



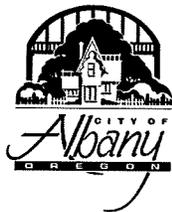
NOTICE OF PUBLIC MEETING

**CITY OF ALBANY
TREE COMMISSION**
Albany City Hall, Willamette Room
Thursday February 20, 2014
3:00 p.m.

AGENDA

- | | | |
|-----------|---|------------|
| 3:00 p.m. | 1. CALL TO ORDER | Dick Miles |
| | 2. ROLL CALL | |
| | 3. COMMENTS FROM THE PUBLIC | |
| | 4. APPROVAL OF MINUTES | |
| 3:15 p.m. | 5. SCHEDULED BUSINESS | |
| | a) New Officers – Elect Chair & Vice Chair | All |
| | b) Tree work update | Rick |
| | c) Black Knot – Ermine St | Rick |
| | d) Timber St by Linn County Fair & Expo | Rick |
| | e) Arbor Week | Chuites |
| | f) Outstanding Tree Issues
3164 Fir Oaks Drive SW - Appeal | All |
| 3:45 pm | 6. BUSINESS FROM THE COMMISSION | |
| | 7. NEXT MEETING DATE – Thursday, March 20, 2014 | |
| 4:00 p.m. | 8. ADJOURNMENT | |

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, advance notice is requested by calling 541-917-7506.



**CITY OF ALBANY
TREE COMMISSION**
Albany City Hall, Willamette Room
Thursday, January 16, 2014
3:00 p.m.

MINUTES

Commission members present: Dick Miles (Chair), Kris Watts, Mark Azevedo, Brenda Sterner

Commission members absent: Larry Holverson

Staff present: Ed Hodney, Parks & Recreation Director; Rick Barnett, Park Operations Supervisor; Wayde Burrese, Park Maintenance; Meghan Chuites, Park Maintenance; Debbie Little, Administrative Assistant

Guests present: None

1. CALL TO ORDER

Dick Miles called the meeting to order at 3:07 p.m.

2. ROLL CALL

3. COMMENTS FROM THE PUBLIC

None

4. APPROVAL OF MINUTES

MOTION: Azevedo moved to approve the November 21, 2013 minutes with correction. Miles seconded the motion, and it **passed** 4-0.

5. SCHEDULED BUSINESS

a) Urban Forestry Presentation

Meghan Chuites presented information regarding the Urban Forestry Program. The presentation covered the history of the program and 2013 events.

Azevedo inquired about the current transition of the City Forester position. Hodney provided a brief update on the transition process including the plan to expand the Urban Forestry Program to involve management of natural resources on public property. He is in the process of creating a Natural Resources Specialist position, which is a downgraded position from the one vacated by the previous City Forester. The Natural Resources Specialist would be responsible for designing, developing, implementing, and managing a natural resources program inclusive of the Urban Forestry Program. This position would not assume the role of the City Forester, which is currently being managed by Hodney.

b) Lumber to Legacy (Lowe's donated trees)

Azevedo provided a brief update on the projects utilizing the trees donated from the Lowe's construction site that were part of the Hackleman Grove. Students from South Albany and West Albany high schools, along with Azevedo, have milled approximately 90% of the white oaks removed from the Lowe's property into over 4,000 board feet. Azevedo is looking to partner with the Northwest Woodworking Studio, a woodworking school in Portland, to create high-end custom furniture. Local students would travel to Portland to work with the school's instructors. In addition, Azevedo has secured a commitment from a builder/interior designer to build a custom conference table. All the items will be auctioned off at an event next fall to support oak habitat restoration, draw attention to native oak groves, and promote community involvement.

200 acorns collected from the Lowe's site have been planted, and are being maintained by the residents of the Oak Creek Youth Corrections Facility. The seedlings should be ready to plant in 1.5 to 2 years.

Azevedo will be meeting with the Mid-Willamette Wood Workers Guild next month to discuss promotion of the Lumber to Legacy project, and partnering for future projects. He also has a photographer documenting the program.

Azevedo noted the City is celebrating its 150th anniversary and suggested using some of the wood harvested from the Hackleman Grove to create a commemorative carving, as the grove was in a key location in the establishment of Albany.

c) Outstanding Tree Issues

No current issues. The Tree Removal Request tracking sheet was distributed and reviewed. Brief discussion followed.

6. ANNOUNCEMENTS

None

7. BUSINESS FROM THE COMMISSION

Ed Hodney, Mark Azevedo, and Steve Reed will discuss Albany's East Thornton Lake Natural Area at 2 p.m. Sunday, Jan. 19, 2014, at the Lakeside Center of the Mennonite Village, 2180 54th Ave. S.E., Albany. The discussion is free and open to the public, thanks to the Linn County Historical Society.

Watts and Azevedo were reappointed to the Commission the Mayor.

8. NEXT MEETING

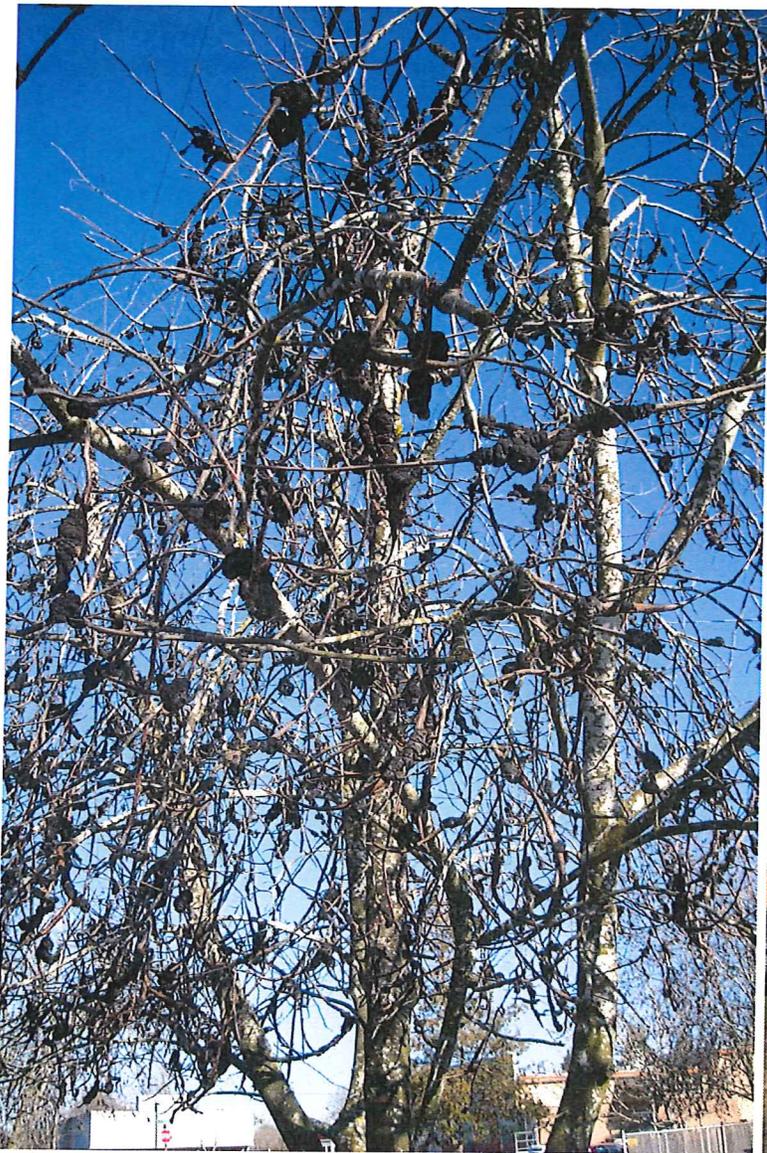
The next regularly-scheduled meeting will be held on Thursday, February 20, 2013 at 3:00 p.m. in the Willamette Room in City Hall.

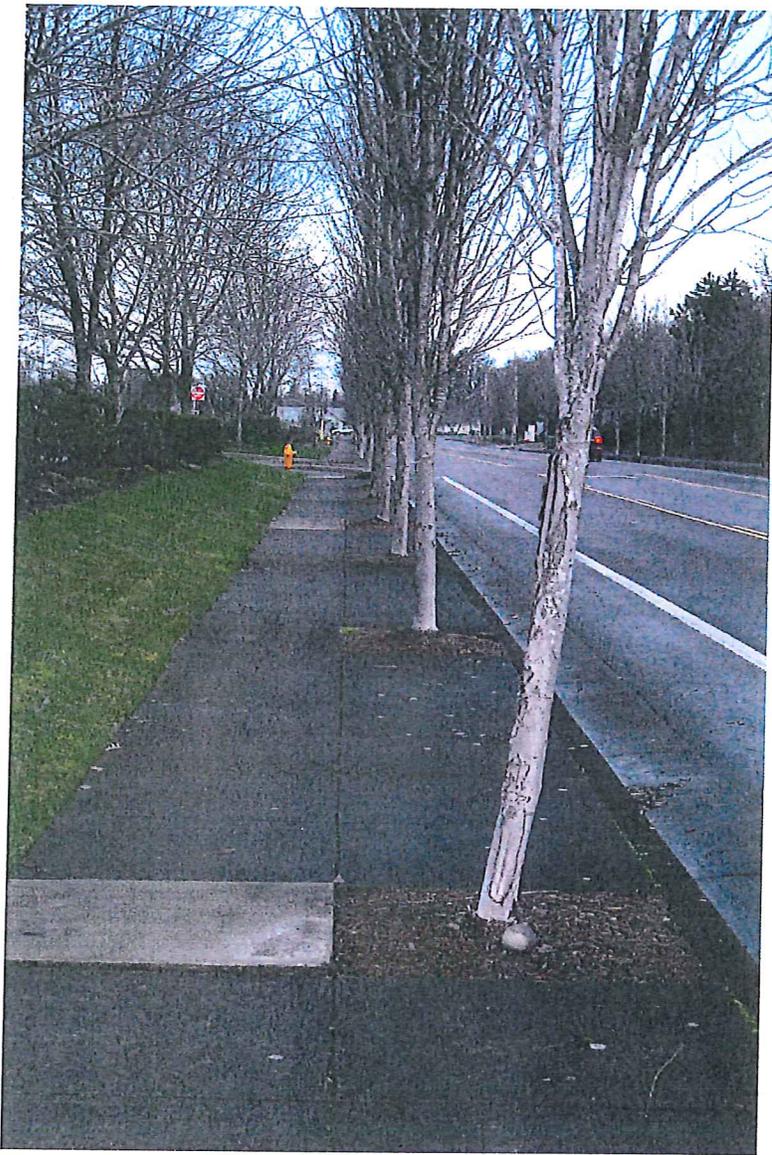
9. ADJOURNMENT

The meeting was adjourned at approximately 4:00 p.m.

Respectfully submitted,

Debbie Little, Administrative Assistant I, Albany Parks & Recreation







Tree Service Requests & Tree Removal Requests

Date of Request	Type of Request	Address of Removal	Phone No.	Approved or Denied	Notes
01/22/2014	Tree Removal	718 27th SE Ave	541-602-7732	Not needed	Trees measured just under 25" diameter so no permit needed
01/22/2014	Tree Removal	1218 NE 13th Ave	541-928-8259	Approved	Permit printed; MC contacted resident
01/16/2014	Tree Removal	155 NW Parker Pl	541-248-3344	Approved	Permit printed; MC contacted resident
01/13/2014	Tree Removal	1029 24th Ave SE	541-928-6428	Approved	
01/08/2014	Tree Removal	3164 Fir Oaks Dr SW	541-926-3114	Waiting...	
12/06/2013	Tree Removal	138 Benton PL	541-990-5346	Approved	Permit printed; MC contacted agent
12/06/2013	Tree Removal	840 SW 5th Ave	541-990-5346	Approved	Permit printed; MC contacted agent
12/05/2013	Tree Removal	1812 SE Marion St	541-928-6828	Approved	Permit printed; MC spoke with resident
12/04/2013	Tree Removal	2043 S. Jefferson St.	541-757-8733	Approved	Permit printed; MC contacted agent
11/14/2013	Tree Removal	3117 Madison St SE	541-926-4680	Approved	Also submitted app. For another tree removal permit but tree was <25" diameter; MC left message
11/12/2013	Tree Removal	2361 SE 20th	541 -967-8733	Approved	Permit printed; MC contacted agent as well as owner and stated the removal is based on the condition that replacement trees get replanted within 3 months of removal.
11/08/2013	Tree Removal	1015 Green Acres	208-697-3582	Approved	Permit printed; MC contacted resident
11/05/2013	Tree Removal	3217 Chicago St SE	541-926-4696	Approved	



