

EXHIBIT 1001



Declaration of Scott Sinclair

I, Scott Sinclair, declare the following:

- 1. I am the CEO of Tree Harmony Arborists, LLC, based in Mercer Island, Washington {city license #110280}.*
- 2. I have been a licensed contractor and arborist in Washington State for 17 1/2 years {license #TREEHHA938RK}.*
- 3. I have reviewed the building plans for 5222 Forest Avenue.*
- 4. The 5222 Forest Avenue building plans contains a Tree Replacement Plan that reflects the removal of trees 1003 and 1004 and the notation "TREES REMOVED DUE TO EXCAVATION AND CONFLICT WITH PROPOSED HOUSE."*

5. Trees 1003 [19.2" DSH} and 1004 {33.5" DSH} are located on the southern edge of the build site.

It is clear from the building plan that preservation of these trees would not preclude the construction of a home with 85% of the maximum gross floor area allowed under chapter 19.02 MICC because there is ample buildable space which may be utilized to the west and east of the proposed footprint.

These trees were not identified and prioritized as exceptional in the building plans and do not qualify for removal under the exceptions found in MICC 19.10.060 {A} {3}.

There exists geological hazard areas in the vicinity with steep slopes as well as watercourses. The removal of these firs would likely have an adverse effect on stability and ecological quality.

Sincerely, Scott Sinclair 206-275-0991

A handwritten signature in cursive script that reads "Scott Sinclair". The signature is written in black ink and is positioned above a solid horizontal line.

EXHIBIT 1002

Tree Assessment

Date: 1/25/2021 (rev 6/18/2024)

Site: Lot 1, Forest Ave., Mercer Island WA

Tree #	Species	Scientific	DBH (inches)	Height (feet)	Crown Ratio (%)	Dripline				LOD/Critical Inner Root Zone	Vigor	Struct.	Viable Yes/No	Status	Replace.	Retain or Remove	Defects/Comments
						N	S	E	W								
On Buildable Site																	
1001	Bigleaf maple	<i>Acer macrophyllum</i>	62.5	110	80	32	40	35	41	19	Good	Good	Yes	Exceptional	6	Remove	Oversize, overmature, not a good retention candidate
1003	Douglas-fir	<i>Pseudotsuga menziesii</i>	19.2	110	80	16	12	16	8	7	Good	Good	Yes	Large	2	Remove	Ivy
1004	Douglas-fir	<i>Pseudotsuga menziesii</i>	33.5	125	90	26	20	12	26	11	Good	Good	Yes	Exceptional	6	Remove	Ivy
													Replacement Trees		14		
Right of Way																	
1005	Douglas-fir	<i>Pseudotsuga menziesii</i>	41.2	130	60	24	24	28	20	12	Good	Good	Yes	Exceptional		Retain	See attached Pneumatic Exploration Memo
1006	Western hemlock	<i>Tsuga heterophylla</i>	24.2	120	90	14	16	18	14	8	Good	Fair	Yes	Exceptional		Retain	Perched on old stump
Native Growth Protection Area																	
1002	W red cedar	<i>Thuja plicata</i>	38.2	110	70	12	14	10	12	6	Good	Fair	Yes	Exceptional		Retain	Heartwood decay to 12-feet
130	W red cedar	<i>Thuja plicata</i>	12.8	55	90	14	14	14	14	7	Good	Good	Yes	Large		Retain	
131	Western hemlock	<i>Tsuga heterophylla</i>	20.8	90	80	12	18	16	14	8	Good	Good	Yes	Large		Retain	3 codominants, included bark
132	W red cedar	<i>Thuja plicata</i>	24.4	98	80	16	24	12	19	9	Good	Fair	Yes	Large		Retain	Black under fungus, residence w/in height
133	Bigleaf maple	<i>Acer macrophyllum</i>	39.5	70	70	24	24	24	24	12	Poor	Poor	No	NA		Retain	Undermined by creek
134	Red alder	<i>Alnus rubrum</i>	13.2	60	80	25	14	16	16	9	Good	Good	No	NA		Retain	Perched over creek
135	Bigleaf maple	<i>Acer macrophyllum</i>	10.9	45	60	18	18	18	18	9	Good	Good	No	NA		Retain	
136	W red cedar	<i>Thuja plicata</i>	32.5	80	90	22	22	22	22	11	Good	Good	Yes	Exceptional		Retain	
137	Bigleaf maple	<i>Acer macrophyllum</i>	7.5	50	50	6	0	18	0	3	Good	Good	Yes	Small		Retain	

* multiple stems adjusted to single

EXHIBIT 1003



S T U R M A N
A R C H I T E C T S

Date: September 24, 2024

To: City of Mercer Island
Community Planning & Development

From: Kati Eitzman – Sturman Architects
Brad Sturman – Sturman Architects

Re: Forest Ave Lot 1
5222 Forest Ave SE
Mercer Island, WA 98040

Subj.: Explanation and Justification for removal of exceptional trees

This letter is being submitted as part of an application for a building permit.

We are requesting the removal of regulated tree 1003 and exceptional tree 1004.

Applicable to all removed trees:

Per code 19.10.060(3)(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;”

Per 19.02.020(D)(3)(b), the zoning of this lot allows us a maximum of 6000 square feet for our GFA. Per code 19.10.060(3)(b), we are guaranteed 85% of this maximum GFA. 85% of 6000 square feet is 5100 square feet GFA guaranteed.

This site is encumbered with a large Native Growth Protection Area and a watercourse with a 60-foot buffer and additional 10-foot building setback. This creates an area of 7778 square feet of the lot which is unavailable to build on. A second watercourse has been identified off-property to the west, but its buffer and setback affect the site at the southwest corner. A one-time 25% buffer reduction and mitigation is currently being proposed in a concurrent Critical Area 2 review. Another impediment is an existing sewer easement which cuts across the corner of the lot, further decreasing the available building pad.



S T U R M A N
A R C H I T E C T S

Tree 1003 is a 19.2" DBH Douglas Fir. Its minimum critical root zone is seven feet and average dripline radius of 13 feet.

Tree 1004 is a 33.5" DBH Douglas Fir. Its minimum critical root zone is 11 feet and average dripline radius is 21 feet.

Both trees impact the southern portion of the buildable area. Attempting to keep both trees would greatly diminish the ability to build 85% of the guaranteed GFA. Avoiding excavation into the minimum root zones would eliminate at least an additional 600 square feet from the buildable area.

After all these factors are taken into consideration, the area of building pad allowed for development would 3400 square feet. To achieve a house close to the allowable maximum GFA, a two-story house is proposed. A basement is not feasible as it would create increased excavation, impacting a greater area of the building pad, specifically Right of Way tree 1005.

Without the removal of trees 1003 and 1004, it would not be feasible to construct a house with 85% of the allowable GFA per Mercer Island city code. We have done our very best to retain as many trees as possible, minimize harmful impacts, and thoughtfully site our house.

Sincerely,

Kati Eitzman
Sturman Architects