

**CITY OF ALBANY  
TREE COMMISSION  
Albany City Hall, Santiam Room**

Thursday, April 27, 2006  
3:00 p.m.

**MINUTES**

Commission members present: Rick Carter, Bill Narver, Dick Miles, and Jay Neil

Commission members absent: Glenn Dockter

Staff present: Craig Carnagey, City Forester and Paul Jacobson, Administrative Assistant I

Others Present: Bodie Dickerson

**CALL TO ORDER**

Chair Neil called the meeting to order at 3:07 p.m.

**APPROVAL OF MINUTES**

The minutes of the March meeting were not available.

**COMMENTS FROM THE PUBLIC**

Dickerson distributed copies of a memo she wrote to the City Council regarding the Thornton Lake Estates Subdivision application (copy attached) and presented the following additional information about the project.

- The developer is proposing 80 lots (reduced from the original plan of 104 lots).
- The Planning Commission denied the application based mainly on traffic access.
- Other neighborhood concerns are drainage, wildlife habitat, and the need for a “green” buffer between the neighborhood and the railroad tracks.
- Community Development staff has concluded that only eight of the 30 trees need to be removed.
- The next step in the process is that the developer’s response will be sent to area residents. If the City Council rejects the application, the next appeal would be to the Land Use Board of Appeals (LUBA).

Carnagey said the arborist report is not adequate to make decisions or recommendations.

**ACTION:** Carnagey will discuss the issue of the accuracy of the application (i.e., numbers of trees represented on the drawing versus actual number of trees involved) with Don Donovan. They will also discuss how ADC 9.208 applies.

The consensus of the Tree Commission is that the developer submitted inadequate plans.

**SCHEDULED BUSINESS**

**A. Outstanding Tree Issues (see attached report)**

- 1208 Springwood Drive NE – The adjacent home owner wants the Tree Commission’s ideas of what to do with the nine Douglas firs behind his property (picture attached). The consensus of the Tree Commission was to proceed with removal.

**ACTION:** Carnagey will contact the property owner and have him contact Pacific Power since there are power transmission lines involved.

- 1114 Walnut Street SW – Maple trees have lifted the sidewalk (picture attached). Carnagey said the trees are not in good shape and they are too close to the driveway to ramp over the root.
- The homeowner is repairing the sidewalk.

The consensus of the Tree Commission was to remove both trees.

**ACTION:** Carnagey will proceed with removal.

#### **A. Tree Commission Work Plan**

1. Arbor Week 2006 – Recap: Narver commented that he was pleased with Carnagey's Arbor Week program.
2. Review of Urban Forestry Management Plan: Carnagey said the draft is good but that additions should include the Permit Process, Evaluation Forms, Inventory Information, Parks and Recreation information, and photographs and graphics.

**ACTION:** Carnagey will confirm with Jim Delapoer to see if we need to have "Hazard Tree" defined in the code.

**ACTION:** Carnagey will work on the draft and present regular updates to the Tree Commission with the goal of completion by the end of the year.

3. Heritage Tree Recognition Plaque: Carnagey showed the Tree Commission an example of a plaque that could be adapted for Heritage Trees.

#### **BUSINESS FROM THE COMMISSION**

The Quinn case is currently scheduled for September.

There was some discussion regarding the Tree Commission being involved in plan review.

**ACTION:** Carnagey will discuss this issue with Ed Hodney.

Neil reported that Corvallis and Lebanon both have City Council members that attend Tree Commission meetings.

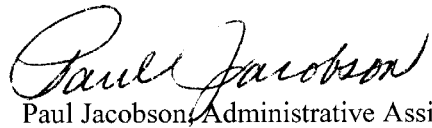
#### **NEXT MEETING DATE**

The next meeting of the Tree Commission is scheduled for Thursday, May 18, 2006, at 3:00 p.m. in the Santiam Room in Albany City Hall.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:25 p.m.

Submitted by,

A handwritten signature in cursive script that reads "Paul Jacobson". The signature is written in black ink and is positioned above the printed name.

Paul Jacobson, Administrative Assistant I

PRJ

**TO:** Albany City Council  
**FROM:** Dale and Bodie Dickerson  
Members of FOMAT (Friends of Mature Albany Trees)  
**DATE:** April 26, 2006  
**SUBJECT:** Thornton Lake Estates Subdivision Application

Other citizens have already expressed their serious reservations about this proposed development. We have attended the meetings and share their concerns about the projected volume of traffic on the narrow, substandard Green Acres Lane, the resulting lack of safety for pedestrians and bicyclists (children in particular), adequate water treatment, and the general impact on wildlife habitat. The proposed density, the heavy traffic and general livability (for humans and wildlife) appear to be at the root of most of the opposition.

So, the question becomes: How to develop this piece of land and maintain much of the livability the neighbors currently enjoy, how to limit the impact on wildlife habitat where possibly, and how to do this in such a fashion that the developer gets to use his property - and yes, make a profit in the process.

