**Permit Center**
210 Lottie Street, Bellingham, WA 98225
Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: (360) 778-8382
Email: permits@cob.org Web: www.cob.org/permits

# Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

| | | |
|---|---|---|
| ☐ Accessory Dwelling Unit<br>☐ Binding Site Plan<br>☒ Clearing Permit<br>☐ Conditional Use Permit<br>☐ Critical Area Permit<br>☐ Minor Critical Area Permit<br>☐ Design Review<br>☐ Grading Permit<br>☐ Home Occupation<br>☐ Institutional<br>☐ Interpretation<br>☐ Landmark – Historic Certificate of Alteration<br>☐ Legal Lot Determination<br>☐ Nonconforming Use Certificate | ☐ Parking Adjustment Application<br>☐ Planned Development<br>☐ Rezone<br>☐ SEPA<br>☐ Shoreline Permit<br>☐ Shoreline Exemption<br>☐ Subdivision-Short Plat/Lot Line Adjustment<br>☐ Subdivision-Preliminary Plat<br>☐ Subdivision-Final Plat<br>☐ Variance<br>☐ Wireless Communication<br>☐ Zoning Compliance Letter<br>☐ Other:_____ | **Office Use Only**<br>Date Rcvd:_____<br>Case #:_____<br>Process Type: _____<br>Neighborhood: _____<br>Area Number: _____<br>Zone: _____<br>Pre-Ap. Meeting:_____<br>Concurrency: _____ |

## Project Information

Project Address 830 BLAIR RD Zip Code 98225

Tax Assessor Parcel Number (s) 3702143944 50

Project Description REMOVE 3 TREES - SEE TREE ASSESSMENT

## Applicant / Agent ☒ Primary Contact for Applicant

Name JOHN HINDMAN

Mailing Address 1392 COUNTRY LANE

City BELLINGHAM State WA Zip Code 98225

Phone 360-220-6755 Email JOHN@HINDMANCONSTRUCTION.COM

## Owner (s) ☐ Applicant ☐ Primary Contact for Applicant

Name HEATHER PECK

Mailing Address 7687 GOLDEN PRAIRIE CT.

City FORT COLLINS State CO Zip Code 80525

Phone _____ Email MRSHEATHERPECK@GMAIL.COM

## Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or inspection process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent _____, Date 7/7/21

City and State where this application is signed: BELLINGHAM (City), WA (State)

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# CLEARING PERMIT REQUIREMENTS

(PLEASE PRINT CLEARLY OR TYPE IN BLUE OR BLACK INK)

The City of Bellingham Clearing Ordinance was adopted in May 1992. The purpose of the ordinance is to encourage preservation of existing vegetation, to minimize erosion, and to reduce any harmful effects to the community and the environment as a result of unnecessary clearing. (For additional information refer to the Clearing Ordinance, #10308)

"Clearing" is any cutting or removal of trees, shrubs, or ground cover, in any manner exceeding minor non-vehicular cutting or removal sufficient for line of sight surveying and foot access trails.

You must obtain written approval from the City of Bellingham Planning & Community Development Department if you do not have an approved building permit and if you plan to clear an area of 500 square feet or greater, on slopes greater than 15%, or within 100 feet of any lake, stream, or wetland. Written approval will usually be issued within one day from the date all required information is submitted.

## Application Requirements:

- ☐ A completed Land Use Application form
- ☐ All of the materials and information required by this form
- ☐ SEPA Checklist, if applicable
- ☐ Application fee payment

## Project Data:

1. Name of Contractor HINDMAN CONSTRUCTION INC Phone 360-220-6755
2. Current condition of use or site CLEARED LOT
3. Proposed Use REMOVE 3 TREES IN DANGER OF FALLING ON NEW HOME
4. Located in Watershed? NO Overhead power lines / cable? NO
5. Existing structures on-site and adjacent to site YES - NEW HOME UNDER CONSTRUCTION @ 834 SIRIAH RD
6. Description of clearing method and equipment CHAINSAW
7. Description of erosion control and stabilization methods N/A

8. Description of drainage controls N/A

Please provide a scaled site plan showing the following:

1. Scale and North Arrow
2. Dimensions of site with property corners shown
3. Street, address, or a specific location
4. Description of slope if greater than 15%
5. Any surface water features: streams, wetlands, seeps, springs, or seasonal drainage on site
6. Location and type of erosion and sedimentation control
7. Show where construction activity, if any, is taking place
8. Indicate access points, construction entrance
9. Show any existing structures on site to remain
10. If site is adjacent to parks property, designated Open Space, or City rights-of-way, indicate their location
11. Show location of all vegetation to be saved and indicate trees to be saved, including species if known

** NOTE: CLEARING LIMITS MUST BE MARKED IN THE FIELD WITH FLAGGING OR STAKES. ALL TRESS TO BE SAVED MUST BE CLEARLY MARKED. CAUTION SHOULD BE TAKEN TO AVOID DAMAGING THE ROOT ZONE OR "SAVE" TREES (APPROXIMATELY THE DRIP LINE OF THE LONGEST BRANCHES).

*Contact the City of Bellingham Planning & Community Development Department for information on native plant landscaping, disposing of land clearing debris, hazard tree assessment, and any other questions you may have about your clearing project.*

# Tipasathian Tree Risk Assessment

834 Briar Rd.
Bellingham, WA 98225
Parcel 370214394450

Prepared for Hindman Construction on
Behalf of Anuchit Tipasathian
3013 Hayward Ct.
Bellingham, WA 98226


**Aubrey Stargell**
**PN6860A**

Prepared by Aubrey J. Stargell
Forester, Certified Arborist PN 6860A
P.O. Box 159
Everson, WA 98247


May 26, 2021

## Purpose and Background Information

I was asked by Hindman Construction Co. who is in the process of constructing a single-family residence at 834 Briar Rd. Bellingham, WA to conduct a Tree Risk Assessment (TRA) of 3 trees along the southwest boundary of the home construction site. The new home is being constructed for Anuchit Tipasathian who is the owner of 834 Briar Rd. The trees are on the east margin of the adjacent property at 830 Briar Rd. owned by the Peck Family Revocable Trust. This TRA is done with the knowledge and permission of the Peck Family Revocable Trust and as directed by Hindman Construction. The trees are within striking distance of the adjacent home currently under construction at 834 Briar Rd.

## Methodology

The relative hazard of a tree is determined by consideration of a number of factors. The first factor to consider is likelihood of failure. This likelihood can be rated from Improbable to Imminent or from 1-4 with four being the most likely to fail. Determining components of likelihood of failure include the detection and relative size or proportion of defective tree mass, soil conditions, degree of lean, the presence of pests or parasitic organisms, a tree's relative position in the landscape, and site history among others. Failure can range from partial failure (large branches, tops etc) to total failure (tree is uprooted and toppled). Any of the points in this range has the potential to cause significant damage and or death, especially with large trees.

The second important component of a tree's relative hazard is the potential target if a tree fails. The target potential can be rated from Unlikely to Very likely. It can also be rated 1-4 with four being the highest. Factors contributing to target potential include the presence of buildings, pedestrians, and the frequency of occupation/presence of people.

The third factor contributing to a tree's relative hazard is the consequences of failure and impact. This is rated from Negligible to Severe or from 1-4 with four being the largest size of material to strike a target. The size of tree part likely to hit the target is used in the numerical rating system as larger tree parts cause greater damage.

There are also other risk factors to be considered such as sheltering by other trees, past grade changes/construction practices around a given tree, and historical/experiential characteristics specific to particular tree species.

Failure can range from partial failure (large branches, tops etc.) to total failure (tree is uprooted and toppled). Any of the points in this range has the potential to cause significant damage and or death, especially with large trees.

The trees in this study were assessed by two methods based on the components described above. The first is a Level 2 Visual Tree Assessment (VTA) per the Tree Risk Assessment Qualification (TRAQ) protocol as developed by the International Society of Arboriculture (ISA) as of 2016. The TRAQ risk rating is derived from a combination of considerations including likelihood of failure, likelihood of impacting a target(s), and consequences of impact. The trees were also evaluated by employing a numerical hazard rating score as previously utilized by ISA. VTA is a commonly accepted method of hazard tree evaluation. The trees were visited and assessed by visually examining the trees for species identification, form, defect, vigor, size, and potential targets. The risk time horizon for this assessment is two years. The trees were designated numbers 1-3 and labeled on site with pink ribbons.

## Results

### Tree 1

Tree 1 is a 27" dbh (diameter at breast height) Grand fir (*Abies grandis*) with a height of ~ 105' and a crown spread of ~ 15'. The tree is located ~ 26' north of the home under construction at 834 Briar Rd. The tree has a weak and stunted crown with many dead branches. Tree vigor appears to be poor based on foliage color and density and the crown appears to be dying back. Hammer soundings did not indicate internal decay at least at the base however.

Tree 1 has a failure potential rated at 3 (most likely partial crown failure). The size of tree part most likely to hit the future homes is rated at 2. The target potential is rated at 4 as this tree is well within striking distance and uphill of the adjacent home. Full-time home occupancy in the near future is assumed. Thus, the hazard rating is 9 out of a possible twelve. The TRAQ risk rating is High mostly due to the likelihood of partial crown failure.

### Tree 2

Tree 2 is a 35" dbh Douglas fir (*Pseudotsuga menziesii*) with a height of ~ 115' and a crown spread of ~ 35'. This tree is located ~ 20' northwest of the home under construction and 25' southeast of tree 1. The tree has an old kink in the trunk ~ 30' up and moderate bark beetle sign. There are several dead 2" – 3" branches in the lower crown. The southeast margin of the Critical Root Zone (CRZ) has been excavated ~ 5' deep 17' east of the trunk and several small to medium roots have been severed and exposed. The CRZ is defined generally as having 1' of radius from the trunk for every inch of dbh. Thus, the CRZ for Tree 2 would have a radius of 35' from the trunk.

Tree 2 has a failure potential of 2.5. The size of part to hit the target is rated at 2. The target rating is 4. This tree has a hazard rating of 8.5. The TRAQ rating is Moderate to High risk.

**Tree 3**

Tree 3 is a 24" dbh Douglas fir with a height of ~ 90' and a crown spread of ~ 20'-25'. This tree is located 32' southwest of Tree 2 and 6' west of the home under construction. About 45 % of the CRZ has been excavated ~ 3' deep on the east side of the tree. Several 1" – 2" roots have been severed and are exposed. This condition will reduce the tree's ability to absorb water and soil nutrients and reduce the mechanical anchorage to the ground.

Tree 3 has a failure potential rated at 3. The size of part to hit the target is rated at 2. The target potential is rated at 4. The hazard rating for Tree 3 is 9. The TRAQ risk rating is High.

**Table 1: Tree Risk Summary**

| TREE | SPECIES | DBH | COMMENTS | RISK RATING |
|---|---|---|---|---|
| 1 | Grand fir | 27" | Indian paint fungus? Dead crown ptns. | 9/High |
| 2 | Douglas fir | 35" | kink in trunk, little suppressed | 8.5/Moderate-High |
| 3 | Douglas fir | 24" | ~ 45% CRZ excavated | 9/High |

See attached photos of the site for illustration.

**Disclaimer**

This hazard tree assessment uses accepted professional methods for evaluation and exercised reasonable care. Aubrey Stargell and Great Western Lumber in no way warrant the relative stability or safety of any tree either expressed or implied due to the potential of undetected defect or acts of God. There are other trees on the property and adjacent properties that were not evaluated and no representations are made or implied whatsoever regarding their safety or hazard. Be advised that even a healthy and apparently stable tree can be a hazard under adverse conditions.

Respectfully,

Aubrey J. Stargell
Forester, ISA Certified Arborist PN-6860A, TRAQ

TREES ON 830 BRIAR RD.

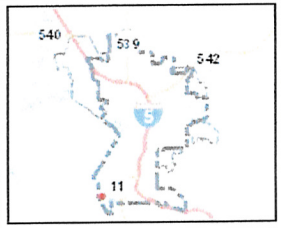
#1 3' OFF Property line
45' OFF Shoreline Buffer

#2 14' OFF Property line
73' OFF Shoreline Buffer

#3 19' OFF Property line
101' OFF Shoreline Buffer

City of Bellingham WASHINGTON

# CityIQ Map


## Legend

- Buildings
- Docks
- Tax Parcels
  - Care Facility
  - Hospital
  - Schools
  - <all other values>
- Schools
  - Colleges/Universities
  - Elementary, Middle, High Schools
  - Private School or Preschool
- Fire Stations
- City Boundary
- Urban Growth Area
- Trails
- Railroads
- Ferries
  - Street
  - Interstate
- Airport
- Open Channel Streams
- Parks

## Notes

*Printed: 7/12/2021 10:06:44 AM*

62 0 31 62 Feet

THIS MAP IS NOT TO BE USED FOR NAVIGATION

John Hindman <john@hindmanconstruction.com>

# tree update

**Heather Peck** <mrsheatherpeck@gmail.com> Thu, Jun 24, 2021 at 11:58 AM
To: John Hindman <john@hindmanconstruction.com>

Hi John,

I discussed it with my architect. Although, I would rather *not* remove the trees, you have my permission to do so. I don't want to run the risk of damaging Ken's property/our relationship, if they are indeed a threat. Perhaps I will just put up a privacy fence in the area where they were...

Thanks.

[Quoted text hidden]