



PA-APPEAL-2023-00018 Appeal of PA-T1-2023-00210

Ashland Planning Commission
October 10, 2023

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Wingspread Tree Removal Appeal

An appeal of staff's approval of a Tree Removal Permit to remove four trees near residences at the Wingspread Mobile Home Park located at 321 Clay Street. The trees are as follows: a 47-inch diameter weeping willow at space 19; a 12-inch diameter cottonwood at space F; and two silver maples (11-inch & 9-inch) located between spaces 92 and 94.

The application has been prepared by a certified arborist who states that the trees are in a state of decline; causing damage to property; severely leaning, and having evidence of decay, respectively. As the trees continue to decline, they pose hazards to nearby properties. The appeal is specific to the removal of the weeping willow, and asserts that:

1. *There is another option to complete removal by pruning upper dead branches and removing some of the weight to make it not a hazard tree.*
2. *Once upper pruning is complete it is not clear that the tree is likely to fall and injure persons or property.*
3. *Once upper pruning is complete, the appellant has offered to continue to maintain the tree at his cost every 2-3 years.*





APPLICANT

Original Application

Removal of Two Silver Maples (9-inch & 11-inch) Behind Spaces #92 & #94

Per certified Arborist: Several concerns with both trees relating to their safety and functionality in the future. Species is brittle and does a poor job preventing the spread of decay from wounds in the main stem, and have a mature height and crown spread of 80- to 100-feet. Smaller maple has included main stem unions that are beginning to cause cracking and separation at the base of the tree which will only get worse over time and is impossible to correct at this stage. Larger maple has a severely phototropic lean that is concerning and is also too developed to properly correct. Also has a large wound at the base that has developed a significant amount of decay further compromising the strength of the tree. It is my professional recommendation that both trees be removed.





APPLICANT

Original Application

Removal of 12-inch Cottonwood in backyard of Space "F"

Per certified Arborist: Tree is sending out roots that are sprouting and growing into separate trees nearby. The tree is likely a sprout from another nearby tree; this is very common with Cottonwood trees. Aggressive surface roots are beginning to grow into underground plumbing and breaking water lines. Tree will ultimately outgrow the space and needs to be removed at some point. It will only become larger and more costly to remove when this happens. These trees are fast growing with a relatively short life span. As they begin to decline, they will shed large branches that can no longer be supported and will become very hazardous for the people and structures nearby. It is my professional recommendation that this tree be removed sooner, rather than later, to prevent potential damage in the future.





APPLICANT

Original Application

Removal of 47-inch Weeping Willow behind Space #19.

Per certified Arborist: End of lifespan. Declining health & vigor. Dieback in upper canopy due to declining root system. Most of the main lead branches have died with little live tissue back to main stem. Dead leads are from 6- to 12-inches and weigh 100 to 400 pounds, and many are likely to fall in the next several years. Some large failures have caused minor property damage. Branch failures have torn main stem causing large wounds; decay not properly compartmentalized. Prior pruning with severe heading cuts caused a large amount of epicormic growth directly over a nearby dwelling. These issues and the rapid decline in upper canopy makes this tree very hazardous to the people living nearby. Unfortunately, pruning and removing hazardous branches would leave very little canopy with a high probability of more epicormic sprouts that would become very hazardous over time. The only practical approach to eliminating this hazard is to completely remove this tree. It is arborist's professional recommendation that the tree be removed.





