

From: diane.dianegibsongray.com
To: [Hersch, Anne](#); [Planning Division](#)
Cc: diane.dianegibsongray.com; [Ken Gray](#)
Subject: Planning Commission meeting 2-15-23 item 7.5
Date: Tuesday, February 14, 2023 3:51:08 PM

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Public Comment for Planning Commission Meeting 2/15/23

7-5. Appeal of Street Tree Permit at 411 W. 5th St.

First, thank you Commissioners for your October 5, 2022 decision allowing both trees to be removed and replaced. This has been a stressful situation since February 2022. The recent winter storms and high winds, especially in late December 2022 to current, have resulted in my experiencing many stressful days and sleepless nights.

The line below from the arborist's report is the primary reason, along with many other concerns presented to the commission in October, that I have if the trees are allowed to continue to grow in an inappropriate sized space for the root system.

"...however, there is more risk of larger branches breaking off due to heartrot decay. These failures have the potential for hitting wires, vehicles, even pedestrians.

I do not want to spend each winter agonizing over what could happen, especially if anyone would be hurt by limbs breaking off causing damage or harm.

I am sure the neighbors will again present passionate testimony to deny the permit, but for safety and liability reasons, I hope the commission will reaffirm the October 2022 decision.

Beyond tonight's meeting, it is my hope that you use this experience to protect the rights of homeowners when the Tree Removal Municipal Code is brought before this commission. I think we all agree there is a need for clarity and equity in applicable standards. If a collective group of homeowners wish to have higher standards beyond the municipal code, such as the residents of 5th St and Rivertown District members are advocating for, perhaps establishing a homeowners association would be a solution to address the wants and costs of specific neighborhood desires.

Respectively submitted,

Diane Gibson-Gray

Excuse errors from voice to text.

From: [Kim Stadtlander](#)
To: [Planning Division](#)
Subject: Item 7-5 Appeal of Tree Permit at 411 W. 5th Street
Date: Wednesday, February 15, 2023 11:56:07 AM

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To the Antioch Planning Commission,

We are downtown residents, residing at 3rd and E Streets. One reason we chose a downtown Antioch residence was the appeal of the trees that line many of the streets. We walk the neighborhood daily and enjoy the ambiance the mature trees provide. The mature trees add to the aesthetics of the unique architecture of downtown, provide much needed shade, and enhance the quality of the air.

We are asking that you appeal your decision to allow a permit to cut down the London Plane trees at 411 West 5th Street. Any damage caused by the trees can be mitigated as many homeowners in downtown have had to do. The Arborist from the City, upon evaluating the two trees, indicated that they were in good health and should continue in good health for the next 10 years.

We are asking you to protect the trees, especially the one that was not damaged (from a previous attempt to cut it down). Thank you for considering our request.

Sincerely,

Rick and Kim Stadtlander
925-586-9433

From: [Droolian Michaels](#)
To: [Planning Division](#)
Subject: Email for Commissioners for tonight's meeting
Date: Wednesday, February 15, 2023 12:20:47 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning Commissioners,

This email pertains to Item 7-5 of your agenda tonight, the appeal of a permit for tree removal at 411 West 5th Street. We live in the Rivertown District, District 1 of Antioch. We are requesting that you reconsider your decision to allow the home owner of 411 West 5th Street to cut down the trees on the sidewalk area. We love the downtown area, with all of the trees that line most of the streets. It's unique to downtown areas. What if all of us who live downtown wanted to cut down our trees because they were a nuisance? We would look just like some of the drab neighborhoods that lack mature trees. It seems a risky precedent to set! Don't set a precedent by allowing a home owner to remove healthy trees (at least the one that wasn't harmed by cutting at that residence). If you allow this, where will it stop? Stand up and protect our beautiful downtown trees!

We are asking you to reverse your decision. Thank you for the opportunity to share our concerns and outrage.

Respectfully,

Ciara Bell and Josh Zuwala
Rivertown residents of 11 years

Feb. 15, 2023

To: The Planning Commission of the City of Antioch, CA.
With regard to the application by Diane
Gibson-Grey, for a permit for the removal
of 2 heritage sycamore trees in front of her
rental property at 411 W. 5th St. Antioch, CA

The request for permit of tree removal
should be denied. As Ms. Gibson-Grey, a former
City employee and a candidate for City Council,
knew full well that trying to remove a heritage
trees without a permit was illegal. By trying
to side step the city code, she should be fined
not given a removal permit after the fact.

If any permit is to be granted to Ms Gibson-Grey
in lieu of a fine, it should be a pruning permit.
The permit should require her to hire a
licensed tree arborist/company to oversee
and do the pruning. For tree #1, the
one illegally cut should be trimmed to
maintain a healthy future and shape
to help it recover. Tree #2 should
be trimmed to maintain a healthy future.

Lawrence Elcenko
408-420 W. 6th St.
Antioch, CA 94509

(over) →

If the commission wants to deter Ms. Gibson-Grey from any further illegal actions, require her to pay for the permits for the pruning of her neighbor's 3 heritage Sycamore trees, as penance to the neighborhood.

I also feel this item should be pushed out when the planning commission hold their meetings in person not virtually, as many people in the area may not have computer access or the knowledge to participate in Zoom meetings.

