

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 REMOVAL PERMIT: TRP24-43

APPLICATION NO.: 24-113921-PLN

NOTICE OF DECISION DATE: October 23, 2024

REQUEST: A Tree Removal Permit to remove one Silver Maple tree, approximately 39 inches in diameter at breast height (dbh), for property zoned ESMU (Edgewater/Second Street Mixed-Use Corridor) and located at 1362 Plaza Street NW (Polk County Assessor's Map and Tax Lot Number 073W28AB / 03900).

APPLICANT: Joyce Nelson

LOCATION: 1362 Plaza Street NW, Salem, OR 97304

CRITERIA: Salem Revised Code (SRC) Chapter 808.030.

FINDINGS: The findings are in the attached Decision dated October 23, 2024.

DECISION: The **Planning Administrator APPROVED** TRP24-43 based upon the application materials and the findings as presented in this report.

Approval of a Tree Removal permit application does not expire.

This decision is final; there is no local appeal process. Any person with standing may appeal this decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, not later than 21 days after the decision date. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The following items are submitted to the record: 1) All materials and evidence submitted by the applicant, including any applicable professional studies; and 2) All materials, evidence, and comments from City Departments and public agencies. The application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24 113921.

Case Manager: Quincy Miller, Planner I, qmillier@cityofsalem.net, 503-584-4676

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

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF)	FINDINGS & ORDER
TREE REMOVAL PERMIT)	
CASE NO. TRP24-43)	
1362 PLAZA ST NW)	OCTOBER 23, 2024

In the matter of the application for a Tree Removal Permit, 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 Removal Permit to remove one Silver Maple, approximately 39 inches in diameter at breast height (dbh), for property zoned ESMU (Edgewater/Second Street Mixed-Use Corridor) and located at 1362 Plaza Street NW (Polk County Assessor's Map and Tax Lot Number 073W28AB / 03900). A location map identifying the subject property is included as **Attachment A**.

PROCEDURAL FINDINGS

1. On June 28, 2024, an application for a Tree Removal Permit was submitted for property located at 1362 Plaza Street NW.
2. After additional requested information was provided by the applicant, the application was deemed complete on October 22, 2024

SUBSTANTIVE FINDINGS

1. Proposal

The information provided identifies three significant trees on the property, with two trees identified for preservation and one tree proposed for removal. The applicant is requesting to remove the 39-inch dbh Silver Maple on the basis that it is a hazard to people and property.

2. Applicability

SRC 808.015 Significant Trees. No person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030.

DECISION CRITERIA FINDINGS

3. Analysis of Tree Removal Permit Approval Criteria:

SRC 808.030(d)(1) Hazardous tree. The condition or location of the tree presents a hazard or danger to persons or property; and the hazard or danger cannot reasonably be

alleviated by treatment or pruning, or the tree has a disease of a nature that even with reasonable treatment or pruning is likely to spread to adjacent trees and cause such trees to become hazardous trees.

Finding: The applicant provided a written statement from an arborist, photos, and a repair estimate from a construction company addressing the location of the tree proposed for removal and its condition.

According to the written statement provided by the licensed arborist, the tree proposed for removal has a history of large limbs breaking off of the main tree and falling onto the subject property and neighboring property. The arborist also stated that root pruning and trimming of the tree would not be viable, as it would effectively destabilize the tree further and increase the likelihood of large limbs falling. The location of the tree also poses a hazard, as the tree is less than 10-feet from the primary structure and less than 15-feet from the neighboring structure. The risk of the tree falling on the adjacent residences, driveways, and sidewalk constitutes a hazard to persons or property. Furthermore, the makeup of the tree is numerous long, skinny trunks rather than a singular, wide trunk, which increases the likelihood of large, damaging branches to break off in strong winds or during ice storms. Therefore, per the arborist's recommendation, the entirety of the tree shall be removed.

IT IS HEREBY ORDERED

The proposed Tree Removal Permit is consistent with the provisions of SRC Chapter 808 and is hereby **APPROVED (or approved)** subject to the following conditions).



