

Attachment G
Request for Waiver of
Coastal Development Permit for
Tree Removal

Signal Hill, LLC
PLN100418

ATTACHMENT G

Novo, Mike x5192

From: Massy Mehdipour [REDACTED]
Sent: Monday, March 22, 2010 5:16 PM
To: Novo, Mike x5192
Subject: RE: 1170 Signal hill road, Pebble Beach - Arborist Report and Cal Fire Notice

Mike,

I have requested a **waiver for tree removal** on Aug. 17, 2009 per email below. You have replied to me that you were going to assign a planner to review my paperwork per email below. I have been waiting for you to assign a planner. However, I have received a compliance order from Mr. William Dunn, a copy is attached.

I would like to request:

1. Assigning of a planner to review my case
2. Allow me additional time to address this issue. I received the attached letter today which is March 22 and the compliance date is April 16, 2010. I need enough time to work with your planner on my request for the retroactive waiver for tree removal.

I sincerely appreciate your response in this matter.

Sincerely,

Massy

Massy Mehdipour
CEO
Skire, Inc.
111 Independence Drive
Menlo Park, CA 94025

[REDACTED]
[REDACTED]
[REDACTED] (fax)

www.skire.com

From: Novo, Mike x5192 [mailto:novom@co.monterey.ca.us]
Sent: Tuesday, August 18, 2009 2:47 PM
To: Massy Mehdipour
Cc: Leighton, Margaret
Subject: RE: 1170 Signal hill road, Pebble Beach - Arborist Report and Cal Fire Notice

Massy—we will assign a planner to review your paperwork and respond to you.

Thanks,
Mike Novo

-----Original Message-----

From: Massy Mehdipour [mailto:[REDACTED]]

03/23/2010

Sent: Monday, August 17, 2009 3:50 PM
To: Novo, Mike x5192
Cc: Leighton, Margaret
Subject: 1170 Signal hill road, Pebble Beach - Arborist Report and Cal Fire Notice

Mike Novo
Planning Director
Director of the planning Dept
Monterey County

Re: 1170 Signal Hill Road, Pebble Beach, CA

Aug. 17, 2009

Dear Mr. Novo

I am the owner of the property located at 1170 Signal Hill Road at Pebble Beach. I have received a notice from The Department of Forestry and Fire protection (copy is attached) instructing me to remove certain trees and cut branches of others. I have performed in accordance with their instruction. Attached also is a report from an arborist making certain recommendations which I intend to comply. I would like to hereby request a **waiver for tree removal** retroactively. Please review these document and advise.

Massy

Massy Mehdipour

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

www.skire.com



APPLICATION FOR ADMINISTRATIVE TREE REMOVAL

This application is for the removal of three or less trees not combined with any development permit that requires discretionary approval. Removal of over three trees requires a discretionary permit. If it is believed that the tree(s) is/are a hazard, an ISA Tree Hazard Evaluation Form shall be required with the submittal of the completed application.

Based on the site plan, photos, report prepared by a County-approved tree consultant, and other information submitted by the applicant, the Monterey County RMA-Planning Department shall make a determination pertaining to the removal of trees.

All tree removal permits approved by the County are subject to conditions of approval. The approved permit(s) shall not be complete until all conditions are met. A copy of the approved tree removal permit(s) must be posted on each tree proposed to be removed for 10 days prior to removal. A copy of the approved tree removal permit(s) must be retained on-site during removal operations.

Excessive tree pruning resulting in the removal of over one-third of green foliage requires a tree removal permit.

