

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



*Si necesita ayuda para comprender esta información, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

### TREE CONSERVATION PLAN ADJUSTMENT CASE NO. TCPA24-03

APPLICATION NO.: 24-110128-PLN

NOTICE OF DECISION DATE: July 29, 2024

**REQUEST:** A Tree Conservation Plan Adjustment (TCPA) to Tree Conservation Plan Case No. TCP21-04 to remove five additional trees for a property zoned RS (Single Family Residential) and located at 5785 Kiffen Street SE (Marion County Assessor's Map and Tax Lot number 083W13CA10900).

This tree conservation plan adjustment is the first tree conservation plan adjustment to Tree Conservation Plan Case No. TCP21-04 and was submitted with a Subdivision for the subject property (SUB-ADJ21-04). This adjustment modifies TCP21-04 by designating five additional trees for removal selected initially for preservation.

**APPLICANT:** Katie Parano Friesen

**LOCATION:** 5785 Kiffen Street SE (Reserve at Battle Creek)

**CRITERIA:** Salem Revised Code (SRC) Chapter 808.040 – Tree Conservation Plan Adjustment

**FINDINGS:** The findings are in the attached Decision dated July 29, 2024.

**DECISION:** The **Planning Administrator APPROVED** TCPA24-03 subject to the following conditions of approval:

- Condition 1:** Any changes to the approved Tree Conservation Plan Adjustment must be submitted to the Community Development Department in the form of another Tree Conservation Plan Adjustment application for review and approval.
- Condition 2:** No tree designated for preservation may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment application is submitted to the Community Development Department and approval has been granted by the Planning Administrator. Failure to preserve trees marked for preservation may result in a civil penalty.
- Condition 3:** Prior to and during any grubbing, grading and construction activities, all trees designated for preservation shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked on-site. Required tree protection measures during construction shall consist of protective fencing placed under the canopy of the tree. No grubbing, grading, construction, vehicle parking, or storage/disposal of materials/fill shall be allowed inside the protective fencing.
- Condition 4:** Adherence to the Tree Conservation Plan Adjustment is required at the time of building permit application. All trees designated for preservation

under the Tree Conservation Plan Adjustment shall be protected, as required above, until issuance of a Notice of Final Completion for each affected parcel/lot.

**Condition 5:** Any changes to the approved Tree Conservation Plan Adjustment must be submitted to the Community Development Department in the form of another Tree Conservation Plan Adjustment application for review and approval.

The applicant, and all representatives thereof, shall comply with all applicable development standards of SRC Chapter 808. The approved Tree Conservation Plan Adjustment is on file with the City of Salem and is binding on the lots created by the division of the subject property. No tree designated for removal on the approved Tree Conservation Plan Adjustment shall be removed or critically damaged prior to the Tree Conservation Plan Adjustment approval date.

Approval of a Tree Conservation Plan Adjustment application does not expire.

Case Manager: Abigail Pedersen, Planner I, [apedersen@cityofsalem.com](mailto:apedersen@cityofsalem.com), 503-540-2309

This decision is final unless written appeal from the applicant or the owner of the subject property is filed with the City of Salem Planning Division Room 305, 555 Liberty Street SE, Salem OR 97301 no later than **Monday, July 29, 2024, by 5:00 p.m.** The appeal must state where the decision failed to conform to the approval criteria in SRC Chapter 808. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action or refer the matter to staff for additional information.

<http://www.cityofsalem.net/planning>

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**TREE CONSERVATION PLAN ADJUSTMENT CASE NO. TCPA24-03**

**DECISION**

**IN THE MATTER OF APPROVAL OF  
TREE CONSERVATION PLAN  
ADJUSTMENT CASE NO. TCPA24-03  
5785 KIFFEN ST SE**

**) TREE CONSERVATION PLAN  
) ADJUSTMENT  
)  
) July 29, 2024**

In the matter of the application for a Tree Conservation Plan Adjustment, the Planning Administrator, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

A Tree Conservation Plan Adjustment (TCPA) to Tree Conservation Plan Case No. TCP21-04 to remove five additional trees for a property zoned RS (Single Family Residential) and located at 5785 Kiffen Street SE (Marion County Assessor's Map and Tax Lot number 083W13CA10900).

This tree conservation plan adjustment is the first tree conservation plan adjustment to Tree Conservation Plan Case No. TCP21-04 and was submitted with a Subdivision for the subject property (SUB-ADJ21-04). This adjustment modifies TCP21-04 by designating five additional trees for removal selected initially for preservation.

**PROCEDURAL FINDINGS**

1. On May 7th, 2024, an application for a Tree Conservation Plan Adjustment was submitted for property located at 5785 Kiffen St SE (**Attachment A**).
2. After additional information was submitted the application was deemed complete on May 14, 2024.
3. Since the original Tree Conservation Plan approval (TCP21-04), the subdivision plat has recorded. The proposal includes trees removed without a permit on the storm water facility lot and lots 24, 26, 28, 59 of Reserved at Battle Creek. One tree located on Lot 59 was removed without a permit and was a significant tree. The applicant received a Civil Penalty and provided a Restoration Plan pursuant to SRC 808.065. The trees removed includes the Significant Tree.

**SUBSTANTIVE FINDINGS**

**1. Proposal**

The tree conservation plan adjustment will reduce the preservation to 60% by removing an additional five trees (**Attachment B**). A summary of the total tree identified for preservation and removal under the original tree conservation plan and this adjustment are included in the table below:

Tree Conservation Plan Summary						
Case No.	Approval Date	Trees Preserved	Percentage Preserved	Trees Removed	Percentage Removed	Total Trees on subject property
TCP21-04	July 22, 2021	79	65%	43	35%	122

Tree Conservation Plan Summary						
Case No.	Approval Date	Trees Preserved	Percentage Preserved	Trees Removed	Percentage Removed	Total Trees on subject property
TCPA24-03	July 29, 2024	74	60%	48	40%	122

## 2. Applicability

Except as provided under the following exceptions, no tree or native vegetation designated for preservation in a tree conservation plan shall be removed unless a tree conservation plan adjustment has been approved pursuant to this section.

Exceptions: A tree conservation plan adjustment is not required for:

- A tree that has been removed due to natural causes; provided, however, that evidence must be provided to the Planning Administrator demonstrating the removal was due to natural causes.
- Removal of a hazardous tree, subject to a tree and vegetation removal permit issued under SRC 808.030.
- Removal necessary to effect emergency actions excepted under SRC 808.030(a)(2)(H).

## 3. Analysis of Tree Conservation Plan Adjustment Approval Criteria:

The approval criteria for a Tree Conservation Plan are found in SRC 808.040(d).

**SRC 808.404(d)(1)(A): There are special conditions that could not have been anticipated at the time the tree conservation plan was submitted that create unreasonable hardships or practical difficulties which can be most effectively relieved by an adjustment to the tree conservation plan.**

**Finding:** The applicant has stated trees have already been removed during grading of the site. The applicant contends the removal was necessary to grade for the foundation of the proposed dwelling.

**SRC 808.040(d)(1)(B): When the tree conservation plan adjustment proposes the removal of a significant tree, there are no reasonable design alternatives that would enable preservation of the tree.**

**Finding:** The applicant has stated the trees have already been removed during grading of the site.

**SRC 808.040(d)(1)(C) When the tree conservation plan adjustment proposes the removal of a tree or native vegetation within a riparian corridor, there are no reasonable design alternatives that would enable preservation of the tree or native vegetation.**

**Finding:** No riparian corridors are located on the subject property; therefore, no riparian trees or native vegetation will be removed from the site. This criterion is not applicable.

