whitley stated the monument sign was located by the tennis courts. Acting Chair Blauvelt stated it should be by the entrance of the park. In addition, people could not see the directional sign because it was obscured by a stop sign. Commissioner McNally stated he thought the monument sign was going to be located on the corner adjacent to the new Police Facility. Recreation Director Whitley stated that was Larkspur School District property.

Commissioner Matteo referred to the newly constructed Twin Cities Police Facility and asked if the department took a hit in revenue during construction. Recreation Director Whitley stated "yes" and stated he was working on a mid-year adjustment with the Finance Director. Recreation Supervisor Clegg was working hard on getting some summer camps back in the park including a two-week soccer camp, baseball and softball camps, etc. Commissioner Matteo noted the Police Facility project came in under budget and perhaps the City could be compensated for its decline in revenue. Recreation Director Whitley stated this has been discussed.

Acting Chair Blauvelt thanked Commissioner Hauser for his participation in the General Plan Citizen's Advisory Committee.

### RECREATION DIRECTOR'S ORAL REPORT

Recreation Director Whitley reported Ross Valley Summer School Director Erin Duggan Saunders was working diligently on the brochure. It should be on the City Website the first week in March. The merry-go-round in Dolliver Park was recently installed and he thanked Dennis and Susan Gilardi for their generosity. Acting Chair Blauvelt asked staff to send a letter thanking the Dennis and Susan Gilardi. He asked the Commission if they were getting the emails being sent by staff. Chair Hauser stated it was very helpful to get

information prior to the meeting. Acting Chair Blauvelt agreed and thanked staff for their diligence.

ADJOURNMENT

The meeting was adjourned at 8:32 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary