

APPEAL dated 11-26-2007

Appeal of Director's decision permitting removal of Heritage Tree

(Reference Public Hearing of November 2, 2007)

Submitted by email to: [urbanforestry@cityofsacramento.org](mailto:urbanforestry@cityofsacramento.org)

Project Title: Dana Way Heritage Tree Removal

Location: 5320 Dana Way Sacramento 95822 (Hollywood Park)

I am appealing the Director's decision to permit removal of the Heritage Tree at 5320 Dana Way. The Director's finding that the tree or tree roots are causing, or threatening to cause, damage to any main structure on the owner's property is not supported by evidence.

A public hearing finding must not be arbitrary. It must be supported by pertinent evidence. In this particular case, the Director's finding should be based on evidence that the tree or roots from this tree are causing, or threatening to cause, damage to any main structure.

In fact the director's finding may be contrary to evidence. It is obvious to anyone who sees it that the Heritage Tree in question is no longer in its growing stage. A neighbor who lives on the same street said that the previous owner may have had the roots cut ten or twenty years ago. Probably no new large roots can be generated at this stage of the tree's life.

I am requesting full disclosure to me of all material submitted for the public hearing of November 2, 2007. Please send it to me at my residence address: 4932 Harte Way Sacramento 95822.

You may also call me at 451-7125 or send me an email at [efishman@calweb.com](mailto:efishman@calweb.com).

Thank you.

Emily Fishman