City of Albany
Application for Tree Removal Permit



Application is hereby made to the City of Albany pursuant to the provision of Albany Municipal Code (AMC) 7.98 for a tree removal permit for the property herein described.

Owner of Record

Ronald E Krake
Name

3164 Fir Oaks Dr. SW.
Address

Albany OR. 97321
City State Zip

591-926-3114
Phone e-mail

Authorized Agent

Name

Address

City State Zip

Phone e-mail

Applicant is: (check one)

- Owner of Record Purchasing the Property Agent Authorized by Owner

Property Information

3164 Fir Oaks Dr. SW _____
Location Albany OR. 97321 Size Parcel Number

Permit Type

- Proposed tree removal is part of a project which will require a building permit.
 Proposed tree removal is *not* part of a project which will require a building permit.

Submittal Requirements

- ✓ A list of each species, size, and location of the tree(s) proposed for removal. (*Diameter is measured 4½ feet above the junction of the root and trunk sections.*)
- ✓ A statement of the reason for the proposed tree removal.
 - A written recommendation by a licensed tree care professional and or ISA certified arborist concerning the health and quality of the tree(s) in question and possible alternative actions (if applicable).
- ✓ Pictures that support the reason for removal permit request.
- ✓ Map of property that diagrams locations of each tree requested for removal.

* One Oak Tree
 * 7' in Dia. at about 4½' from the ground.
 * Tree is on our place at 3164 Fir Oaks Dr. SW. Albany OR.

3164 Fir Oaks Dr. SW
Albany, OR. 97321

I would like to remove a oak tree from our back yard. It has just become too big for our yard, causing safety concerns, damage to house and out buildings, a constant mess to our roof, yard, and patio area.

I had part of the tree removed, and the rest pruned up a few years ago, but it continues to be a problem. I now believe it is time to just remove it. In the future it is only going to get bigger and be more of a problem. When the tree is removed I will replace it with a smaller one, a little further from the house.

Ⓐ A Safety concern.

① From falling limbs to people under the tree which covers most of the back yard, and to the people in the one bedroom, from limbs falling and hitting the side of the house near the bedroom window. If so of these falling limbs were to hit the window I'm sure they would go through it.

② From the roots raising the sidewalk area, causing a tripping hazard.

③ If the tree was ever to be blown over in one direction it would destroy a big part of our house. If it was blown over in another direction, it could hit the neighbors house, out buildings, also fencing, and landscaping.

④ There is also the safety of me or someone getting up on roof to remove the limbs, leaves, moss, an occur several times a year.

③ Damage to property

① Falling limbs have caused damage to the house siding.

② Falling limbs have caused damage to out buildings

③ Roots damage to the sidewalk, and I know they are under the house, so they must go under the foundation, which sooner or later will cause damage to it.

④ Moss on roof is a constant battle. I'm sure if it got more sun light, there would be less moss.

④ Nuisance, if tree was gone, these things just wouldn't have to be done.

① clean up limbs and stuff from under the tree you round

② moss on roof every year. I'm sure moss would be less of a problem.

③ cleaning gutters a few times a year.

④ leaves every where, every fall, for me and neighbors to clean up.

⑤ Acorns every where, every fall. I clean them up on the sidewalk and patio one day, and the next ~~day~~ there are just as many down again.

I need to have a new roof put on the house in the near future, and I would like to eliminate as much of the moss and debris problem as I can, before I have a new roof put on.