Thank you for the opportunity to defend the preservation of the Landmark trees in front of 411 W. 5th Street once again.

When the neighborhood and I appealed the decision of the City of Antioch to allow the removal of the landmark trees at 411 W. 5th Street, we were invited to present our appeal to the planning commission. We were sent over an agenda, I was invited to be a panelist, a link to register and participate was sent to the neighbors and to those that had sent letters supporting the preservation of these landmark trees. We were given our due process. You made a recommendation that evening to stop the removal of one tree, and remove the other that had been partially cut down. Although we did not agree with the removal of either tree, we thought your decision was fair.

What was not fair was for the proponent of the tree removal to be allowed to come back to the next planning commission meeting without the City of Antioch notifying myself, the appellant, and the neighborhood, that this was coming back for discussion. Why were we not afforded the opportunity to defend our position and your initial recommendation? Why did the City go to great lengths to invite us to participate in the first meeting and not the subsequent discussion? Your decision and recommendation at that subsequent meeting to reverse your decision and allow the removal of the trees should be null and void as the city failed to honor our due process.

I hope that tonight you will take the time to really listen to us. The entire neighborhood does not want or believe it is necessary to destroy these beautiful and healthy historic trees. We just went through nine atmospheric rivers and they stood strong just like they have for the last 100 years. The city's own tree policy states that they will protect all mature and landmark trees unless it presents an immediate hazard to life and/or property. These trees do not meet that requirement.

A homeowner, especially one that does not even live in the property, should not have the right to take down a publicly owned legacy tree such as these because it is inconvenient to their budget. All of us downtown have chosen to live here because of its unique character, ambiance and the tree lined streets that provide us with shade, health and beauty. We have all taken on the occasional cost that comes with maintaining these trees and infrastructure. None of us would consider destroying these landmarks, especially if our neighbors and community were so adamantly against it.

You do not have to go far to see these beautiful London Plane trees lining our sidewalks all throughout town. They line the old neighborhoods of Sonoma, Sacramento, Pleasanton, Martinez and many other cities. In these communities the City works with homeowners to make sure they are maintained and preserved. Antioch needs to decide if it actually is going to be a tree city by name or one that actually follows through on its policy of preservation and removal only if deemed hazardous.

We request that you consider the Arborist report that said these trees should be in good health for at least the next ten years.

We request that you allow both trees to remain for now, as the tree that was partially cut is coming back and with foliage in the Spring will continue to grow and provide shade and beauty.

We request that you consider that replacement trees will only allow new root growth that could cause new and subsequent problems for homeowners.

We request that you help us preserve these trees for as long as possible. That you consider instead annual or bi-annual reviews to ensure the safety and well-being of these trees and of the property owners.

We request tonight that you reverse your decision approving the removal of the London Plane Landmark Trees on publicly owned land in front of 411 W. 5th Street. If you do not reverse your decision tonight, we will not give up the fight. We have all discussed this possible outcome and have decided that we will be forced to appeal your decision to the City Council which unfortunately would cost our neighborhood thousands of dollars. Please help us save these trees.

Thank you,

Joy Motts

419 W. 5th Street

From: [Rachel Motts](#)
To: [Planning Division](#)
Subject: Agenda Item 7-5 (Tree Removal 411 West 5Th Street)
Date: Wednesday, February 15, 2023 2:18:39 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Rachel Motts and I am writing in to you tonight, as I did at the first meeting on this issue, in support of keeping the trees alive and well on 5th Street. I grew up on 5th street and have spent much of my childhood admiring their beauty and enjoying the shade and historical significance they provide to our neighborhood. I also understand the financial obligation they can sometimes cause to property owners and Diane Gibson Gray is not alone in dealing with these obligations. We all have. I was very happy that you guys heard all parties concerned and while I think both trees should be kept alive, I understood your decision to remove the one tree that Diane Gibson Gray had already butchered. I felt this was a fair decision.

I have to say that I am frustrated that as a board that you changed your mind and votes at a meeting where the appellant was not notified or included in the meeting or told that the proponent was coming to speak on this issue again by city staff and therefore none of us who spoke at the original meeting knew we needed to be there either. While getting involved in political matters is not something the Planning Commission typically meddles in, I do think it's important that you know that Diane Gibson Gray was running for the same City Council seat (District 1) as Joy Motts (appellant) in this last year's election. On the night of the meeting where you guys changed your decision, there was a local forum for District 1 candidates. It was public knowledge that Joy Motts had RSVPd for this event and another opponent attended as well. Diane Gibson Gray chose not to attend. I believe Diane knew Joy would be at this forum talking with constituents and sneakily took the opportunity to approach this with your commission knowing Joy or no one else was there to defend this issue. She seems to have brought up "additional information" that was, oddly enough, not given at the first meeting. I feel this does not show transparency on behalf of the proponent. In addition, this matter was not handled in a fair and equitable manner by the city staff. I feel the proponent took advantage of the situation to her benefit and you guys allowed that to happen. I truly hope you will listen to the actual neighbors of 5th street that are impacted by this decision and vote again to support the arborist's conclusion that these historic trees should be healthy and survive for the next decade plus as you did at the first meeting we all attended. Thank you.