



## City of Martinez

525 Henrietta Street, Martinez, CA 94553-2394

(925) 372-3515  
FAX (925) 372-0257

September 19, 2016

Candace Hatch  
DeNova Homes  
1500 Willow Pass Court  
Concord, CA 94520

**RE: 451 VINE HILL WAY –DeNova Homes’ September 9, 2016 request that its earlier application for the removal of 13 dead and/or dying trees (as evaluated in Michael Baefsky, Certified Arborist, report of August 2, 2016) be instead found subject to the *Exceptions* provision (MMC section 8.12.040) of the City’s *Tree Preservation, Protection and Removal Regulations*.**

Dear Ms. Hatch,

On August 19, 2016, you filed an Application for the above referenced 13 trees. Pursuant to MMC 8.12.050, which states that “On any property for development approval, tree alterations or removal shall be considered as part of the project application,” the City cannot act on your tree removal applications independently from your Subdivision application. But the City’s *Tree Preservation, Protection and Removal Regulations* provides an exception for Hazardous Situations, as MMC section 8.12.040 states:

*A tree permit is not required for....any tree whose condition creates a hazardous situation which requires immediate action as determined by the Community Development Director, Director of Leisure and Community Services, Police Department or the Fire District.*

The information contained in Arborist Report by Michael Baefsky dated August 2, 2016 and the follow up letter dated September 2, 2016 has been reviewed by the Community development Department. Upon the review and recommendation of Mr. Jim Reese, the City’s Interim Planning Director, the Police Department concurs that the 13 trees do create a Hazardous Situation, warranting their removal and requiring immediate action prior to the resolution of your pending Subdivision application. Accordingly, a *Tree Removal Permit* is not needed for the removal of the 13 identified hazardous trees, and your applications materials are being returned to you. This letter shall serve as a formal determination by the City that said 13 trees are in a condition creating a hazardous situation which requires immediate action pursuant to MMC Section 8.12.040. You may remove the trees immediately without further City action.

Sincerely,

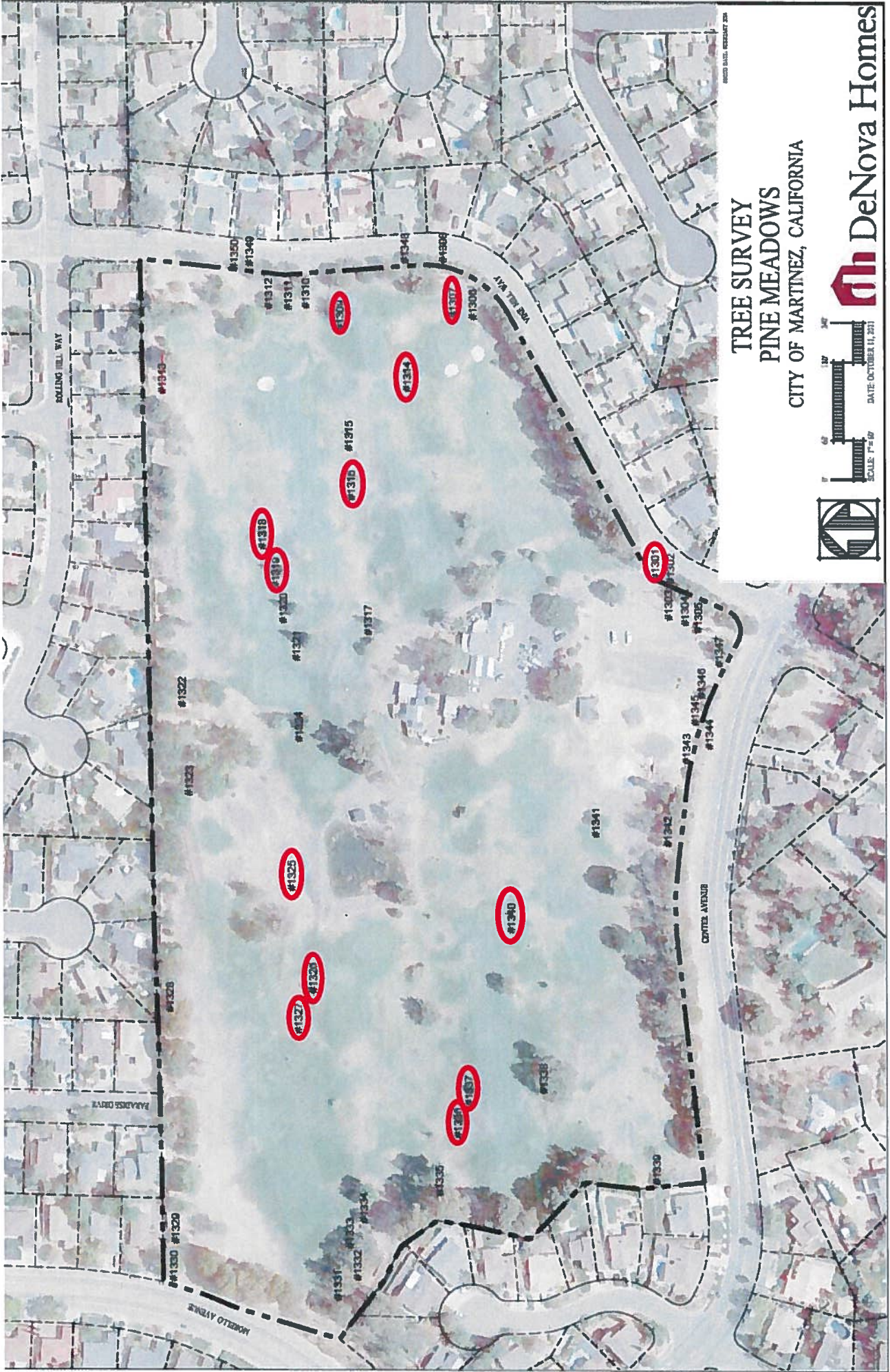


Manjit Sappal  
Chief of Police

enclosures

cc: Brad Kilger, City Manager  
Jim Reese, Interim Planning Director  
Veronica Nebb, Assistant City Attorney  
Dave Scola, Public Works Director  
Tim Tucker, City Engineer  
Corey Simon, Senior Planner