**SRC 808.040(d)(1)(D) When the tree conservation plan adjustment proposes to reduce the number of trees preserved in the original tree conservation plan below 25 percent, only those trees reasonably necessary to accommodate the proposed development are designated for removal.**

**Finding:** Under the originally approved tree conservation plan, 79 trees were proposed for preservation (65 percent preservation rate). Under this proposed adjustment, a total of five additional trees (one of



which was a significant tree which received a civil penalty) have been removed, increasing the number of trees removed to 48 trees (60 percent preservation rate). With a total of 74 trees preserved throughout the subject property, the applicant does not fall below the 25 percent preservation rate; therefore, this criterion is met.

**SRC 808.040(d)(1)(E) When less than 30 percent of the trees in the original tree conservation plan are designated for preservation, the mitigation measures required under SRC 808.040(e) are met.**

**Finding:** In the original tree conservation plan proposed 79 trees for preservation this amendment proposes 74 trees for preservation. This proposal is proposing 94% of the trees in the original tree conservation plan (TCP21-04) still be preserved; therefore, mitigation is not required.

#### **4. SRC Chapter 808 Planting Requirements**

SRC Chapter 808.050 establishes tree planting requirements for lots or parcels to be used for Single-Family or Two-Family uses. The specific number of trees that must be provided on each lot is based upon the requirements of Table 808-1, as shown below:

**Table 808-1**

<b>Lot Size</b>	<b>Required Trees</b>
Less than 4,000 square feet	1
4,000 to 6,000 square feet	2
6,001 to 7,000 square feet	3
7,001 to 8,000 square feet	4
8,001 to 9,000 square feet	5
Greater than 9,000 square feet	6

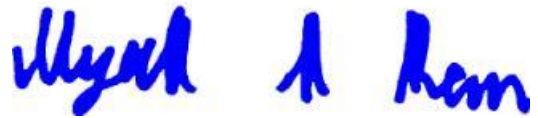
In the event there are insufficient existing trees on a lot or parcel to meet the requirements of Table 808-1, the deficiency shall be made up by planting trees that are at least 1.5 inches in caliper.

#### **IT IS HEREBY ORDERED**

The proposed Tree Conservation Plan Adjustment is consistent with the provisions of SRC Chapter 808 and is hereby **APPROVED**, subject to SRC Chapter 808 and the following conditions:

- Condition 1:** Any changes to the approved Tree Conservation Plan Adjustment must be submitted to the Community Development Department in the form of another Tree Conservation Plan Adjustment application for review and approval.
- Condition 2:** No tree designated for preservation may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment application is submitted to the Community Development Department and approval has been granted by the Planning Administrator. Failure to preserve trees marked for preservation may result in a civil penalty.

- Condition 3:** Prior to and during any grubbing, grading and construction activities, all trees designated for preservation shall be protected from removal or critical damage. Trees designated for protection shall be clearly marked on-site. Required tree protection measures during construction shall consist of protective fencing placed under the canopy of the tree. No grubbing, grading, construction, vehicle parking, or storage/disposal of materials/fill shall be allowed inside the protective fencing.
- Condition 4:** Adherence to the Tree Conservation Plan Adjustment is required at the time of building permit application. All trees designated for preservation under the Tree Conservation Plan Adjustment shall be protected, as required above, until issuance of a Notice of Final Completion for each affected parcel/lot.
- Condition 5:** Any changes to the approved Tree Conservation Plan Adjustment must be submitted to the Community Development Department in the form of another Tree Conservation Plan Adjustment application for review and approval.

Three blue ink signatures are written in a cursive style. The first signature is the most legible, appearing to read 'Abigail'. The second and third signatures are more stylized and less legible.

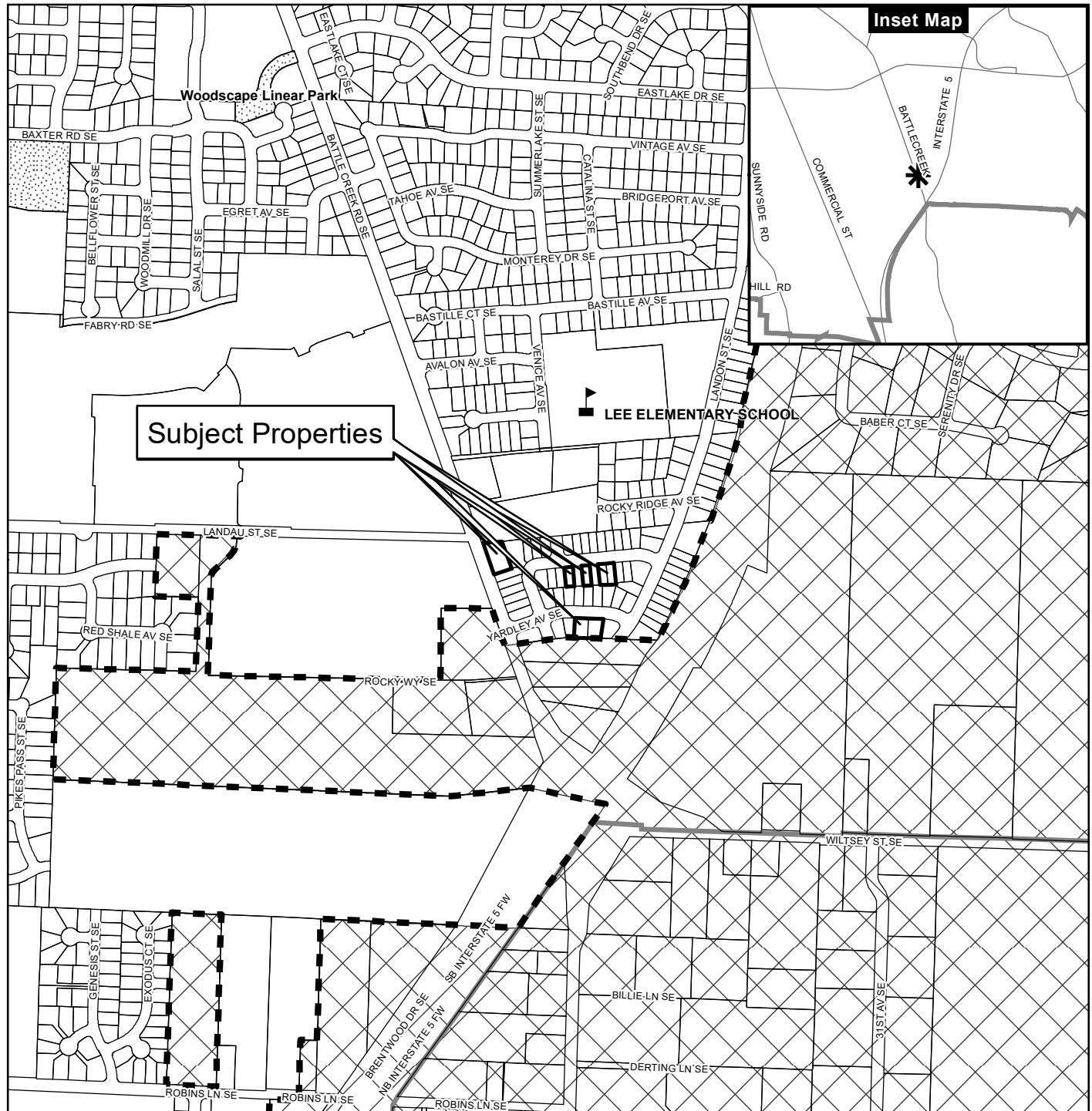
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Abigail Pedersen, Planner I, on behalf of,  
Lisa Anderson-Ogilvie, AICP  
Planning Administrator

Attachments: A. Vicinity Map  
B. Approved Tree Conservation Plan

# Vicinity Map

## 5785 Kiffen Street SE



### Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

Parks

**CITY OF Salem**  
AT YOUR SERVICE  
Community Development Dept.

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0 100 200 400 Feet





# TREE CONSERVATION PLAN ADJUSTMENT

for

STATE STREET HOMES

for the

RESERVE AT BATTLE CREEK

at

5826 BATTLE CREEK ROAD,  
SALEM, OREGON

Submitted by

Peter van Oss

Registered Consulting Arborist #826

ISA Certified Arborist #PN-8145A

Date Thursday, May 2, 2024

Teragan and Associates, Inc.

