



# CITY OF ASHLAND



Ashland Tree Commission  
Minutes for Regular Meeting  
March 3, 2020

## Call to Order

Commission Chair Chris John called the meeting to order at 6:00 pm in the Siskiyou Room at the Community Development and Engineering Offices located at 51 Winburn Way, Ashland, Oregon, 97520.

<b>Commissioners Present:</b>	<b>Council Liaison</b>
Christopher John	Stephen Jensen / <u>ABS</u>
Asa Cates	
Russell Neff	<b>Park Liaison</b>
Cat Gould	Peter Baughman
	<b>Staff Present:</b>
<b>Commissioners Not In Attendance:</b>	Aaron Anderson: Associate Planner
Eric Simpson	

## Approval of Minutes

*Commissioners Russell Neff / Cat Gould m/s to approve the minutes of February 6, 2019.. Voice Vote: All Ayes. Motion passed*

## Public Forum

There was no one in the audience wishing to speak.

## Liaison reports

**Council Liaison** - Abscent, no report

**Parks & Recreation Liaison** – Japanese garden delayed until Fall

**Community Development Liaison** – Council update on 3/17/2020. Elected appointed official form

## TYPE I REVIEWS

**A. PLANNING ACTION:** PA-TREE-2020-00096

**SUBJECT PROPERTY:** 384 Starflower

**OWNER:** Mountain Creek Estates HOA

**APPLICANT:** Manuel DeAquino

**DESCRIPTION:** This is a request to remove a large pussy willow tree on property that is common area to the Mountain Creek Estates HOA. The application materials indicate that the tree may be located in parking area to the north of the common area that may be dedicated as ROW. The tree is described as being approximately 30 feet tall and has bad form that 'seems beyond help by pruning.' The tree has a number of dead branches several of which have fallen, the application indicates this poses a hazard. The application also indicates that there appears to be evidence of disease at the base of the tree as well. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-5; **ASSESSOR'S MAP:** 39 1E 09 AA; **TAX LOT:** 4900

After staff presented a brief overview of the application the Applicant presented their case. They are working with Casey Roland. There was debate of the species of the tree. Gould noted that presently the tree is in full bloom and that should the removal be approved that it should be delayed for at least a month. The applicant indicated that they would likely mitigate with either a Dogwood or Redbud. Cates indicated that there is a lot of dead branches in the tree and that pruning may not suffice.

*Cates/Neff M/S to accept the application as submitted with the recommendation of plating a mitigation tree with a species to be selected by the applicant. 4-0 unanimous*

## **TYPE I REVIEWS**

### **B. PLANNING ACTION:** PA-TREE-2020-00097

**SUBJECT PROPERTY:** 264 Palm Ave

**OWNER:** Gilmore Trust

**APPLICANT:** Gordon Gilmore

**DESCRIPTION:** This is a request to remove a 'tree of heaven' (*Ailanthus altissima*) that has grown at the rear of the property. For best access to view damage being caused approach the property from the alley to the east (See site map in packet materials). The application materials show damage that has been caused to two fences, a patio area with pavers, and cracks caused in a concrete slab. **COMPREHENSIVE PLAN DESIGNATION:** Multi Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 10 CB; **TAX LOT:** 8301

The application was represented by the property owner. Mr. Gilmore noted that there are suckers growing in many places in the yard and potentially under the house in the crawl space. The tree has caused the concrete patio to be cracked. Cates felt that it should be removed before it is a bigger problem. After a brief deliberation the Tree commission rendered their decision.

***Neff/John M/S to accept the application as submitted. 4-0 unanimous***

### **E. PLANNING ACTION:** PA-T1-2020-00089

**SUBJECT PROPERTY:** 835 & 839 East Main

**OWNER/APPLICANT:** Samarra Burnett

**DESCRIPTION:** A request for a Conditional Use Permit (CUP) to authorize an increase of the Maximum Permitted Floor Area (MPFA) for the addition of a new art/dance studio, and additional habitable space to the upstairs unit. The property is currently developed with an 1,812 square foot duplex, and the proposed development includes 232 sq. ft. upstairs and 553 downstairs for a total of 2,597 square feet. The property allows a total MPFA of 2,256 square feet which would require the authorization of a ~15% increase of MPFA. In addition to the approval criteria for a Conditional Use Permit, the criteria for Historic District Design Standards approval must be met. The application also includes the request to remove a single large tree from the backyard due to its proximity to the proposed construction. **COMPREHENSIVE PLAN DESIGNATION:** Multi Family Residential; **ZONING:** R-2; **MAP:** 39 1E 09 AC; **TAX LOT:** 9601

Staff clarified the application and the reason for the CUP. After a brief overview of the application by staff the commissioners fielded a number of questions to Staff.