| |
|-------------------------|
| PROJECT NUMBER |
| ASSOCIATED WITH PERMITS |

DATE STAMP:

| PROJECT INFORMATION | |
|---|---|
| ADDRESS | 1170 Signal Hill Road, Pebble Beach 93953 |
| NEAREST CROSS STREET | 17 Miles Drive |
| REASON FOR TREE REMOVAL | dead cypress tree and hazardous tree |
| ANY PRIOR TREE REMOVAL PERMITS ON LISTED PARCEL(S)? | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |

| OWNER/AGENT INFORMATION | |
|-------------------------|------------------------------------|
| NAME | MASSEY Mehdi pour |
| MAILING ADDRESS | 1425 DANA AVE, PALO ALTO, CA 94301 |
| FAX | |

| CONSULTANT INFORMATION | |
|----------------------------------|------------------------------------|
| NAME | Matt Horowitz |
| MAILING ADDRESS | 225 Crossroads Boulevard, CA 93923 |
| FAX | PMB #305 |
| E-MAIL: matorowitz@sbcglobal.net | |

| TREE REMOVAL CONTRACTOR INFORMATION | |
|-------------------------------------|-----------------|
| NAME | Joseph Sampaolo |
| MAILING ADDRESS | |
| FAX | |

| SUBJECT TREE(S) | | | |
|-----------------|---------|-----------|---|
| QUANTITY | SPECIES | DIAMETER | REASON (e.g. DEAD, DISEASED, HAZARDOUS) |
| 1 | Cypress | 41 inches | dead & Hazardous |
| 1 | Pine | 12 inches | dead & Hazardous |
| | | | |
| | | | |

County shall not be responsible for any damage to property or persons caused by or related to trees located on private property. It is the property owner's responsibility to maintain all trees on his or her property in a reasonable and safe manner, and any inspection performed by the County is limited to advisory assessment only.

I am hereby consenting, permitting and authorizing County representatives to, as necessary, enter onto my property to conduct any inspection in order to determine whether a permit/waiver should be issued. I agree to comply with all County and State laws relating to vegetation removal, disposal and transport. I acknowledge that it is unlawful to alter the substance of any official Monterey County form or document. I acknowledge that no work on the subject tree(s) is permitted until written County approval is given.

Signature of Property Owner *Mehdi Masse*
(Can be substituted for agent authorization letter)

*Monterey County reserves the right to take action against any and all parties for the violation of applicable ordinances.



Forest City Consulting

Matt Horowitz

PMB # 305

225 Crossroads Boulevard

Carmel, CA 93923

831-464-9302

July 16, 2009

Ms. Massy Mehdipour
1425 Dana Avenue
Palo Alto, CA 94301

via-mail

Re: 1170 Signal Hill Road

Dear Ms. Mehdipour:

This letter is to present my findings on a removed cypress tree at 1170 Signal Hill Road, Pebble Beach, CA. I inspected the site on July 10, 2009 and made the following observations.

Observations

The removed Monterey cypress (*Cupressus macrocarpa*) was growing at the southwest corner of a one story single family residence with an attached garage. This tree will be referred to as tree 1 in this report. The stump has been cut to grade and measures 41 inches in diameter. The stump has recently been cut as evidenced by the color of the wood. Please refer to image 1 to view the stump. The stump is approximately 12 feet from the structure. The garage on this home is on the southern side. Please refer to attachment 1 to view a sketch of the site.

On the eastern side of the courtyard fence there are several other Monterey cypress trees that have dying limbs (trees 3 and 4). These limbs appear to be infected with Coryneum canker (*Seiridium cardinale*). Please refer to image 2 to view tree 3.

A Monterey pine (*Pinus radiata*) was also removed from the courtyard (approximately 12 inches in diameter at grade).

This site is on the edge of the native habitat zone of Monterey cypress. The site is mid-slope on a southwest facing hill. There is a golf course adjacent to the home and ground vegetation is comprised mainly of tall grass and ice plant. Per the property owner, there was a wildland fire on this slope in 2008. This fire was stopped just downhill from the structure.

A Notice of Defensible Space Inspection (see attachment 2) was received from Cal Fire in May 2008. Several fire hazard violations were noted on this inspection report. Please note these hazards violated PRC 4291 which addresses the required defensible space around structures. These hazards were all related to dead limbs and trees within 30 feet of the home. Included in the inspection was a requirement to remove the dead cypress tree at the corner of the garage and the dead Monterey pine in the courtyard (see red arrows on attachment 2).