Arboricultural Consultants

3145 Westview Circle, Lake Oswego, OR 97034

503-697-1975 | [info@teragan.com](mailto:info@teragan.com)

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## Summary

Teragan and Associates, Inc. has contracted with State Street Homes to assist with the Reserve at Battle Creek project. This report is the tree conservation plan adjustment for the occurrence that resulted in the removal of five trees that were proposed to be retained. The tree plan is in accordance with Chapter 808 – Preservation of Trees and Vegetation of the City of Salem Municipal Code.

## Background

State Street Homes sought help from Teragan & Associates, Inc. to revise a tree preservation plan following the removal of trees during earthwork at the Reserve at Battle Creek Project. Five trees were removed that were supposed to be retained, prompting the city to ask for an adjustment to the tree conservation plan as per Section 808.040. This report contains essential details demonstrating adherence to the City of Salem's regulations concerning minimum tree standards and safeguarding the remaining trees throughout the project's development phase.

## Tree/ Site Assessment

I, Peter van Oss, visited the site on April 25<sup>th</sup>, 2024, to assess the current development progress, the status of the remaining trees, and to verify which five additional trees were removed.

## Purpose and Use of the Report

The purpose of this report is to establish a narrative for tree protection measures that will need to be adhered to during the construction project to ensure a positive outcome of the retention efforts. The owner may use this report to establish communication between the city planning department, the contractors, and sub-contractors regarding the tree protection efforts of the project.

## Limits of the Report

I visually assessed from the ground only, tools were not used to assess any of the tree parts. The project was well underway at the time that State Street Homes contracted Teragan & Associates, Inc. to assist in resolving the code violations. Teragan & Associates, Inc. was not engaged in the project prior to April 25<sup>th</sup>, 2024. The tree protection measures are based on the provided information that was prepared by others. Measurements related to tree protection mitigation must be verified in the field (see appendix C for details). The plans attached in Appendix C of this report are meant as a visual aid only; all tree protection zones are to be measured from the trunk of the trees.

## Observations

The site preparation and grading appeared to have been near completion and the storm water facilities and associated underground utilities were in place at the time of the site visit. The tree protection fencing was mostly placed at the edge of the driplines of the trees and the orange plastic mesh fencing was in poor condition. Now that the five trees that were proposed for retention are removed, there is one Oregon white oak (*Quercus garryana*) towards the center of the property; all other retained trees are along the property boundaries.

The remaining trees appeared to be in good health and structural condition at the time of the site visit. Grading and the installation of the main infrastructure occurred within the tree protection zones of the retained trees, and it did not appear to have significantly impacted the trees. No large roots were visible where the grading cuts or installation of the water treatment facilities, and utilities occurred. It is recommendable to ensure that the trees are periodically assessed for changes in their current health to ensure that appropriate steps can be taken to mitigate the effects of construction impacts that may have occurred. Additional watering or the implementation of a plant health care program may be necessary if the trees in proximity to the site improvements start to show signs of stress. Bi-monthly site visits by the project arborist may allow for changes in the condition of the trees to be observed in a timely manner.

### Mitigation

Sec.808.035 (e) states “Mitigation measures. When less than 30 percent of all trees located on a property are designated for preservation under a tree conservation plan, any combination of one or more of the following mitigation measures shall be provided for each tree removed in excess of 70 percent”.

There were 128 trees located on the property prior to the start of the project according to the provided existing conditions and demo plan labeled G-8 (attached in appendix C). The total number of trees removed from the site including the five additional trees is 59. The following calculation shows that 46% of the existing trees remain on the property.  $59 \div 128 = 0.46$  (46%).

- » No additional mitigation measures need to be taken at this time since the criterion in Sec.808.035 (e) is met.

### Site Specific Tree Protection

#### *During Construction*

The orange mesh fencing that is in place is deteriorated and laying on the ground in most areas and will not adequately protect the trees during the development project. In addition, the fencing locations appear to be placed at the edge of the dripline which may not be far enough away from the trees in some instances. It is recommendable to replace the orange mesh fencing with new material, preferably 4-foot-tall metal fencing with a minimum of 14-gauge wiring, to ensure that the fencing remains effective during the project. The fencing should be moved to the locations shown on the site plan in Appendix C of this report. Placing the fencing at the edge of the critical root zones (CRZ) when the trees are only impacted on one side of the tree or placing the fencing at the tree protection zone (TPZ) when impacts occur on multiple sides of the tree will ensure that root impacts associated with soil compaction, dumping of materials, unauthorized access in the tree protection zones, and other tree protection related violations are avoided. Any future work that occurs within the tree protection zones of the trees must be approved and supervised by the project arborist.

In addition to the fencing being repaired and adjusted, the sign in Appendix E of this report should be placed every 35 feet facing the construction areas to clearly communicate the importance of the tree protection areas. The sign includes the violation fees per City of Salem Code, and it is recommendable to ensure that everyone involved in the project is aware of the tree protection measures set forth in this report. In addition to the City of Salem violation fees, it is recommendable to make the sub-contractors aware that the appraised value of damaged trees may be imposed to the total, if the tree protection measures are not adhered to.

Site plans for the individual homes were not presented to me at this time and it appears that most of the retained trees will be in the backyards of the new homes.



It is recommended that the project arborist (myself or someone from our firm) meets with the landscape contractor prior to the start of their projects to collaborate their needs and approaches and discuss tree protection mitigation. In ground irrigation and significant fill are not allowed within the critical root protection zones. New soil can only be introduced up to a depth of four inches. New plants can be installed within the critical root protection zones if they are pocket planted. Under no circumstances can the existing soil be amended with the use of mechanical equipment within the tree protection zones. If soil amelioration is necessary, the work must be performed by use of pneumatic excavation.

The attached plans in Appendix C have been marked up to scale. The blue circles indicate the tree protection zone at 12X the diameter and the orange circles indicate the critical root zones at 6X the diameter of the tree.

### **Additional Tree Protection Mitigation in Appendix D**

#### **Conclusion**

It is my professional opinion that the tree protection measures set forth in this tree plan will suffice in the protection of the trees during construction. It is important to adhere to the standards in this report to ensure that the retention goals are successful.

Please feel free to contact me with any questions or concerns.

Sincerely,

*Peter van Oss*

Peter van Oss | Senior Associate

 **RCA #826**  
Registered Consulting Arborist®

*ISA Certified Arborist PN-8145A*

*Tree Risk Assessment Qualified*

*Member, American Society of Consulting Arborists*

#### **Enclosures:**

- Appendix A: Certification of Performance
- Appendix B: Assumptions and Limiting Conditions
- Appendix C: Site Plan Fencing Placement and Proposed Removals
- Appendix D: Tree Protection Standards
- Appendix E: Vegetation Protection Signage

Teragan and Associates, Inc.  
Arboricultural Consultants  
3145 Westview Circle, Lake Oswego, OR 97034  
503-697-1975 | [info@teragan.com](mailto:info@teragan.com)

## Appendix A: Certification of Performance

I, Peter van Oss, certify that:

- I have personally inspected the trees and the property referred to in this report and have stated my findings accurately. The extent of the evaluation or appraisal is stated in the attached report and the Terms of the Assignment.
- I have no current or prospective interest in the vegetation or the property that is subject to this report and have no personal interest or bias with respect to the parties involved.
- The analysis, opinions and conclusions stated herein are my own and are based on current professional procedures and facts.
- My analysis, opinions and conclusions were developed, and this report has been prepared according to commonly accepted arboricultural practices.
- No one provided significant professional assistance to me, except as indicated in the report.
- My compensation is not contingent upon reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member of, and certified as an arborist by the ISA. I have been involved in the arboricultural field in a full- time capacity for a period of 18 years.