Figure 1. Nearmap aerial photo taken on August 31, 2018

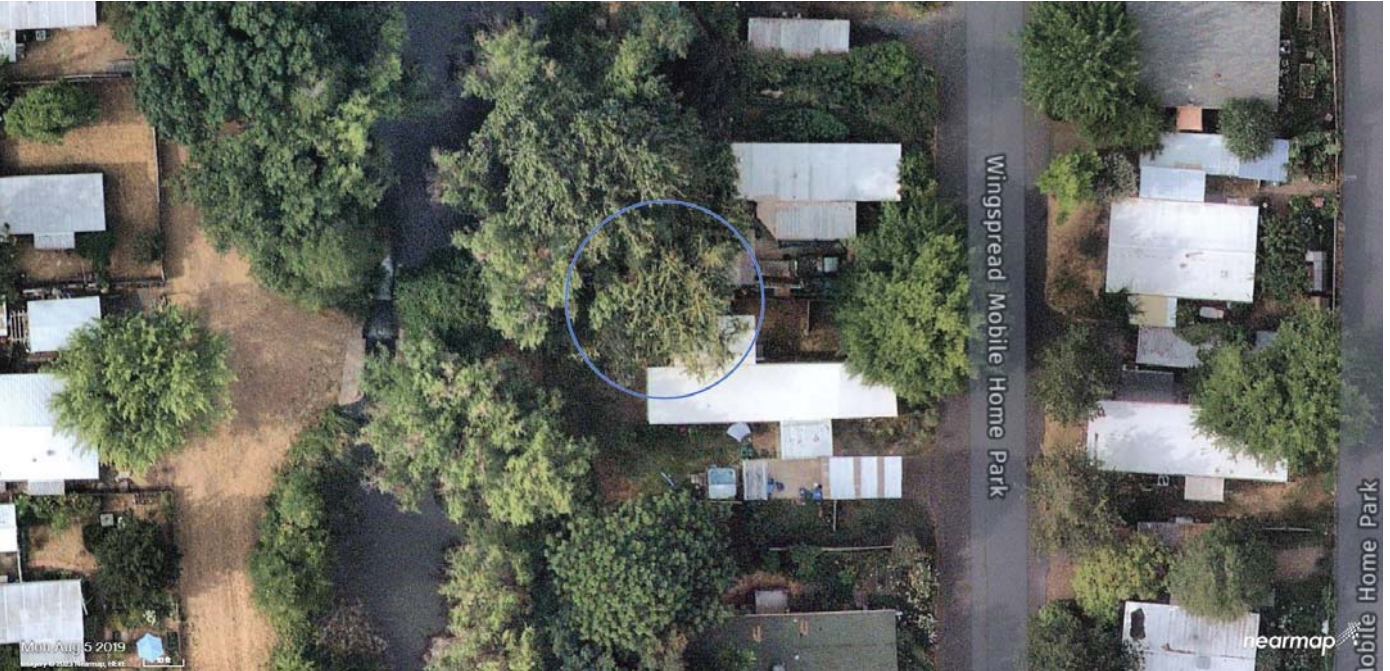


Figure 2. Nearmap aerial photo taken on August 5, 2019



Figure 3. Nearmap aerial photo taken on August 20, 2020

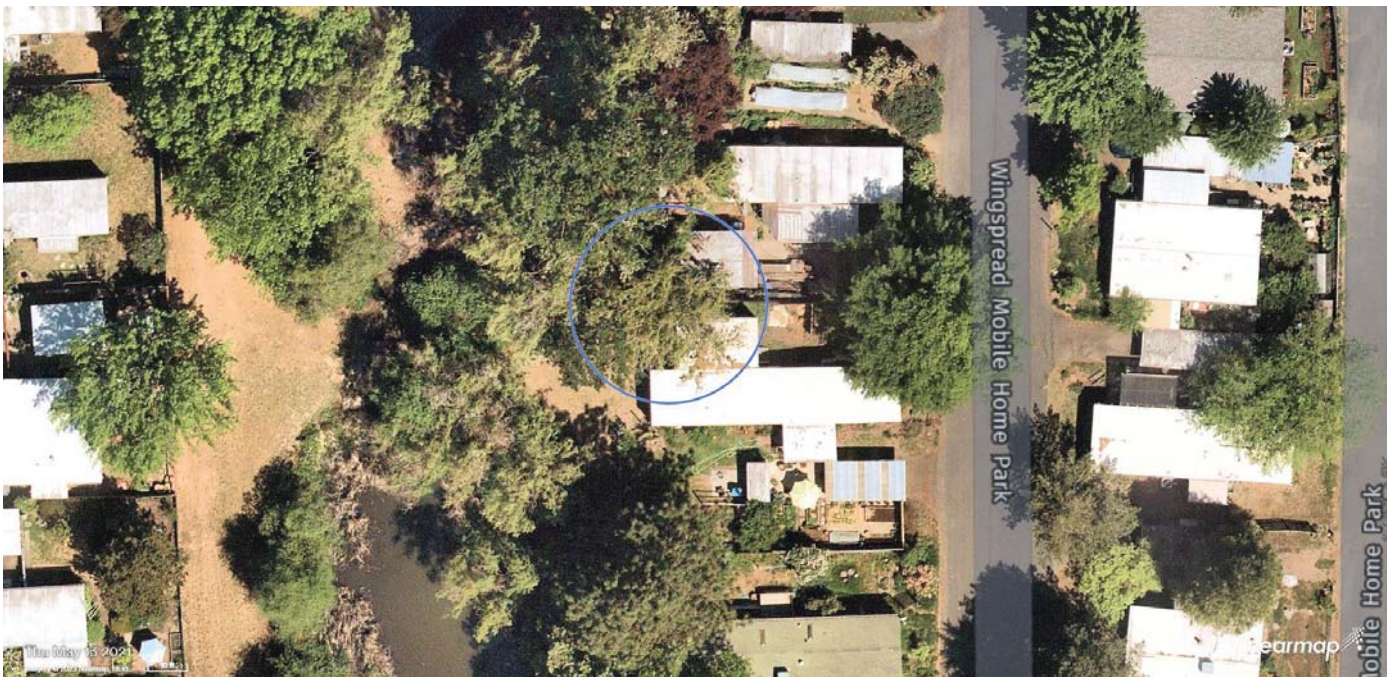


Figure 4. Nearmap aerial photo taken on May 13, 2021



Figure 5. Nearmap aerial photo take on June 21, 2022

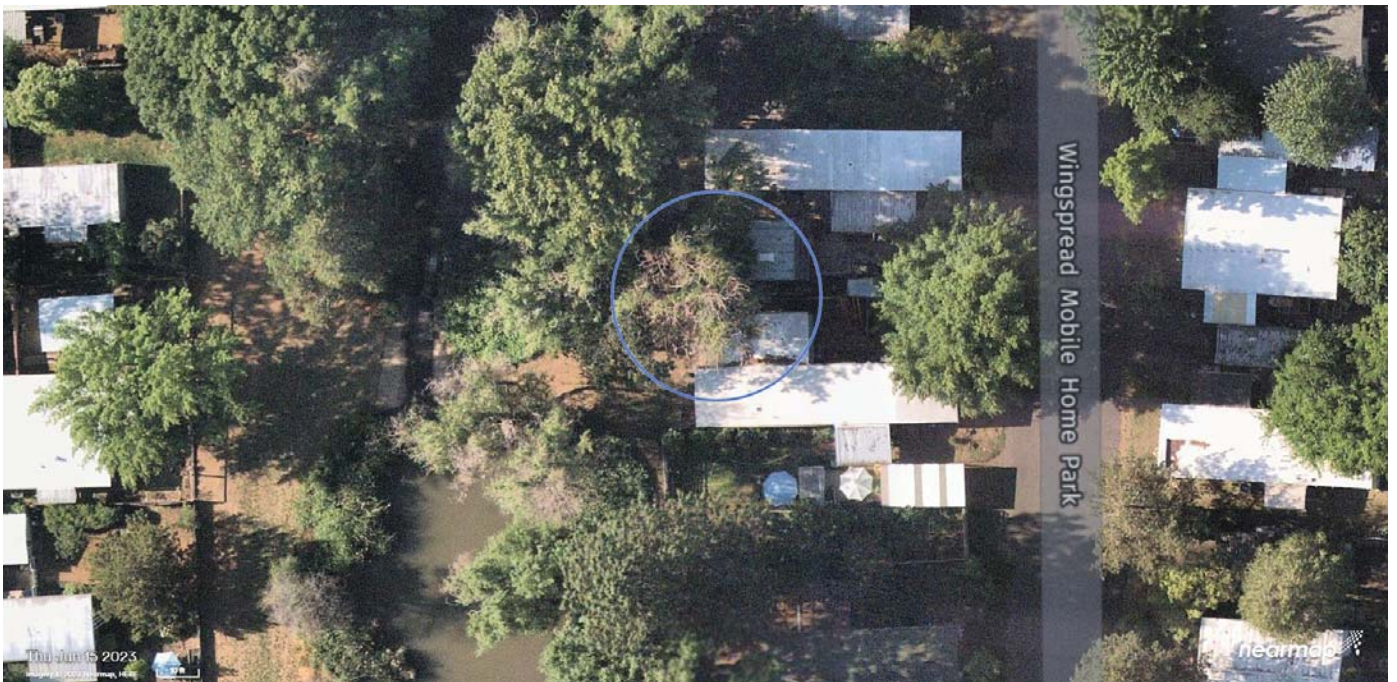


Figure 6. Nearmap aerial photo take on June 15, 2023



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Public Comments Received/1st Comment Period

Dubonnet

Consider pruning & maintaining *trees* for their value to people, wildlife and the creek.

Pepe (Appellant)

Grateful for Willow’s presence, shade & habitat. Would like to see Willow pruned & maintained. Will prune at his own expense once upper branches are pruned. Trees are sacred and old trees deserve to be held in such a place.

Sarhanis

Cottonwood will be a monster is 5-10 years. 35 sprouts in her yard prevent gardening, grow up to 8-feet in a year. Shades garden. Would like to ensure roots/stump are removed to prevent sucker growth.



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Based on the Arborist’s Report

Staff approved the four requested tree removals & mailed a ‘Notice of Decision’ to all parties.