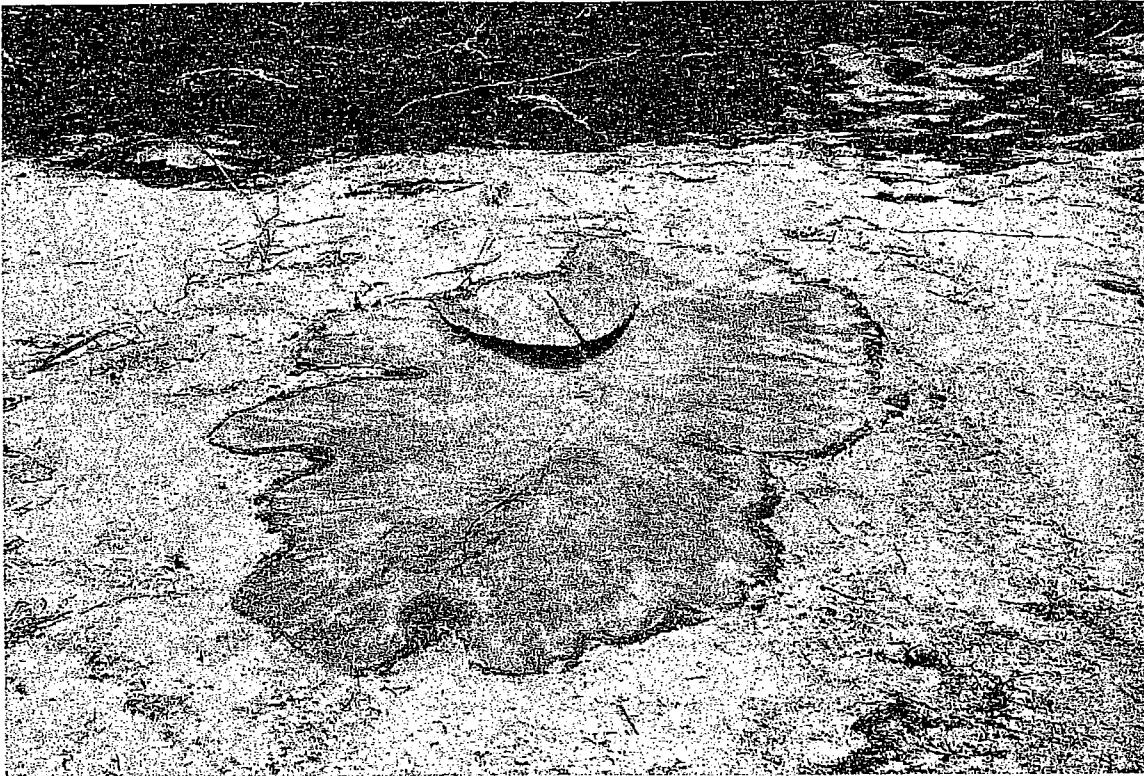


Image 1 Fresh cut cypress stump



Image 2 Tree 3 Note the dying and dead wood on this tree



Analysis and Testing

All observations were made from the ground. No root inspection was made and no invasive testing was done. No soil sampling or testing was conducted.

Discussion

As documented by the Cal Fire report the cypress in question and the Monterey pine were dead on May 13, 2008. Both trees (1 and 2) were large enough to be considered protected trees. Normally waivers for dead tree removal that are hazardous would be granted by both the Pebble Beach Company and the County of Monterey's Planning Department.

The other retained cypress trees (3 and 4) have been pruned to remove dead wood in the past. Both these trees will require more dead wood pruning in the future as limbs continue to die back. No long term cure for Coryneum canker is currently known. The standard practice is to remove infected and dead wood as it occurs.

Conclusions

Removal of trees 1 and 2 were required by state law. While the permitting process was not followed to the letter of the law, it is easy to see how a homeowner could become confused when dealing with three separate entities on this matter (Cal Fire, the Pebble Beach Company and the County of Monterey). At this point the best outcome will be to replace the removed trees with seed sourced stock. This stock would be from seed gathered from native trees in the area. This should help to protect the genetic makeup of the replacement trees and native forest. The replacement trees should be planted in the same general area as the removed cypress tree but as far away from the home as possible (to prevent the same problem in the future). Please refer to attachment 1 to view the planting sites (replacement sites are marked with green triangles). Due to the sandy nature of the soil at this site the replacement species should be Monterey cypress. Monterey pine would struggle to become established at this site and may become burned by the sun if planted at this site.