Peter van Oss | Senior Associate



**asca** RCA #826  
Registered Consulting Arborist®

*ISA Certified Arborist PN-8145A*

*Tree Risk Assessment Qualified*

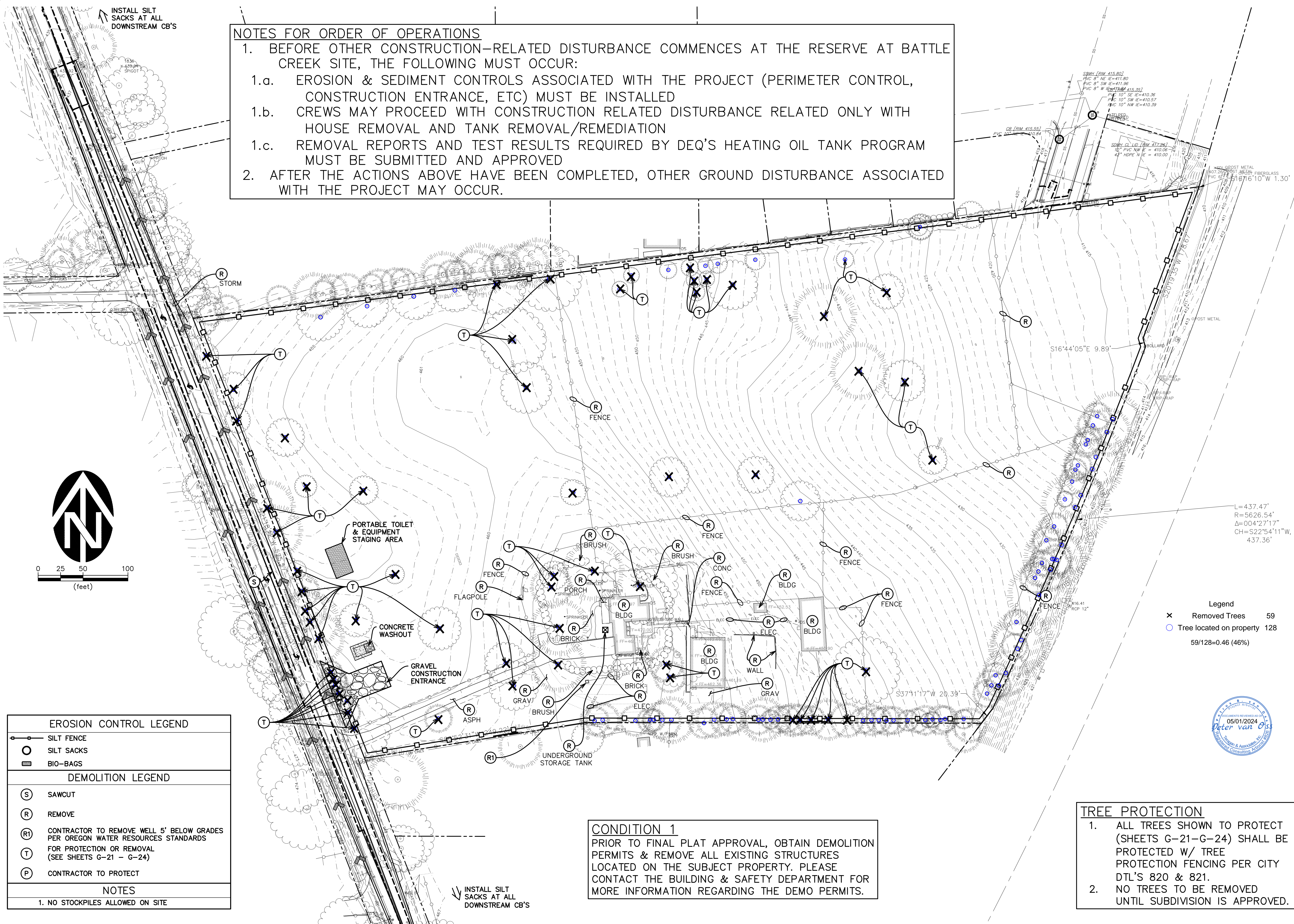
*Member, American Society of Consulting Arborists*

## Appendix B: Assumptions and Limiting Conditions

1. A field examination of the site was made. My observations and conclusions are as of that date.
2. Care has been taken to obtain all information from a reliable source, however the arborist can neither guarantee nor be responsible for accuracy of information provided by others.
3. Unless stated otherwise, information contained in this report covers only those trees that were examined and reflects the condition of those trees at the time of inspection. The inspection is limited to visual examination of the subject trees without dissection, excavation, probing, or coring. There is no warranty or guarantee that problems or deficiencies of the subject tree may not arise in the future.
4. This report and any values/opinions expressed herein represents my opinion as an arborist. Inaction on the part of those receiving the report is not the responsibility of the arborist.
5. Loss or alteration of this report invalidates the entire report.
6. Any legal description provided to the consultant/ appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. All property is appraised or evaluated as free and clear, under responsible ownership and competent management.
7. The consultant/ appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment for such services.
8. Possession of this report does not imply right of publication or use for any other purpose by any other than the person to whom it is addressed, without the prior expressed written consent of the consultant/ appraiser.



12/15/2021 10:32:47 AM  
E:\WE Projects\Battlecreek & Landau Subdivision\3063.0000\01\Plots\G-8 - Erosion Control Plan - Demolition & Clearing.dwg, (G-8 tab)



#### NOTES FOR ORDER OF OPERATIONS

- BEFORE OTHER CONSTRUCTION-RELATED DISTURBANCE COMMENCES AT THE RESERVE AT BATTLE CREEK SITE, THE FOLLOWING MUST OCCUR:
  - EROSION & SEDIMENT CONTROLS ASSOCIATED WITH THE PROJECT (PERIMETER CONTROL, CONSTRUCTION ENTRANCE, ETC) MUST BE INSTALLED
  - CREWS MAY PROCEED WITH CONSTRUCTION RELATED DISTURBANCE RELATED ONLY WITH HOUSE REMOVAL AND TANK REMOVAL/REMEDICATION
  - REMOVAL REPORTS AND TEST RESULTS REQUIRED BY DEQ'S HEATING OIL TANK PROGRAM MUST BE SUBMITTED AND APPROVED
- AFTER THE ACTIONS ABOVE HAVE BEEN COMPLETED, OTHER GROUND DISTURBANCE ASSOCIATED WITH THE PROJECT MAY OCCUR.



0 25 50 100  
(feet)

#### EROSION CONTROL LEGEND

- SILT FENCE
- SILT SACKS
- BIO-BAGS

#### DEMOLITION LEGEND

- (S) SAWCUT
- (R) REMOVE
- (R1) CONTRACTOR TO REMOVE WELL 5' BELOW GRADES PER OREGON WATER RESOURCES STANDARDS
- (T) FOR PROTECTION OR REMOVAL (SEE SHEETS G-21 - G-24)
- (P) CONTRACTOR TO PROTECT

#### NOTES

- NO STOCKPILES ALLOWED ON SITE

#### CONDITION 1

PRIOR TO FINAL PLAT APPROVAL, OBTAIN DEMOLITION PERMITS & REMOVE ALL EXISTING STRUCTURES LOCATED ON THE SUBJECT PROPERTY. PLEASE CONTACT THE BUILDING & SAFETY DEPARTMENT FOR MORE INFORMATION REGARDING THE DEMO PERMITS.