This letter will deal primarily with a topic not covered earlier, to our knowledge: The wooded boundary between "Thornton Lake Estates" and the Portland and Western railroad track on the southern edge of the development. If you have, in front of you, a "THORNTON LAKE ESTATES TREE PLAN", measuring about 10 by 16 inches, you will need a mighty strong magnifying glass to see which of these trees are scheduled for removal and which are not, let alone what type of trees they are and how large. Even on a 2' by 3' full page this is difficult, since contour lines in many cases overlap with tree information.

Some facts and observations regarding this proposed development:

- The applicant submitted no arborist's report and did not tag or number any of the trees for clear identification. There is no assessment of the health (or lack thereof) of any existing tree on the property. The applicant also did not submit an assessment of the wildlife habitat on the property.
- The applicant states that 24 of the 30 trees they propose to remove are adjacent to the railroad track (principally Lots # 30 through #58) and that "these trees will need to be cut as part of grading ... the purpose of which is to comply with floodplain regulations." And that "grading and fill is to bring the lots above floodplain elevation."
- FEMA requires that the house pads (either the slab or the floor of the crawlspace) must be at least 1 foot above the 100-year flood elevation. This requirement does not apply to back yards. Back yards would not necessarily have to be filled to the 100-year flood elevation, in fact neither FEMA nor the City of Albany require that these particular proposed backyards be filled at all!

- All of the mature trees on this southern edge of the property - located from a few feet to 12 ½ feet below the 100-year flood elevation - have survived and done well through the major flooding of 1996 and likely several other high-water years. In fact, this lower ground currently provides natural drainage, with excess water flowing toward the southeastern corner and the backyards of adjoining properties where it appears to seep into the ground and do no harm.
- If you have received the developer's "TREE PLAN, Sheet Number 4 of 6", you will note that Sections B-B and C-C show remarkably steep existing drop-offs close to the railroad tracks, and even steeper proposed drop-offs (as a result of the planned filling and leveling of all lots). These drawings are misleading. An examination of the "profile scale" indicates that in the most extreme cases the current slope is no greater than about 22.5 degrees, hardly the steep "cliffs" depicted. Put another way, this represents a two-to-one slope, or a decline of one foot for every two feet horizontally. Again, the existing trees have adapted nicely to the slope over a number of years, and, as mentioned above, there is no requirement that this southern section of each lot be filled at all.
- From an erosion perspective this has clear advantages. In terms of erosion, you are always better off leaving existing, established vegetation in place than by felling, filling, and planting new trees. Established trees provide not only more effective but also less expensive erosion control - something that should gladden the heart of any developer.

So what are these existing trees? You likely cannot tell from your maps, you don't have an arborist's report, and you probably have not had a chance to walk the property. Allow us to "paint you a picture" of the green southern boundary where the proposed development abuts the railroad track. We walked there yesterday and enjoyed the mixture of large trees and under-story growth, providing a rich habitat for birds and other wildlife. The mature trees include a number of Oregon white oaks of various sizes, a 32-inch diameter maple, at least two Douglas firs measuring in the 20-22 inch range, a 35-inch grand fir, cottonwoods up to 39 inches in diameter, and wild cherry trees too numerous to count. Most of these looked healthy but are proposed for removal. Several of these large trees do not even show up on the map!

Add to this an under-story of filbert, hawthorn, the occasional apple, pear, and elderberry and misc. lower trees and shrubs and you end up with a wonderful "tangle", a natural buffer between the proposed homes and the railroad tracks. This buffer may or may not soften the noise of the frequent trains, but it certainly provides bird habitat (they were joyously present at all times during our walk!) and great scenic benefits. If you lived in one of these homes, which would you rather look at: The train or the trees? Which would you rather have on hot summer days: Shade or no shade?

In all fairness, the developer has marked some of the larger trees to be preserved, a few of the Oregon white oaks for example. However, most of the mature trees are "crossed out"

(as in “to be removed”), and that would surely be the case for all the under-story growth as well, if this plan were accepted as presented. The obvious question that could be posed to the developer: Why not save the significant costs of felling, filling, and landscaping the backyards of these lots, when what you have now is better and more interesting than what you could hope to create? That doesn’t even factor in the element of the time it takes to grow trees of decent size that will provide shade and wildlife habitat.

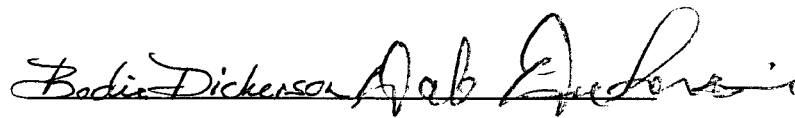
Lots do not have to be level and “manicured” to appeal to homeowners. If developers would recognize this, they might look at existing trees as potential assets first, and only as liabilities in those cases where the trees are a hazard or cannot realistically be incorporated into the planned building sites. If we were sitting across a table with this developer we would request that the firm: 1) have the health of the trees in question assessed; 2) work with the layout of the land on the sites along the railroad tracks and retain healthy trees, including the under-story trees and shrubs (but not necessarily the blackberries!); and 3) give future home owners the option to decide for themselves what they consider assets.