Recommendations

- 1) Plant two replacement Monterey cypress trees at sites indicated on the planting map (see attachment 1). These trees should come from the Pebble Beach Company's stock of native replacement trees. The replacement trees should be the largest available up to 15 gallon trees. Larger trees will have a harder time becoming established on this site and the 15 gallon trees will catch up in size in a few years. Contact Erik Love at the Pebble Beach Company to obtain these trees. Erik Love's phone number is 831/625-8414.
- 2) Water the trees whenever the soil dries out (once a week or so, more in summer and less in winter). Over watering and under watering are the two most frequent causes of death for planted trees.

Attachment 2 Inspection report

292251

STATE OF CALIFORNIA
 DEPARTMENT OF FORESTRY AND FIRE PROTECTION
 NOTICE OF DEFENSIBLE SPACE INSPECTION
 LE-100 (NEW - 5/2008)

NOTICE OF DEFENSIBLE SPACE INSPECTION
 THIS IS A LEGAL NOTICE OF FIRE HAZARD VIOLATIONS (IF NOTED IN BLOCK 32)
 SHADED BOXES MANDATORY - ALL OTHERS OPTIONAL

| | | | | | | |
|--|--|--|------------------------------------|---|--|---|
| 1. INSPECTOR'S FULL NAME (FIRST, M.I., LAST) SILVA VINCE P. | | 2. INSPECTOR'S TITLE FIRE CAPT | | 3. BADGE NUMBER 970 | 4. INSPECTOR'S AGENCY CAL FIRE | 5. INSPECTION DATE 5-13-08 |
| 6. PROTECTION RESPONSIBILITY SRA <input type="checkbox"/> LRA <input type="checkbox"/> FRA <input type="checkbox"/> | | 7. LIMIT BEU | 8. BATTALION NUMBER 4612 | 9. STATION NUMBER PEBBLE BEACH BS | | |
| BIA <input type="checkbox"/> | BLM <input type="checkbox"/> | 10. AP BOOK | 11. AP PAGE | 12. AP PARCEL # | | |
| CAL FIRE <input type="checkbox"/> | Contract County <input type="checkbox"/> | 13. LATITUDE (Datum = WGS84) (Decimal Degrees; ex: 38.5761) | | 14. LONGITUDE (Datum = WGS84) (Decimal Degrees; ex: 121.3859) | | |
| USFS <input type="checkbox"/> | Other <input type="checkbox"/> | 15. If mailing address for notices is other than inspection location, check here: <input type="checkbox"/> and write complete address in comments section. | | | | |
| 16. NAME (LAST, FIRST) | | | | | | |
| 17. ADDRESS 1170 SIGNAL HILL RD | | | | | | |
| 18. CITY PEBBLE BEACH | | | | | 19. STATE CA | 20. ZIP 93953 |
| 21. PHONE NUMBER #1 | | 22. PHONE NUMBER #2 | | 23. E-MAIL ADDRESS | | |
| 24. COMMENTS Mtny Pine PRC 4291 Trim cypress trees of dead branches 6-10' above ground 14CCR1299 Remove dead cypress tree at corner of garage Remove dead mtny pine in courtyard Remove dead branches overhanging house IF YOU HAVE QUESTIONS CONCERNING THIS INSPECTION NOTICE, CALL THIS PHONE NUMBER (831) 375-4204 | | | | | | |
| 25. VIOLATION/REINSPECTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | 26. INSPECTION # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 | | 27. CITATION # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 | | 28. FOLLOW-UP INSPECTION DATE 6-13-08 |
| 29. <input type="checkbox"/> No violations observed (check if applicable) | | 30. <input type="checkbox"/> Alternative practices approved having same practical effect. (See comments section above (14 CCR 1299(c) (check if applicable)) | | 31. ACTIONS TAKEN <input checked="" type="checkbox"/> Left informational material <input type="checkbox"/> Discussed clearance with resident <input checked="" type="checkbox"/> Left copy of this inspection notice <input type="checkbox"/> Citation issued <input type="checkbox"/> Recommend citation to prevention | | |
| 32. Violations were observed. Additional clearance is needed for the following areas (check applicable sections) <input checked="" type="checkbox"/> 30 foot zone, PRC 4291(a); 14CCR 1299(a)(1) <input type="checkbox"/> Grass <input type="checkbox"/> Brush <input checked="" type="checkbox"/> Trees <input type="checkbox"/> Shrubs <input checked="" type="checkbox"/> Reduced Fuel Zone (30 - 100) PRC 4291(b); 14CCR 1299 (a)(2) <input type="checkbox"/> Grass <input type="checkbox"/> Brush <input checked="" type="checkbox"/> Trees <input type="checkbox"/> Shrubs <input checked="" type="checkbox"/> Remove specific hazardous fuel identified by inspector - 14CCR 1299(b) Courtyard Mtny Pine <input type="checkbox"/> Dead and dying woody surface fuels - 14CCR 1299(d) <input type="checkbox"/> Remove portion of any tree that extends within 10 feet of the outlet of a chimney or stovepipe PRC 4291(c) <input checked="" type="checkbox"/> Maintain any tree adjacent to or overhanging a building free of dead or dying wood - PRC 4291(d) <input type="checkbox"/> Maintain the roof of a structure free of leaves, needles, other dead vegetation - PRC 4291(e) <input type="checkbox"/> Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to a fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size. PRC 4291(f) | | | | 33. GENERAL BUILDING CONSTRUCTION TYPE <input type="checkbox"/> Wood Siding <input type="checkbox"/> Wood Roof <input checked="" type="checkbox"/> Non-combustible siding <input type="checkbox"/> Manufactured (Mobile) Home <input type="checkbox"/> Metal <input type="checkbox"/> Concrete/Block <input type="checkbox"/> Other Deck Present <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| 34. FOR ADDITIONAL INFORMATION ON HOW TO COMPLY WITH DEFENSIBLE SPACE CLEARANCE REQUIREMENTS, PLEASE VISIT: WWW.FIRE.CA.GOV | | | | | | |