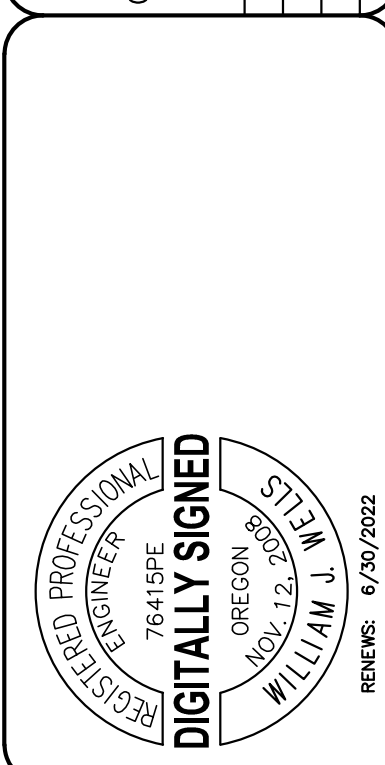
Legend  
X Removed Trees 59  
O Tree located on property 128  
59/128=0.46 (46%)

#### TREE PROTECTION

- ALL TREES SHOWN TO PROTECT (SHEETS G-21-G-24) SHALL BE PROTECTED W/ TREE PROTECTION FENCING PER CITY DTL'S 820 & 821.
- NO TREES TO BE REMOVED UNTIL SUBDIVISION IS APPROVED.

NO.	DATE	DESCRIPTION	BY
4	12-13-21	PER CITY & COUNTY COMMENTS	RS
3	10-29-21	PER CITY COMMENTS	RS
2	10-14-21	PER CITY COMMENTS	RS
1	9-9-21	PER CITY COMMENTS	AK/RS

VERIFY SCALE 1" = 100' IF NOT ONE INCH ON SCALE, SCALE ACCORDINGLY	DATE: 12/20/2021
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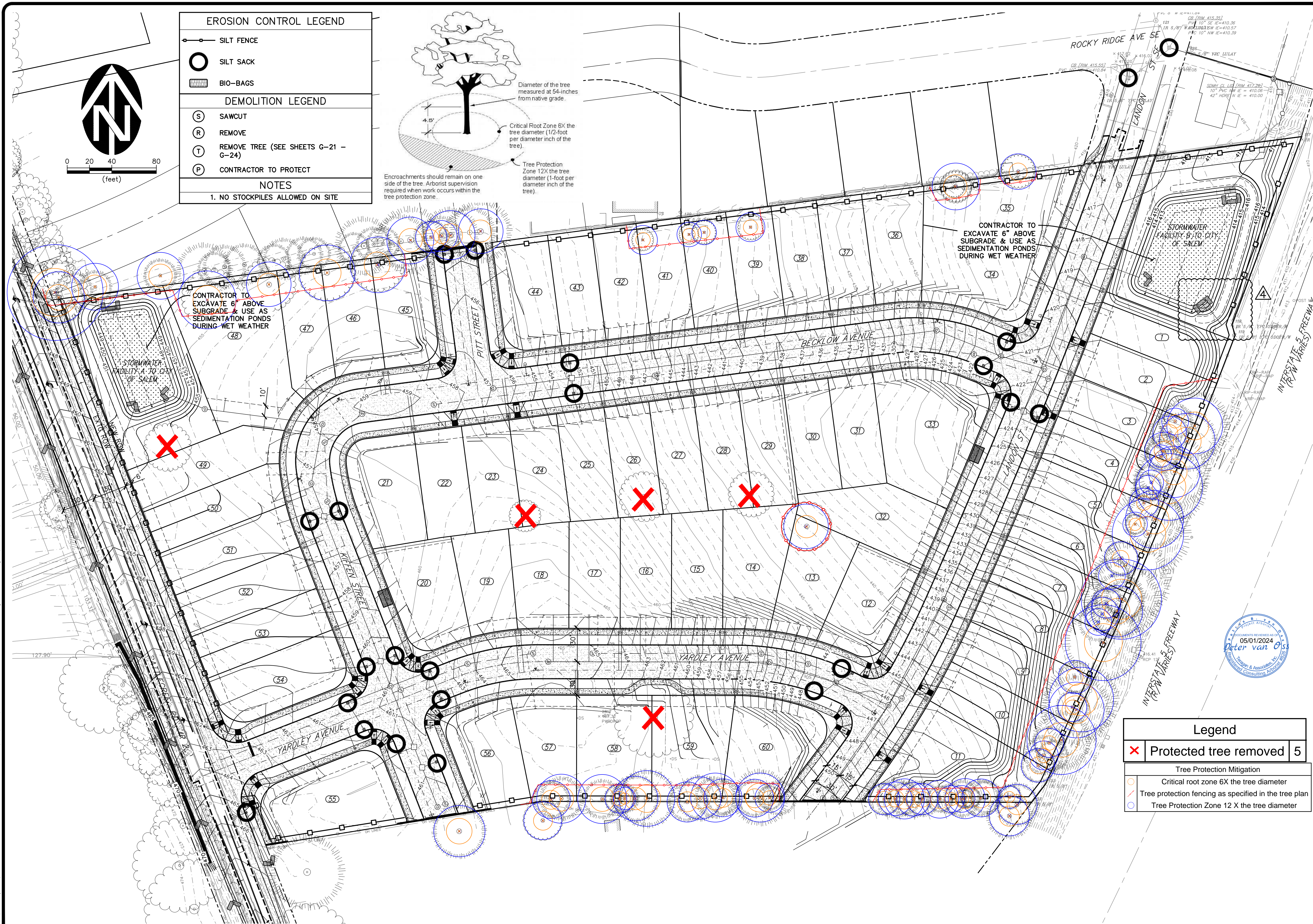


**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS  
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3986  
E-mail: westtech@westtech-eng.com

STATE ST HOMES INC  
THE RESERVE AT BATTLECREEK  
EROSION CONTROL PLAN -  
DEMOLITION & CLEARING

DRAWING  
G-8  
JOB NUMBER  
3063.0000.0





STATE ST HOMES INC

THE RESERVE AT BATTLECREEK

EROSION CONTROL PLAN -

STREETS & UTILITIES

DRAWING

G-9

JOB NUMBER

3063.0000.0

WE

WESTECH ENGINEERING, INC.

CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302

Phone: (503) 585-2474    Fax: (503) 585-3986

E-mail: [westech@westech-eng.com](mailto:westech@westech-eng.com)

REGISTERED PROFESSIONAL ENGINEER

764159E

DIGITALLY SIGNED

WILLIAM J. WILLIAMS

NOV 12 2020

OREGON

DATE: 12/20/2021

REVISIONS: 6/30/2022

VERIFY SCALE

BAR IS ONE INCH ON ORIGINAL DRAWING

0

1"

IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

4 12-13-21 PER CITY & COUNTY COMMENTS RS

3 10-29-21 PER CITY COMMENTS RS

2 10-14-21 PER CITY COMMENTS RS

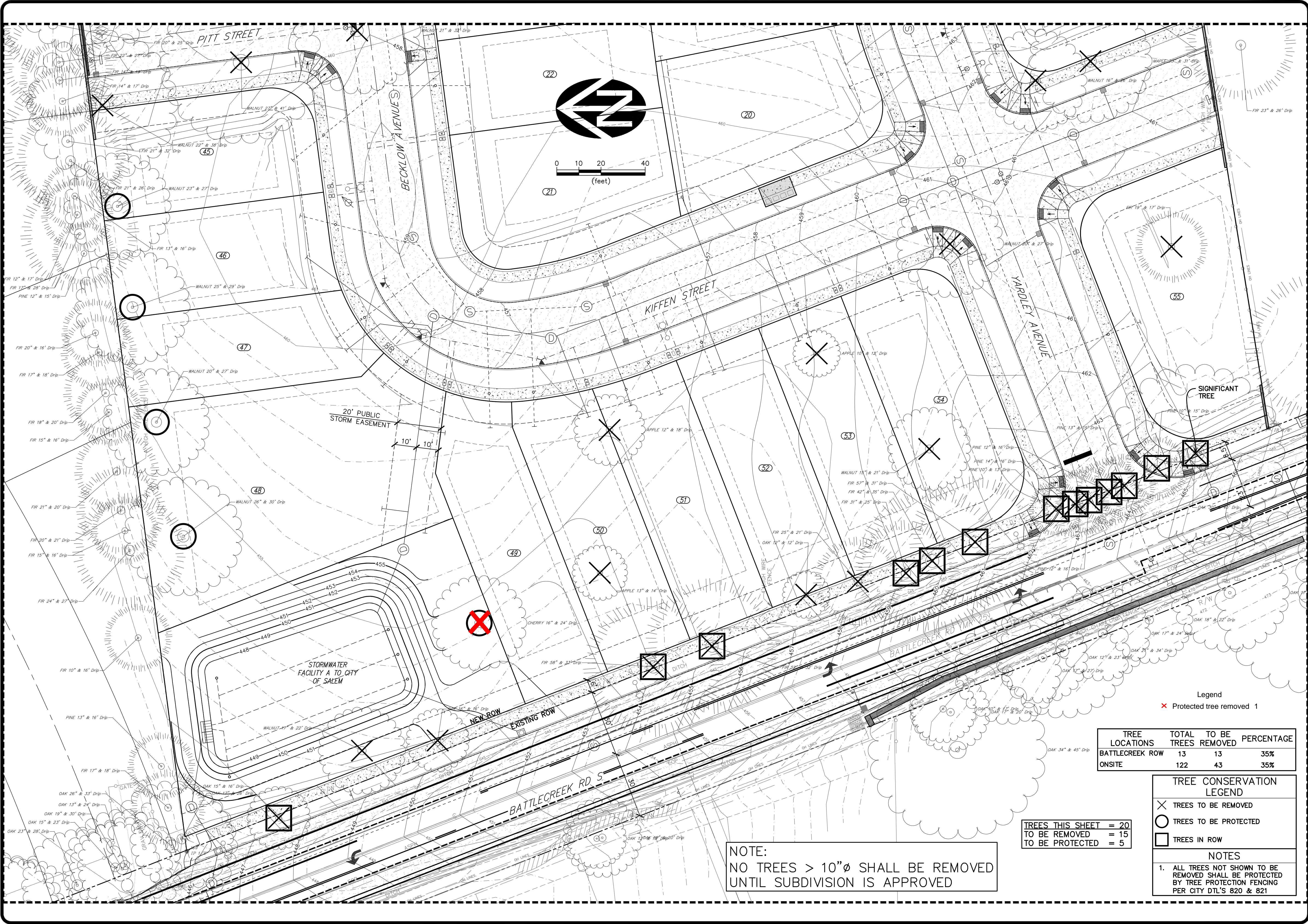
1 9-9-21 PER CITY COMMENTS AK/RS

CKD. JW NO. DATE DESCRIPTION BY

DATE: 12/20/21 REVISIONS



12/15/2021 10:36:45 AM  
E:\VE Projects\Battlecreek & Landau Subdivision\_3063.0000\0.Civil\Plots\G-20-24 - Tree Conservation.dwg (G-22 Job)



NOTE:  
NO TREES > 10"Ø SHALL BE REMOVED  
UNTIL SUBDIVISION IS APPROVED

TREES THIS SHEET = 20  
TO BE REMOVED = 15  
TO BE PROTECTED = 5

TREE LOCATIONS	TOTAL TREES	TO BE REMOVED	PERCENTAGE
BATTLECREEK ROW	13	13	35%
ONSITE	122	43	35%

TREE CONSERVATION LEGEND	
X	TREES TO BE REMOVED
O	TREES TO BE PROTECTED
□	TREES IN ROW

NOTES  
1. ALL TREES NOT SHOWN TO BE REMOVED SHALL BE PROTECTED BY TREE PROTECTION FENCING PER CITY DTL'S 820 & 821

STATE ST HOMES INC

THE RESERVE AT BATTLECREEK

TREE CONSERVATION PLAN – WEST

DRAWING  
G-22

JOB NUMBER  
3063.0000.0

WESTTECH ENGINEERING, INC.  
CONSULTING ENGINEERS AND PLANNERS  
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3986  
E-mail: westech@westech-eng.com

PROFESSIONAL  
REGISTERED  
DIGITALLY SIGNED  
WILLIAM J. KELLS  
OREGON  
NOV 12 2023  
RENEW: 6/30/2027

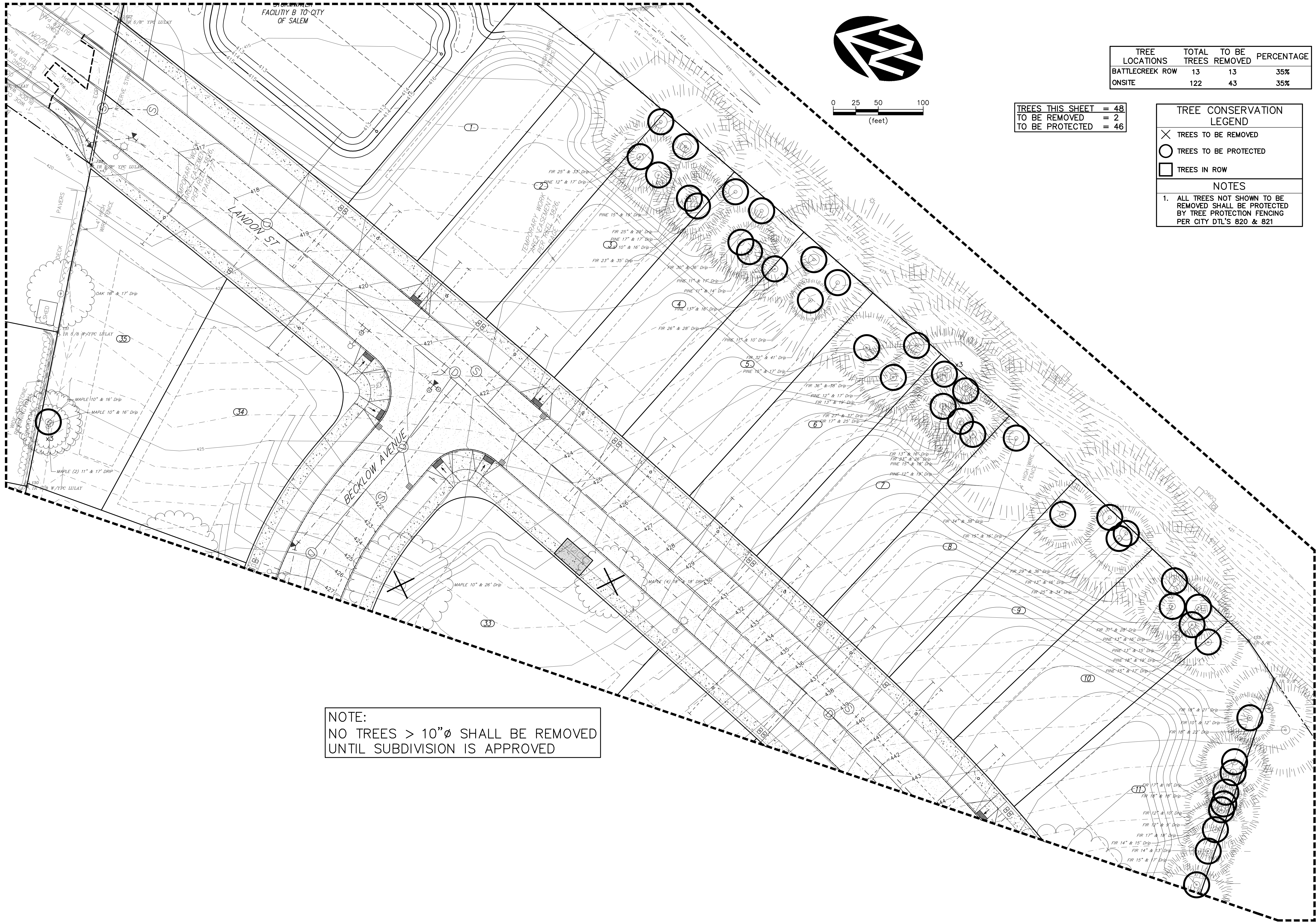
05/01/2024  
Peter van O's  
Professional Engineer  
Oregon State Board of Engineering and Architecture