Ronald E Krake

To whom this may concern:

I would like to appeal the City of Albany's decision not to issue me a permit to remove a large Oak tree from out back yard. The tree has just grown to large for our yard and is to close to the house for its size causing safety concerns for my family and damage to my property.

This all started a few years ago when we realized the tree was a problem after a winter storm that left many good sized limbs on our roof and yard. We were also tired of tripping over the broken cement that the tree roots caused to the sidewalk and patio.

Because of this, we had a tree man come in and remove the portion of the tree that hung over the roof of our house. We took up the old cement sidewalk and patio. We removed the roots that were causing the damage and put down new cement.

We thought that this would help with the tree problem and maybe it did for a while but in the last couple of years we have had constant problems with falling limbs, large and small, damaging the Hardi-plank siding on the house, damaging shingles on the roof, damaging out buildings, vehicles park near the tree and now the roots are again raising the new cement causing a new tripping hazard. Maybe taking out only part of the tree at that time was a mistake. It seemed to open up the tree so that the wind could get in to the tree and blow more limbs down. Also now the top of the tree is growing back over the house where we took that part out.

About a year ago, we had a large limb 4" - 5" in diameter come out of the tree and strike the side of the house just below a bed room window hitting it hard enough to damage the Hardi-plank siding on the house. People were sleeping in that bed room at the time. I am sure if it had struck the window it would have gone through. We decided a that time the tree needed to be removed.

The tree is only going to get bigger and be more of a danger to us and our home. If the tree is removed, I will plant a tree further from the house and one that does not get so big.

I mention these things again to you. I mentioned them in my

original statement when the man from the city came to look at the tree. I pointed out these concerns. He told me that he was not concerned about my problems, that he was only looking at the health of the tree. After his 5 minute inspection of the tree, he said he thought that the tree looked health to him and if I wanted to take it out I should get an arborist to look at the tree.

I called several arborist from the Albany and Corvallis area. Most of those that I talked with wanted nothing to do with Albany's Tree permit system and didn't want to get involved.

I did get three Certified Arborists to come and look at the tree. One came and looked at the tree. I showed him the problems the tree was causing. We took a steel probe and tried to find the roots that were raising the cement. There were to many roots going under the cement making it hard to pick out any certain one doing the damage. Then we got a small ladder so we could check on the area where the limb was removed a few years ago. Although this area had started to heal, the center of area was rotten and was only going to get worse. We only went in about 3", as we didn't know if the tree would be removed.

He looked at the hanging and dead branches up in the tree and said that it was going to be more of an on going problem and cause more damage as the tree grew bigger. He said that he would send me a letter stating his evaluation of the tree and recommended removal of the tree to end my concerns. A copy of his letter is included.

Another arborist came and looked a the tree. I showed him the damage and told him of my concerns. He said that he didn't understand why the city wouldn't give me a permit to take it out. He said that he would contact the city and find out what was going on and get back to me. A week or so later he called me back. He told me he had found out that the city was not going to give me a permit because they thought that the tree was healthy. He thought it was not right that they were only concerned with the health of the tree and not consider the safely of people and property around the tree. He questioned who was now going to be liable for the damages caused by the tree if the city would not give me a permit to remove the liability from my yard. He said he would not

be sending me an evaluation being as the city had already made their decision to not give me a permit. I thanked him for his concerns and for his getting involved.

Another arborist came and look at the tree and agreed with the other arborists concerns. He thought that the rising of the cement problem was caused by the root ball of the tree pushing up because of the type of soil I have. He said that as the tree grew larger the problem with the cement would only get worse and start cracking the cement foundation under the house. He said that he would send me his evaluation, but I have never heard back from him.

One thing that all three of the arborist agreed on was that the only way to solve my problems with the tree was to remove it.