13 Trees to be removed per Baefsky Report of August 3, 2016 & follow up letter dated September 2, 2016

VX

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# BAEFSKY & ASSOCIATES

TREES, BUGS, DIRT LANDSCAPE CONSULTING & CONTRACTING

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September 2, 2016

DeNova Homes  
1500 Willow Pass Ct.  
Concord CA 94520



Subject: Pine Meadows Subdivision Dead and Dying Trees

Thirteen dead and dying protected trees pose imminent likelihood of branch, trunk and root failures, and are likely to impact grazing goats, maintenance personnel, and trespassers. Consequences from these failures would have significant negative impacts. Risk from trunk and large scaffold failure is high. Dead and dying trees on the property that were previously identified in my updated arborist report of August 2, 2016, should be removed as soon as possible.

Sincerely,

*Michael Baefsky*  
Michael Baefsky

Registered Consulting Arborist #456  
Certified Tree Risk Assessor #11874  
Certified Arborist #WE0222A

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# BAEFSKY & ASSOCIATES

TREES, BUGS, DIRT LANDSCAPE CONSULTING & CONTRACTING

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August 2, 2016

DeNova Homes  
1500 Willow Pass Ct.  
Concord CA 94520

Subject: Pine Meadows Subdivision Dead and Dying Trees

## Summary

Thirteen protected trees are dead or dying due to lack of water combined with species, condition and other factors. Other non-protected trees are also dead and dying on the property due to the same factors. Fire and safety risks to persons and property are occurring due to the standing dead and dying trees. Immediate removal is recommended.

## Assignment

I was hired by DeNova Homes to re-inspect dead and dying protected trees at Pine Meadows Subdivision, 451 Vine Hill Way, Martinez, and make recommendations for the future.

## Limits of Assignment

- Dead and dying trees were not remeasured.
- Trees were not climbed or invasively evaluated.

## Methods

Trees were evaluated visually from the ground.

## Background

Fifty (50) trees were evaluated previously (Baefsky, 2011). Tags were added and evaluations of construction impacts were studied (Baefsky, 2014). The trees were evaluated again (Baefsky, 2016) and recommendations provided for removal and care.

## Setting

The golf course is a gently sloping historically irrigated site, bordered by Vine Hill Way, Center Avenue and single family dwellings. Remnants of the indigenous forest exist, as well as planted ornamental and orchard remnants. Irrigation has been eliminated on this site, which has resulted in the death and dying of many of the trees on site.

## Location

Trees are concentrated on the property perimeter, and scattered throughout the site.

**Observed**

- 11 protected trees are dead
- 2 protected trees are dying and are almost completely dead
- risk from tree failure to goats and workers on the site is elevated
- fire hazard exists from the standing flammable dead trees

**Discussion**

Elimination of irrigation has stressed and killed many of the trees on site increasing risk to persons and property, and elevating fire hazards from the dead standing wood.

**Recommend**

Remove dead and dying trees ASAP.

List of (Previously) Protected Dead and (Currently) Dying Trees

#	Circumference (inches)	Diameter (inches)	Species	Name	Health	Structure	Notes
1301	37	11.8	<i>Quercus agrifolia</i>	coast live oak	dead	very poor	Dead
1307	21.5,18,10,10,10,17,10.5	30.9	<i>Juglans californica</i>	CA black walnut	very poor	very poor	Mostly dead
1309	56	17.8	<i>Q. agrifolia</i>	coast live oak	very poor	fair	Mostly dead; bark beetles, drought, sudden oak death, herbicides
1314	32.5	10.4	<i>Sequoia sempervirens</i>	coast redwood	dead	fair	Dead
1316	71.5	22.8	<i>S. sempervirens</i>	coast redwood	dead	fair	Dead
1318	43	13.7	<i>S. sempervirens</i>	coast redwood	dead	fair	Dead
1319	58	18.5	<i>S. sempervirens</i>	coast redwood	dead	good	Dead
1325	37	11.8	<i>S. sempervirens</i>	coast redwood	dead	fair	Dead

#	Circumference (inches)	Diameter (inches)	Species	Name	Health	Structure	Notes
1326 656	39	12.4	<i>S. sempervirens</i>	coast redwood	dead	good	Dead, missing tag #, new tag added
1327	39	12.4	<i>S. sempervirens</i>	coast redwood	dead	fair	Dead
1336	42.5	13.5	<i>S. sempervirens</i>	coast redwood	dead	fair	Dead
1337	40.5	12.9	<i>S. sempervirens</i>	coast redwood	dead	good	Dead
1340	26	8.3	<i>S. sempervirens</i>	coast redwood	dead	fair	Dead