DATE: 12/12/2021

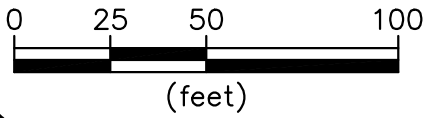
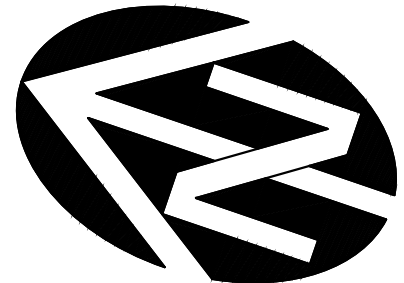
NO.	DATE	DESCRIPTION	BY
1	9.9.21	PER CITY COMMENTS	AK/RS
2	10-14-21	PER CITY COMMENTS	RS
3	10-29-21	PER CITY COMMENTS	RS
4	12-13-21	PER CITY & COUNTY COMMENTS	RS

VERIFY SCALE  
BAR IS ONE INCH ON  
ORIGINAL DRAWING  
IF NOT ONE INCH ON  
SNALES ACCORDINGLY  
1"





NOTE:  
NO TREES > 10"Ø SHALL BE REMOVED  
UNTIL SUBDIVISION IS APPROVED



TREES THIS SHEET = 48  
TO BE REMOVED = 2  
TO BE PROTECTED = 46

TREE LOCATIONS	TOTAL TREES	TO BE REMOVED	PERCENTAGE
BATTLECREEK ROW	13	13	35%
ONSITE	122	43	35%

TREE CONSERVATION  
LEGEND

✕

TREES TO BE REMOVED

○

TREES TO BE PROTECTED

□

TREES IN ROW

NOTES

1. ALL TREES NOT SHOWN TO BE REMOVED SHALL BE PROTECTED BY TREE PROTECTION FENCING PER CITY DTL'S 820 & 821

NO.	DATE	DESCRIPTION	BY
4	12-13-21	PER CITY & COUNTY COMMENTS	RS
3	10-29-21	PER CITY COMMENTS	RS
2	10-14-21	PER CITY COMMENTS	RS
1	9-9-21	PER CITY COMMENTS	AK/RS
NO.	DATE	DESCRIPTION	BY
1	12/12/2021	REVISIONS	JW

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCORDINGLY

0 1" 0

05/01/2024  
Peter van der  
Professional Consulting Architect

PROFESSIONAL  
REGISTERED  
DIGITALLY SIGNED  
WILLIAM J. KELLS  
RECEIVED  
764596  
OREGON  
NOV 12 2023

WESTTECH ENGINEERING, INC.  
CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
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STATE ST HOMES INC

THE RESERVE AT BATTLECREEK

TREE CONSERVATION PLAN –  
CENTRAL

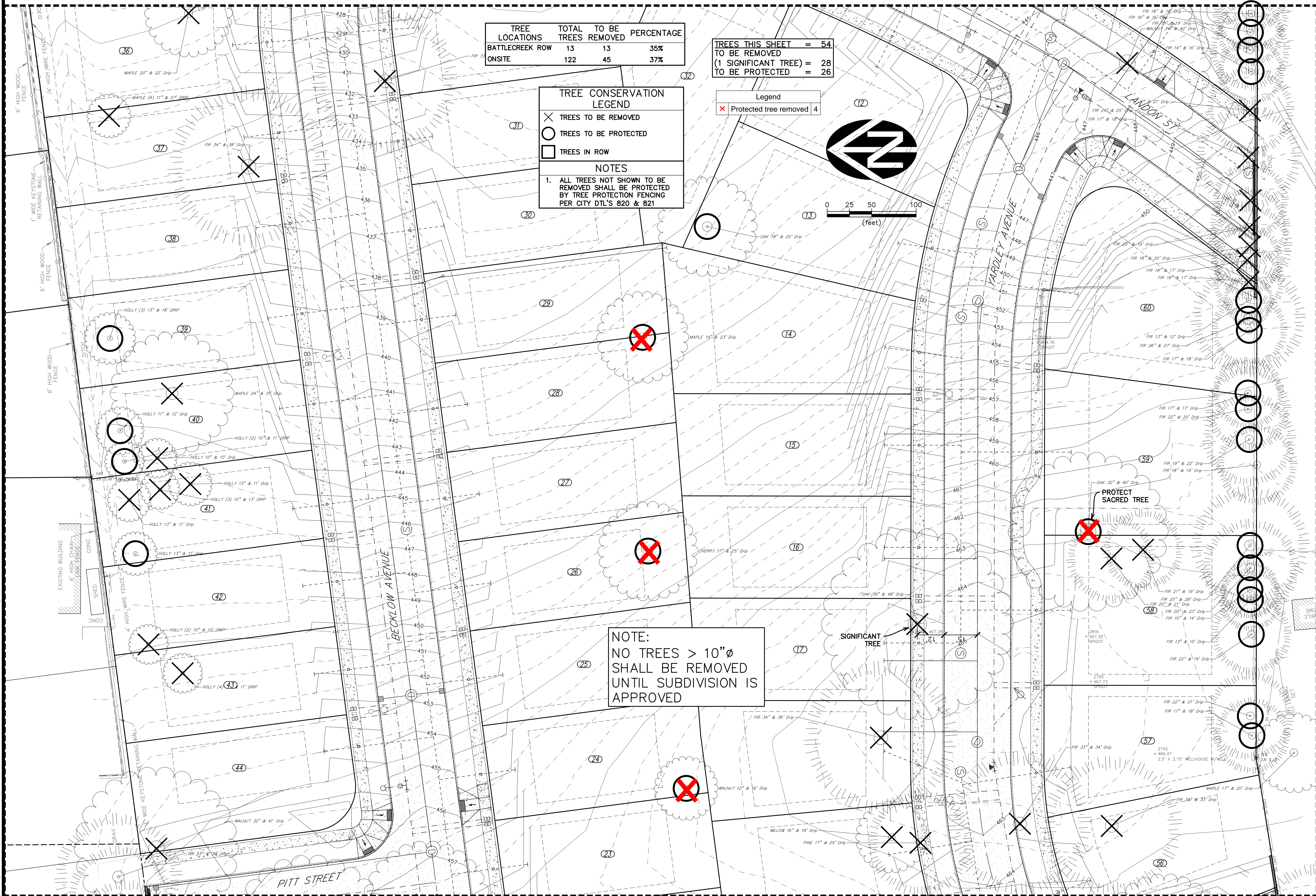
DRAWING  
G-23

JOB NUMBER  
3063.0000.0



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Legend



TREE LOCATIONS	TOTAL TREES	TO BE REMOVED	PERCENTAGE
BATTLECREEK ROW	13	13	35%
ONSITE	122	45	37%

TREE CONSERVATION LEGEND

X TREES TO BE REMOVED

O TREES TO BE PROTECTED

□ TREES IN ROW

NOTES

1. ALL TREES NOT SHOWN TO BE REMOVED SHALL BE PROTECTED BY TREE PROTECTION FENCING PER CITY DTL'S 820 & 821

TREES THIS SHEET = 54  
TO BE REMOVED = 28  
(1 SIGNIFICANT TREE) = 28  
TO BE PROTECTED = 26

Legend  
X Protected tree removed 4

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCORDINGLY

DATE: 12/20/2021

STATE ST HOMES INC  
THE RESERVE AT BATTLECREEK

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PROFESSIONAL ENGINEER  
DIGITALLY SIGNED  
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RECEIVED  
761456  
OREGON  
NOV 12 2023

DOCUMENTS REVIEWED AS  
05/01/2024  
Peter van Oss  
Engineer & Associate  
Consulting Architect

DRAWING  
G-23

JOB NUMBER  
3063.0000.0

RS  
RS  
RS  
AK/RS  
BY

PER CITY & COUNTY COMMENTS  
PER CITY COMMENTS  
PER CITY COMMENTS  
PER CITY COMMENTS  
REVISIONS



## Appendix D: Tree Protection Specifications

It is critical that the following steps be taken to ensure that they are retained and protected.