I called my home owners insurance agent to see if I could file a claim on the damage to the siding on the house and the sidewalk damage - . He said they would cover the cost of repairs to the siding (less my deductible) and was not sure on the sidewalk. After I explained to him what was going on, he asked me that if the tree was causing that much damage to my house and property, why I didn't just take the tree out. I told him that here in Albany, a homeowner is suppose to get a permit from the city to remove a large tree even if it is on his own property and so far the city had denied my permit application. He said he saw no reason to continue to insure our home and property if the city would not let me remove a known liability from my property that would possibly injury people. He also said that he thought the city should pickup the liability costs from damages caused by the tree from the denial date and on. He also said that if I filed a claim involving the tree at best my rates would go up and worse they would cancel my homeowners insurance. A copy of his e-mail is also enclosed.

1) OK, so I have a large oak tree in my back yard approximately 12 feet from my house and 8 feet from the side walk causing damage to my home, property, and a safety hazard for people.

2) I have had three certified arborists tell me the way to solve my problems with this tree is to remove it. I believe that the first arborist did a good job of evaluating the tree and how to solve the damage it was causing. The other arborists had a good point as to who was liable for damages caused by the tree if the city would not give me a permit to take it out.

3) I have an insurance agent telling me that if I file a claim involving damages from this tree, at best my rates will go up and at worse they will cancel my home owner's insurance.

4) I have a city man that says, after a 5 minute inspection of the tree, the tree looks healthy to him and was fine with where it was in my yard and really not concerned about the rest of my problems.

5) I have a city, that after I was asked to have an arborist come and look at the tree and I would submit my information then the city would decided on my permit application. The city denied me a permit before I could get that information to them. I was not contacted by the city to see if I was getting the information they needed to make a decision.

I know how to solve the problems that this tree is causing. I would like to get a permit to remove it from my yard. It is just a shame that the city would consider the health of a tree over the safety of a person's house and the people living in the home.

Ronald E Krake

3164 Fir Oaks Dr. SW.

Albany Or. 97321

(541) 926-3114

To Whom it May Concern,

Hello my name is Justin Gammon. I am the owner of Big Wood Tree Experts in Corvallis, Oregon and an ISA certified arborist (licence # PN-6213A). I was recently contacted by Ron Krake at 3164 Southwest Fir Oaks Drive in regards to a large pin oak tree in his back yard. The tree measures about 32 inches DBH. In recent years it has lost tow limbs about three and five inches in diameter. One fell through the canvas carport and the other hit the siding of the house causing damage. Mr. Krake has alleviated that problem by removing the fourteen inch limb growing over his house. The limb was cut properly against the trunk about ten feet up the tree. The cut seems to be healing as well as can be expected for a cut of that size directly against the trunk. It has formed callous rolls along the edge with the center revealing decay. The real issue I have seen with this tree is the root damage it is causing. Three years ago Mr. Krake had to replace all of the surrounding cement and cut the roots back to pour new cement. In a matter of just three years, his pristine cement is lifting up again in places from root growth. Constant root pruning may be an option, but in my professional opinion this tree should be removed to avoid future damages.

Sincerely,

A handwritten signature in cursive script that reads "Justin Gammon". The signature is written in black ink and is positioned below the word "Sincerely,".

atreaty@msn.com

From: "AARON DUNN" <adunn@farmersagent.com>
Date: Wednesday, February 05, 2014 12:13 PM
To: <atreaty@msn.com>
Subject: homeowners policy cancellation

MR & MRS KRAKE, OUR INSPECTOR WAS REVIEWING MY BOOK OF BUSINESS AND FOUND WHAT COULD BE A FUTURE CLAIM PROBLEM. YOU HAVE A VERY LARGE TREE NEXT TO THE HOME (WITH SOME FALLEN LIMBS) THAT COULD REACH THE HOME IN A WIND STORM OR AGE. WE SUGGEST REMOVAL. IN A PERSONAL NOTE RON/THERESA IF THEY DO CANCEL YOUR POLICY YOUR NEXT RATE WOULD BE A STANDARD RATE COMPARED TO PREFERRED. PLEASE LET ME KNOW IF IT GETS REMOVED SO I CAN TAKE PHOTO'S.

AARON DUNN
Farmers Insurance
2015 10th St Ste A
Tillamook, OR 97141-3828
503-842-1966 (Office)
503-842-2838 (Fax)
adunn@farmersagent.com
<http://www.farmersagent.com/adunn>

2/5/2014

