



LAYTON TREE CONSULTING, LLC

Trees & Construction Memo

MacPherson Construction

To: Dan Buchser
From: Bob Layton
CC:
Date: September 2, 2025
Re: 5320 Butterworth RD - Tree #33 and #35 Retention Issues

Dear Dan,

I have reviewed the final site plan for the new construction proposed at 5320 Butter worth Road on Mercer Island. Apparently, there are correction comments related to the proposed removal of exceptional Trees #33 and #35. The comments are as follows:

Reviewer's Comment 1

Japanese maple is exceptional at 1 ft in size per our exceptional tree table found in MICC 19.16.010.

Have your arborist speak to MICC 19.10.060(A)(3) for the removal of exceptional trees:

3.Retention of exceptional trees. Development proposals specified under subsection (a)(1) of this section shall retain exceptional trees with a diameter of 24 inches or more. Exceptional trees with a diameter of 24 inches or more that are retained shall be credited towards compliance with the retention requirements of subsection (A)(2) of this section. Removal of exceptional trees with a diameter of 24 inches or more, shall be limited to the following circumstances:

a. Retention of an exceptional tree(s) with a diameter of 24 inches or more will result in an unavoidable hazardous situation; or

b. Retention of an exceptional tree(s) with a diameter of 24 inches or more will limit the constructable gross floor area to less than 85 percent of the maximum gross floor area allowed under chapter 19.02 MICC; or,

It's all about trees.....

c. Retention of an exceptional tree(s) with a diameter of 24 inches or more will prevent creation of a residential lot through a subdivision or short subdivision that is otherwise allowed by this title.

Tree #33 will be compromised by the proposed new driveway construction. The tree is located too close to the proposed grading for the new driveway subbase to be feasibly retained. The anticipated amount of root loss can be expected to trigger immediate decline and compromise structural stability.

Reviewer's Comment 2

Apple is exceptional at 1ft 8in in size per our exceptional tree table found in MICC 19.16.010. Repeated code sections from Comment 1.

Tree #35 will also be compromised by the proposed new driveway. It is within the new driveway footprint. This tree was measured at one-foot above ground. The calculated diameter of individual stems measured at 4 ½-feet above ground would not likely exceed 20-inches, see picture below. This tree provides very little canopy coverage, see picture below. Considering long-term tree management and increased benefits, it would be prudent to replace this with a new tree in a more appropriate location on the property.

Please let me know if you have any questions or need further assistance.

Sincerely,



Bob Layton
Registered Consulting Arborist #670
ISA Certified Arborist #PN-2714A
ISA Tree Risk Assessment Qualified

ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine and assess trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risks associated with living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that grow, respond to their environment, mature, decline and sometimes fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy and/or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Photo Documentation

Tree #33



Tree #35 on right