NOTICE OF DEFENSIBLE SPACE INSPECTION
 THIS IS A LEGAL NOTICE OF FIRE HAZARD VIOLATIONS (IF NOTED IN BLOCK 32)
 SHADED BOXES MANDATORY - ALL OTHERS OPTIONAL

| | | | | | | | | | | |
|--|--|--|--|--|--|--|---|--|---|--|
| 1. INSPECTOR'S FULL NAME (FIRST, M.I., LAST) SILVA VINCE P | | | 2. INSPECTOR'S TITLE FIRE CAPT | | 3. BADGE NUMBER 970 | | 4. INSPECTOR'S AGENCY CAL FIRE | | 5. INSPECTION DATE (MM/DD/YYYY) 5-13-08 | |
| 6. PROTECTION RESPONSIBILITY SRA <input type="checkbox"/> URA <input type="checkbox"/> FRA <input type="checkbox"/> | | | 7. UNIT ID BEU | | 8. BATTALION NUMBER 4612 | | 9. STATION NUMBER PEBBLE BEACH FS | | | |
| BIA <input type="checkbox"/> BEM <input type="checkbox"/> CAL FIRE <input type="checkbox"/> Contract County <input type="checkbox"/> USFS <input type="checkbox"/> Other <input type="checkbox"/> | | | 10. AP BOOK | | 11. AP PAGE | | 12. AP PARCEL # | | | |
| 13. LATITUDE (Datum = WGS84) (Decimal Degrees; ex: 36.5761) | | | | | 14. LONGITUDE (Datum = WGS84) (Decimal Degrees; ex: 121.4969) | | | | | |

15. If mailing address for notices is other than inspection location, check here: and write complete address in comments section.