Rick Peasley spoke against the application. His property is directly to the north and benefits greatly from the canopy of the tree in question. He felt that there was no reason to necessitate the tree removal based on its distance from the proposed construction and the ecosystem benefits it delivers.

Anne Peasley also spoke against the application.

Gould asked the Peasleys questions about the benefits they derive from the box elder tree. Cates felt that the trees orientation away from the proposed construction makes it compatible with the proposed addition, and that there is no arborist report doesn't rise to the criteria required. John stated that the lack of evidence in the record makes it difficult to approve the removal.

***John/Cates M/S to deny the application due to a lack of evidence in the record support the required criteria. 4-0 unanimous***

### **F. PLANNING ACTION:** PA-T1-2020-00090

**SUBJECT PROPERTY:** Ashland Middle School & John Muir Outdoor School 100 Walker Avenue

**APPLICANT:** Christopher Brown, Arkitek: Design & Architecture, *agent for*

**OWNER:** Ashland School District #5

**DESCRIPTION:** A request for **Site Design Review** approval to make renovations and additions to the Ashland Middle School and John Muir Outdoor School located at 100 Walker Avenue. The proposal includes the creation of a new two-story 6<sup>th</sup> grade classroom wing, the creation of an internal courtyard, a clearer front entrance on Walker Avenue, and establishes a unique identity for the John Muir Outdoor School. The proposal results in a 9,964 square foot net reduction in total building floor area on site, and will not increase the student capacity or intensify the current use of the site. The application includes a request for a **Conditional Use Permit** to modify the School District's existing Master Sign Permit Program to include new signage for both the Ashland Middle School and the John Muir Outdoor School, and **Tree Removal Permits** to remove five significant trees.

The site currently contains more than 140 trees, 94 of which are six-inches in diameter at breast height or greater. A total of 24 trees greater than six-inches in diameter are to be removed with the proposal, and five of these are deciduous trees of 12-inches or more in diameter which are considered “*significant*” and require Tree Removal Permits. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-5; **MAP:** 39 1E 10; **TAX LOT:** 1200, 1400 & 1500

Derek Severson presented the application on behalf of staff with a brief overview of the whole project. Alan Pardee landscape architect spoke to the application, the number of trees required to be removed and the number to be planted. A careful examination of the drawings followed. Specific questions surrounded the removal of the large willow and the reasons behind it. Cates remarked that there are only 5 regulated trees and that on the whole the project will result in a higher level of canopy and species diversity.

***John/Gould M/S to accept the application as submitted. 4-0 unanimous***

**G. PLANNING ACTION:** PA-TREE-2020-00102

**SUBJECT PROPERTY:** 280 E Hersey St.

**OWNER:** Toney Family Credit Shelter

**APPLICANT:** Jerry Toney

**DESCRIPTION:** This is a request to remove an unidentified tree approximately 8” DBH to the east of the middle building at a light industrial complex located at 280 E Hersey. The tree is located immediately above a 4” sanitary sewer line that has experienced blockages due to root intrusion. The sewer line also suffers from a pronounced dip, that may or may not be caused by the tree, but the tree prevents remediation’s of the issue. The applicant has provided a video of the sewer main from Roto-rooter demonstrating a significant dip in the line near the tree and immediately after the root intrusion. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR’S MAP:** 39 1E 04 DC; **TAX LOT:** 3401

Staff presented the application and explained the reason for the late addition to the agenda. Commissioners discussed the application and the fact that it is close to blooming, and that removal shouldn’t take place until after it has flowered.

