

1059 Jewell Avenue

Tree Appeal



Recommendation

- **Uphold decision of the City Arborist for Tree Permit #19-0135 denying the removal of one Monterey Pine located at 1059 Jewell Avenue, and deny the Appeal of Nicholas and Theresa Petridis**

Background

- **Tree is a Monterey Pine that is a significant tree in Pacific Grove**
- **Tree is Located Within Right of Way adjacent to 1059 Jewell**
- **Permit Application processed on March 15 and Reviewed by the City**



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Applicants Findings

- **Arborist Report Prepared for Applicant Dated Nov 27, 2018**
- **Report Specifies that the Monterey Pine's roots have damaged the retaining wall and the driveway**
- **The report ASSUMES that repairs can not be made unless the tree is removed**
- **There is no discussion in the report about the tree's health**

City's Findings

- **The tree is healthy with good foliage color and density**
- **The tree is a landmark tree for this neighborhood**
- **Extensive beetle activity is not present that would indicate severe stress and / or decline of the tree**
- **No evidence of internal stress or decline is present such as bark fractures, cankers, conks or abnormal swelling**

City's Findings Continued

- **Damage to the retainer wall can be mitigated with design and construction minimizing root disturbance**
- **Remove the driveway to assess the impacts of roots and determine if there are mitigation alternatives**
- **If the driveway is removed and it reveals that significant roots will have to be cut to make the necessary repairs then the City can issue new findings and post the tree for removal**

BNRC Appeal

- **City Arborist denied application on March 22, 2019**
- **Appeal to BNRC submitted April 1 and heard April 16**
- **BNRC upheld Arborist decision and denied the appeal**

Additional Information

- **City and Applicants representative met onsite on April 25th to discuss further actions**
 - Retention of third-party arborist
 - Review of exposed roots
- **City provided names of consulting arborist but neither party could agree to a neutral consulting arborist**
- **Simultaneously appeal of BNRC decision submitted for Council Review: Received April 25**

Additional Information

- **Per City Code, Appeal must be heard within 30 days or at next Council meeting unless continued for good cause**
- **City asked for an extension**
 - Find agreed upon Third Party Arborist**
 - Further evaluate driveway when fully exposed**
 - Request was denied**

Additional Findings

- **City Arborist evaluated partially exposed driveway roots on May 2nd, Provided additional findings May 3rd**
 - Determined that cutting or shaving could occur**
 - Additional visual evaluation occurred May 10 with the same findings**

Second Arborist Report

- **Prepared May 9th and Received May 13th by Frank Ono**
- **The City requested a NEUTRAL third party arborist report to be prepared**
 - **City does not deem the “Peer Review” Neutral**
 - **City did not participate in the selection**
 - **City did not participate in framing the assignment**
 - **City does not feel a local Arborist provides neutral perspective**

Recommendation

- **City still believes that mitigation can occur**
- **Uphold decision of the City Arborist for Tree Permit #19-0135 denying the removal of one Monterey Pine located at 1059 Jewell Avenue, and deny the Appeal of Nicholas and Theresa Petridis**

Questions?



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