An Appeal was Timely Filed

By Wingspread Resident Albert Pepe

Complete Application

July 11, 2023

Comment Period

July 18–August 1, 2023

Decision

August 11, 2023

Appealed

August 23, 2023



Appellant's Standing

Resident of Wingspread

Provided written comments during comment period opposing removal of the Weeping Willow.

Appeared at Tree Management Advisory Committee (TMAC) to oppose removal of the Weeping Willow.

Timely filed appeal of the removal of the Weeping Willow.



Points of Appeal re: Weeping Willow

Pruning of the hazardous upper dead branches is an alternative to removal.

It is unclear that tree is likely to fall and injure persons or damage property once pruned.

Tree needs major pruning not removal. Appellant would maintain at his expense following initial pruning.



Public Comments Received/Post Appeal

Woodman (Space #95)

Silver Maples are so large they pose a hazard to nearby homes. Branch drop in high winds creates a mess. Two units previously damaged by falling trees, and mobile homes are not designed to handle falling trees.

Lynde (Space #19)

The Willow tree is behind her home and appears to be dying from the top down. Believes it is a hazard - It hangs over her home and she doesn't want it to fall. It has also gotten very messy, dropping branches on her porch and yard. Emphasized that she believes the tree is a hazard and she supports the arborist's recommendation to remove the tree.



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Staff Recommendation

- Arborist indicates large limbs are likely to fall in the next several years.
- Decay in stem from large wounds has not compartmentalized, and prior pruning has caused epicormic growth over nearby dwelling.
- These issues and rapid decline in upper canopy makes tree very hazardous to those living nearby.
- Pruning would leave very little canopy with a high probability of more epicormic growth that become very hazard over time. *The only practical approach is to completely remove the willow.*



Staff Recommendation

- Tree Management Advisory Committee (TMAC) was sensitive to appellant's concerns, but ultimately supported the professional arborist's recommendations.
- Based on the arborist recommendations, supported by the Tree Management Advisory Committee, staff believe the proposal satisfies the criteria for a hazard tree removal.
- Staff do not believe the criteria provide a basis to require that the tree be retained subject to a third-party agreement to maintain.
- Staff recommends that the appeal be denied and the original approval upheld.



ANY QUESTIONS?