16. NAME (LAST, FIRST)
 17. ADDRESS
 18. CITY
 19. STATE
 20. ZIP

INSPECTEE

170 SIGNAL HILL RD
PEBBLE BEACH
GA
93953

21. PHONE NUMBER #1
 22. PHONE NUMBER #2
 23. E-MAIL ADDRESS

24. COMMENTS:

Mtny Pine#
 PRC 4291: Trim Cypress trees of dead branches 6-10' above ground
 14CCR 1299: Remove dead cypress tree at corner of garage
 Remove dead Mtny pine in courtyard.
 Remove dead branches overhanging house

IF YOU HAVE QUESTIONS CONCERNING THIS INSPECTION NOTICE, CALL THIS PHONE NUMBER **(831) 375-4204**

| | | | | | | | |
|---|--|---|--|--|--|---|--|
| 25. VIOLATION REINSPECTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | 26. INSPECTION # <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 | | 27. CITATION # <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 | | 28. FOLLOW UP INSPECTION DATE (MM/DD/YYYY) 6-13-08 <input type="checkbox"/> N/A | |
| 29. <input checked="" type="checkbox"/> No violations observed (check if applicable) | | 30. <input checked="" type="checkbox"/> Alternative practices approved having same practical effect - See comments section above (14 CCR 1299 (c)) (check if applicable) | | 31. ACTIONS TAKEN <input checked="" type="checkbox"/> Left informational material <input type="checkbox"/> Discussed clearance with resident <input checked="" type="checkbox"/> Left copy of this inspection notice <input type="checkbox"/> Citation issued <input type="checkbox"/> Recommendation to prevention | | | |
| 32. <input checked="" type="checkbox"/> Violations were observed. Additional Clearances needed for the following areas: (check applicable sections) <input checked="" type="checkbox"/> 30-foot zone: PRC 4291(a) - 14CCR 1299(a)(1) <input type="checkbox"/> Grass <input type="checkbox"/> Brush <input checked="" type="checkbox"/> Trees <input type="checkbox"/> Shrubs <i>Trim dead branches off</i> <input checked="" type="checkbox"/> Reduced Fuel Zone (0'-100') PRC 4291(b) - 14CCR 1299(a)(2) <input type="checkbox"/> Grass <input type="checkbox"/> Brush <input checked="" type="checkbox"/> Trees <input type="checkbox"/> Shrubs <i>Dead</i> <input checked="" type="checkbox"/> Remove specific hazardous fuel identified by inspector - 14CCR 1299(b) <i>Courtyard Mtny Pine</i> <input type="checkbox"/> Dead and dying wood/surface fuels - 14CCR 1299(d) <input type="checkbox"/> Remove portion of any tree that extends within 10 feet of the outlet of a chimney or slopepipe PRC 4291(c) <input checked="" type="checkbox"/> Maintain any tree adjacent to or overhanging a building free of dead or dying wood - PRC 4291(d) <input type="checkbox"/> Maintain the roof of a structure free of leaves, needles, other dead vegetation - PRC 4291(e) <input type="checkbox"/> Provide and maintain at all times a screen over the outlet of every chimney or slopepipe that is attached to a fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size - PRC 4291(f) | | 33. GENERAL BUILDING CONSTRUCTION TYPE <input type="checkbox"/> Wood Siding <input type="checkbox"/> Wood Roof <input checked="" type="checkbox"/> Non-combustible siding <input type="checkbox"/> Manufactured (Mobile) Home <input type="checkbox"/> Metal <input type="checkbox"/> Concrete/Block <input type="checkbox"/> Other _____ Deck Present <input type="checkbox"/> YES <input type="checkbox"/> NO | | | | | |

34. FOR ADDITIONAL INFORMATION ON HOW TO COMPLY WITH DEFENSIBLE SPACE CLEARANCE REQUIREMENTS, PLEASE VISIT:
WWW.FIRE.CA.GOV

Prevention: 375-9644