### Before Construction Begins

1. **Notify all contractors of the tree protection procedures.** For successful tree protection on a construction site, all contractors must know and understand the goals of tree protection. It can only take one mistake with a misplaced trench or other action to destroy the future of a tree.
  - 1.1. Hold a Tree Protection meeting with all contractors to fully explain the goals of tree protection.
  - 1.2. Have all subcontractors sign memoranda of understanding regarding the goals of tree protection. Memoranda to include penalty for violating tree protection plan. Penalty to equal appraised value of tree(s) within the violated tree protection zone per the current Trunk Formula Method as outlined by the Council of Tree & Landscape Appraisers current edition of the *Guide for Plant Appraisal*.
2. **Migratory Bird Act of 1918.** If trees are removed between Feb 1 – Aug 1, the trees shall be inspected for the presence of active bird nests. If active nests are present, the proper steps shall be taken to ensure compliance with the Federal Law. Nests with young shall be preserved and a buffer must be created in accordance with the species. If active nests must be moved, a plan prepared by a certified biologist must be enacted and executed under the supervision of the biologist.
3. **Fencing.**
  - 3.1. Establish fencing around each tree or grove of trees to be retained as shown on the tree protection site plan.
  - 3.2. The fencing is to be put in place before the ground is cleared to protect the trees and the soil around the trees from any disturbance at all. The exception is if trees are to be removed that are located within the tree protection zones, they should be removed prior to installing the tree protection fencing without the use of mechanized wheeled or tracked equipment.
  - 3.3. Fencing is to be placed at the edge of the root protection zone as shown on the Tree Protection Plan (Appendix C). Root protection zones are established by the project arborist based on the needs of the site and the tree to be protected.
  - 3.4. “Protection fencing consisting of a minimum 4-foot-high metal chain-link fencing, secured with 6-foot metal posts shall be established at the edge of the root protection zone and permissible encroachment area on the development site as show in Appendix C of this report. Existing structures and/or existing secured fencing at least 3.5 feet tall can serve as the required protective fencing.” If construction fencing is used it is recommended that the panels are secured to prevent movement of the fencing during construction.
  - 3.5. Fencing is to remain in the position that is established by the project arborist and not to be moved without written permission from the project arborist until the end of the project after the final inspection has been completed.

### Signage

- 3.6. All tree protection fencing should have signage clearly indicating that the area is a vegetation protection zone (Signage in Appendix E).
- 3.7. Signage should be placed so as to be visible from all sides of a tree protection area and spaced every 35 feet.

## During Construction

### 4. Protection guidelines within the Root Protection Zone

- 4.1. No traffic shall be allowed within the root protection zone. No vehicles, heavy equipment, or even repeated foot traffic.
- 4.2. No storage of materials including but not limited to soil, construction material, or waste from the site.
- 4.3. Waste includes but is not limited to concrete wash out, gasoline, diesel, paint, cleaner, thinners, etc.
- 4.4. Construction trailers are not to be parked / placed within the root protection zone without written clearance from the project arborist.
- 4.5. No vehicles shall be allowed to park within the root protection areas.
- 4.6. No activity shall be allowed that will cause soil compaction within the root protection zone.
- 4.7. The use of straw wattles is strongly recommended instead of silt fencing to avoid the need for trenching within the root protection zones.

### 5. Landscaping

- 5.1. Landscaping within the tree protection zones at a distance of 12X the diameter of the tree may commence after approval from the project arborist.
- 5.2. Inground irrigation systems must be avoided, and it is recommended that only above ground irrigation systems are used. Temporary systems and/or drip irrigation are preferred.
- 5.3. Any hardscapes within the tree protection zones shall be approved by the project arborist prior to soil disturbance taking place.
- 5.4. Landscape vegetation can be installed inside of the tree protection zones by pocket planting only. It is not recommended that soils are amended unless laboratory testing indicates that soil amelioration is needed.
- 5.5. No more than 4" of fill is allowed within the tree protection zone measured at a distance of 12X the diameter in circumference of the trees. No more than 25% of the tree protection zone may be impacted without the consent of the project arborist.
- 5.6. It is highly recommended that nutrient rich mulch or arborist woodchips are used in the planter areas. The material may be enriched with nitrogen to enhance the nutrient uptake by the soils.
6. **Tree protection.** Retained trees shall be protected from any cutting, skinning, or breaking of branches, trunks, or roots.
7. **Root pruning.** The roots that are to be cut from existing trees that are to be retained, the project consulting arborist shall be notified to evaluate, document, and oversee the proper cutting of roots with sharp cutting tools. Cut roots are to be immediately covered with soil or mulch to prevent them from drying out.
8. **Grade changes.** No grade change should be allowed within the root protection zone.
9. **Root protection zone changes.** Any necessary deviation of the root protection zone shall be cleared by the project consulting arborist in writing.
10. **Watering.** Provide water to trees during the summer months as needed. Tree(s) that will have had root system(s) cut back will need supplemental water to overcome the loss of ability to absorb necessary moisture during the summer months.
11. **Utilities.** Any necessary passage of utilities through the root protection zone shall be by means of tunneling under roots by hand digging or boring.
12. **Re-inspection of fencing.** Tree protection fencing is subject to inspection by the city. The project arborist highly recommends monthly inspections of tree protection fencing to ensure compliance with the permit and protection of the trees.

### After Construction

13. Fences are to remain standing until the final inspection has been completed by the city for the project.
14. Provide for or ensure that adequate drainage will occur around the retained trees.
15. Pruning of the existing trees should be completed as one of the last steps of the landscaping process before the final placement of trees, shrubs, ground covers, mulch, or turf.
16. Trees that are retained may need to be fertilized as called for by the project arborist if acceptable thresholds are exceeded. Lab analysis may be required.
17. The existing trees should be monitored for decline for a period of three years post construction. Proper care should be prescribed if the trees start to show signs of stress.

**If there are any questions or concerns regarding the proper protection of the trees during the construction process, contact the project arborist.**

## Appendix E – Vegetation Protection Signage

# VEGETATION/TREE PROTECTION ZONE

**DO NOT REMOVE OR ADJUST THIS FENCING.  
THE FENCE LOCATIONS ARE APPROVED TO PROTECT  
VEGETATION AND TREES.**

Contact the project arborist if access within the tree protection fencing is needed. All work within the tree protection zones of the trees must be approved and supervised by the project arborist.



**Project Arborist:** TERAGAN & ASSOCIATES, INC 503-697-1975

Unauthorized access within the tree protection zones, moving and damaging the tree protection fencing, and actions that violate the tree protection measures set forth in the tree protection plan for this project may result in stop work orders, fees and fines in accordance with local municipal codes, and monetary values owed to the owner of the tree in accordance with the Guide for Tree and Plant Appraisal, 10th Edition Revised, trunk formula technique method for the appraised value of the tree when trees are irreparable damaged.