Using the same logic, but moving away from the southern boundary and into the open field of the property, a few other established trees merit consideration. Even under the current plan with 80 homes (which is too many), the 27-inch diameter cherry located in the northwest corner of Lot # 78 is worth saving. It is well out of the way of all four homes (Lots # 72, 73, 79, and 78), was full of blooms a week ago, and is located at roughly the 204 foot elevation elevation. Given a clean bill of health, retaining this tree is both reasonable and feasible. A case can also be made for the 25-inch apple tree (southernmost of three) on Lot # 14. For this tree, elevation should also not be a problem.

Two beautiful maples with multiple trunks are visible on Lot # 3 close to North Albany Road, but only if you walk past the old barn currently on the property. The future buyer of Lot # 3 should likewise have the option to keep the trees, as opposed to “starting from scratch”. Again, an arborist’s evaluation is needed here to determine the health of the trees. And, should the configuration of the development change, say for traffic reasons, the 28-inch walnut directly south of the old barn is worth reconsideration. Could the access road from North Albany Road enter in such a way, that it would not have to yield?

In its present form, this application does not supply sufficient information to conclude that it is necessary to cut 30 or more trees. We urge the City Council to vote “NO” or attach conditions as outlined above.

Respectfully, Dale and Bodie Dickerson

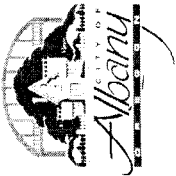


cc: Don Donovan, Community Development Department  
Albany Tree Commission  
Byron Hendricks, Thornton Lake LLC  
North Albany Citizens in Action



# Current Tree Issues

Date Initiated	Address Description of Issue	Location Action Requested	Resolution	Public <input type="checkbox"/>	Private <input type="checkbox"/>
04/26/2006	1208 Springwood NE Adjacent property owner is concerned about nine doug firs behind his property. Several large limbs have blown down onto his yard and threaten his storage shed and back patio. The trees have been side cut for powerline clearance. They are younger trees planted close together. Trees appear to be in fair - good condition.	r.o.w. along Springhill Tree Commission recommendation regarding removal.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
03/11/2006	1114 Walnut SW Two maple trees have uplifted the sidewalk. The trees are seated too high and may become unstable if roots are pruned. Ramping over the roots is not an option due to humping of the tree out of the planter strip, and the limited length of run next to the driveway. Tree on the north end of the planter has a large limb that is blocking sidewalk clearance and is as large as the main stem. This limb needs to be removed and will create an unbalanced tree.	Planter Strip Tree Commission recommendation regarding removal.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
02/01/2006	2114 Jefferson St SW Leaning sycamore. Resident has requested removal permit.	Tree Commission decision regarding approval of a permit to remove.	Tree commission denied removal request (03/16/06).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
01/13/2006	1st Ave and Broadalbin St SW Two leaning ash trees were removed after two others nearby fell over into the street. These trees were planted in small barrels and were highly unstable.	First Street	Tree Commission notified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10/25/2005	173 Queen Ave SE Six cottonwood trees have been requested for removal by the property owner. Trees are of permit size. Species has a high hazard rating. Individual trees are in very poor condition.	Tree Commission decision regarding approval of a permit to remove.	Removal Approved	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10/07/2005	108 6th Ave. SE Horse chestnut. Resident has raised concern about the toxic qualities of this tree, including nuts that people regularly pick up.	Tree Commission recommendation regarding how to handle this concern.	Removal Denied	<input checked="" type="checkbox"/>	<input type="checkbox"/>



# Current Tree Issues

Date Initiated	Address	Description of Issue	Location Action Requested	Resolution	
10/03/2005	2831 41st Ave SE	Sycamore of permit size requested for removal due to resident's severe allergic reactions to tree. Tree has some powdery mildew, otherwise appears healthy.	Back yard of residence Variance. Tree Commission decision regarding approval of a permit to remove.	Removal Approved	<input type="checkbox"/> Public <input checked="" type="checkbox"/> Private
09/22/2005	24th and Umatilla SE	A row of cottonwoods that require regular maintenance due to breaking wood. Adjacent property owner has requested their removal. City Street Division has requested removal due to recurring street surface damage.	Planter strip, east side of Umatilla Tree Commission recommendation regarding retention or removal of trees.	More Information Requested	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private
09/21/2005	841 Fulton St SE	Two large oak trees have outgrown the planter strip. Some infrastructure damage is occurring. Resident called to complain. Trees appear healthy and stable.	Planter Strip Tree Commission recommendation regarding retention or removal of trees.	Removal Denied	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private

1208 Springfield Drive NE



1114 Walnut Street SW

