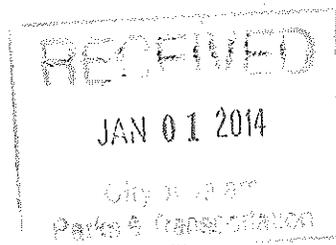


**TO:** Peter Fernandez, P.E., Public Works Director  
Public Works Department

**FROM:** Jan Staszewski, Urban Forester  
Public Works Department

**DATE:** December 24, 2013

**SUBJECT:** Shade Tree Advisory Committee Recommendation



**ISSUE:**

Should a permit be issued to remove the three Upright European Hornbeams in front of 180 and 190 High Street SE (Da Vinci Ristorante & Croissant and Company side of the building) at 525 Ferry Street SE (Ira's Alley)?

**BACKGROUND:**

The City received a petition from Mr. Steven C. Toney, dated July 30, 2013 (see Attachment 1), requesting that the City permit the removal and replacement of these three City trees. This petition was heard at the December 20, 2013, Shade Tree Advisory Committee meeting. Mr. Toney stated that the City trees are contributing to the broken sidewalk and maintenance problems for their building, awning, and the sidewalk.

This petition of removal and replacement of street trees is the process the property owners follow to seek relief under Salem Revised Code (SRC) 86.030 and the associated Parks Operations Division Policies and Procedures 290.001.

**FACTS AND FINDINGS:**

The City addresses requests for tree removal from the public in SRC 86.030. Application; Conformance to Terms of Permit.

“(a) Any person desiring for any lawful purpose to remove, destroy, cut, trim, prune, or treat with a view to its preservation from disease or insects any tree, in or upon any public street shall make application to the director. Such application must state the number and kind of trees to be trimmed, removed, or treated, the name of permittee and contractor, and the time the proposed work is to be done and such other information as the director may deem pertinent. Any work done under such written permit must be performed in strict accordance with the terms thereof and the provisions of this chapter, of sections 33.190 to 33.240 and with the approval of the director.”

On the High Street side of this address there are three hornbeams. The sidewalk cracks in this area may be tree related with a lifted walk next to one tree. The three trees show large pockets of decay in the main limbs and in the trunk.

Location	Species	Diameter	Height	Spread	Condition	Cut-out
A	Upright European Hornbeam	12	35	35	Fair/poor	3.5 x 3.0
B	Upright European Hornbeam	19	40	30	Fair	3.0 x 3.0
C	Upright European Hornbeam	18	40	30	Fair/poor	4.0 x 3.5

The following summarizes the Petitioner concerns and comments from City staff:

The Petitioner's Stated Concerns	Staff Comments
1. The trees are starting to crack the sidewalk.	There are cracks and disruptions in the sidewalk.
2. They are a hindrance to the roof; material from the trees has fallen onto the roof and got into our AC units/vents.	The trees produce natural litter; leaves and twigs. Removal of tree debris is a common maintenance practice.

**CONCLUSION:**

Three Upright European Hornbeam trees on High Street are reaching the end of their functional life. Their crowns have begun to lose their integrity and lessen their esthetics. The pockets of decay in each tree indicate the beginnings of diminishing structural integrity, but the trees are not at risk of eminent failure. The removal and replacement of these trees, as proposed by the applicant, is reasonable. The City would work with the applicant to expand the three smaller cut-outs to match the 6' x 6' Downtown standard.

**RECOMMENDATION—City of Salem Staff:**

1. Staff recommends that the property owner be permitted the removal and replacement of the three street trees on High Street under the following conditions:
  - a) That all work be done at the permit holder's expense using a City licensed tree contractor.
  - b) That replacement tree species be approved by the City Forester before purchase and installation.
  - c) That all work be completed within one year.
  - d) That the City cut the concrete to enlarge the planting space to meet current Downtown standards.

**RECOMMENDATION—Shade Tree Advisory Committee:**

1. The Shade Tree Advisory Committee has voted to recommend that the City permit the removal of the two end trees and not the middle tree.
2. That the City work with the property owner to expand the existing cut-outs to the downtown standard 6' x 6'.
3. That the applicant replant with the same species of tree that was removed.
4. That the expense of the tree removal and replanting be borne by the petitioner.
5. The Shade Tree Advisory Committee requests that the Public Works Director concur with the Committee's recommendation.

Attachments:

1. Petition from Mr. Steven C. Toney dated July 30, 2013
2. Photo

cc: File

- Denied  
 Approved  
 Approved subject to the following conditions:

*REMOVE ALL THREE TREES. REPLANT AS RECOMMENDED.*



Signature

*12/31/2013*

Date