***Gould/John M/S to approve the application with the requirement that a mitigation tree be planted.***

**C. PLANNING ACTION:** PA-TREE-2020-00098

**SUBJECT PROPERTY:** 461 Allison St.

**OWNER:** Gerston Family Trust

**APPLICANT:** Marci & Joel Gerston

**DESCRIPTION:** This is a tree removal application to enable a large landscape redesign at 461 Alison. The applicant is working with Landscape Architect Piper Von Chamier of Terrain Landscape Architecture, and Chris John from Canopy LLC. The application lists a total of 14 trees to be removed, but for the purposes of clarity we will only address those that are above 6” DBH (the regulatory threshold for a permit). The request includes the removal of 4- Cherry measuring 8.5”, 8”, 6.5”, and one with two leaders 8.5” and 10” DBH, 4-Willows measuring 13.5”, 24”, 21.5” and 18”, 1-19” DBH Leyland cypress, 1-7” DBH Oak, 1-6.5” DBH Golden chain. In general, many of the trees are described as having bad form based on previous pruning and topping. The project arborist states that the removal of these trees will not have a significant impact on erosion, soil stability, flow of surface waters, and protection of adjacent trees. The loss of the will have a negative impact on species diversity but when considering the hazardous nature of the trees, their poor form and conflict with the fence the project arborist recommends their removal. **COMPREHENSIVE PLAN DESIGNATION:** Multi Family Residential; **ZONING:** R-2; **ASSESSOR’S MAP:** 39 1E 09 BD; **TAX LOT:** 8400

Staff presented an overview of the application, there was no one from the applicant representing the application. Gould asked if there was a way to ensure that the proposed planting would take place. Staff answered that the proposed land scaping is not the result of a planning action, and that there is nothing guaranteeing that the applicant will follow through. Neff commented that the proposed landscaping was a pleasing design.

***Neff/Cates M/S to approve the application (3-0 unanimous) John recused.***

**D. PLANNING ACTION:** PA-TREE-2020-00100

**SUBJECT PROPERTY:** 309 Pioneer St.

**OWNER:** Ashland Food Co-op

**APPLICANT:** Charles Popellea / Canopy

**DESCRIPTION:** This is a request to remove a mature Zelcova tree that is approximately 10.5” at approximately 3.5’ above grade and then diverges into multiple 6” leaders. The tree is estimated to be 25’ tall. The

application includes a report prepared by Canopy LLC which states that the tree is in poor health. The most obvious evidence of this is the lack of bark on the north side and large amounts of crown die back over the last several years. Due to the long term viability of the tree removal and replacement is recommended by the project arborist. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 09 BA; **TAX LOT:** 13700

Staff presented the application, referencing the arborist report. Cates remarked that the evidence of the bark on the north side is not healing detailing what is healthy verses diseased. Neff suggested that the damage may be from a poor pruning in the past. Cates suggested that the tree could continue to live for a long time but that it will continue to decline.

***Cates/Neff M/S to approve the application with the recommendation that it be replaced with a zelkova (3-0 unanimous) John recused.***

## **TYPE II REVIEWS** – None

### **STREET TREE REMOVAL PERMITS**

**A. PLANNING ACTION:** PA-TREE-2020-00099

**SUBJECT PROPERTY:** 237 N First St. (near)

**OWNER:** Ashland Food Co-op

**APPLICANT:** Charles Popellea / Canopy

**DESCRIPTION:** This is a request to remove a single maple (acer spp) measuring 4.75" DBH and approximately 12' tall. The application includes an arborist report which indicates that the tree has sever rot at the base by hand. Due to the heath and stability of the tree removal and replacement is recommended. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 09 BA; **TAX LOT:** 13600

Staff briefly presented the application. Cates wondered if the tree might survive, but then reconsidered based on the amount of rot and size of the tree.

***Gould/Neff M/S to approve the application with the recommendation that it be replaced with a suitable species chosen by the project arborist for the location Armstrong maple (3-0 unanimous) John recused.***

### **Discussion Items**

- Tree of the Year nominations were narrowed to a field of 10.
- Added item – Best practices for animals regarding tree removal
  - Discussion followed.
- Earth Day (Motion for funds to register as an exhibitor)

***Gould/Cates M/S to approve the funds for registering at Earth day if we can' not share the table with wild fire. 4-0***

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**Adjournment:** Meeting adjourned at 8:10p.m.

**Next Meeting:** April 10, 2020

*Respectfully submitted by Liz Hamilton*