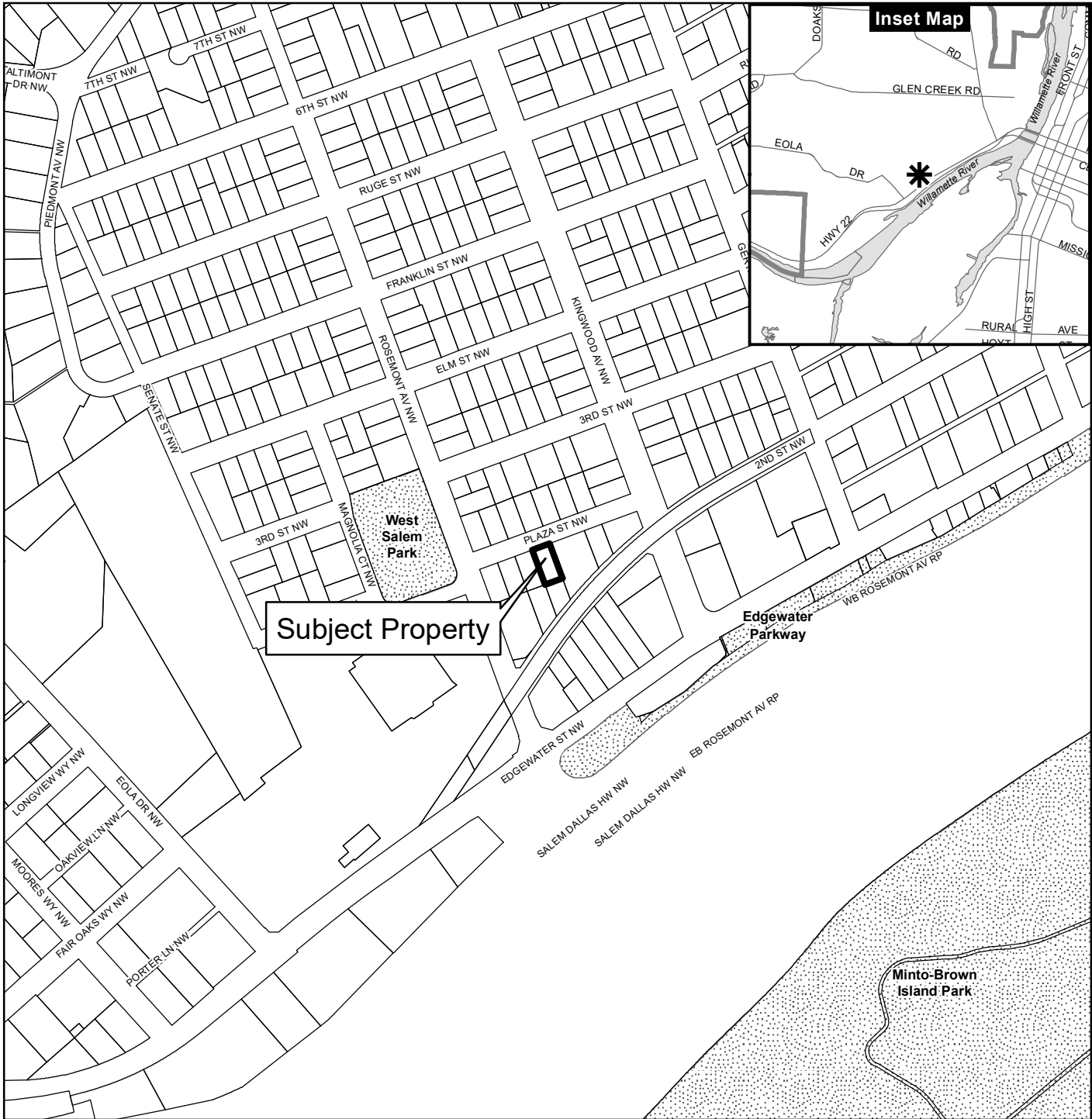
Quincy Miller, Planner I, on behalf of,
Lisa Anderson-Ogilvie, AICP
Planning Administrator

Attachments:

- A. Vicinity Map
- B. Arborist Report

Vicinity Map

1362 Plaza Street NW



Legend

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

Parks



0 100 200 400 Feet



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Top Tier Tree Care LLC

817 Meadows Ln SE
Jefferson, Or. 97352
541-409-6763
toptiertreecare@gmail.com

August 5th, 2024

Joyce Nelson

1362 Plaza St. NW
Salem, Oregon 97304

Tree Information:

- **Tree Species:** Silver Maple (*Acer saccharinum*)
- **Height:** Approximately 70 feet
- **Width:** Approximately 50 feet
- **Diameter at Breast Height (DBH):** 39 inches

Site Inspection Details: During the site inspection, the following observations were made:

- **Broken Limbs:** There is a history of large broken limbs. A significant limb was observed on the roof, indicating current safety hazards.
- **Foundation Damage:** Evidence suggests that the tree roots are causing cracking in the foundation of the home in numerous locations.
- **Neighbor's Driveway Damage:** The tree roots are also damaging and lifting the neighbor's driveway.
- **Concrete Contractor Report:** The client has provided a report from a concrete contractor corroborating the findings of foundation and driveway damage due to the tree roots.

Root Pruning Analysis:

- Root pruning is not a viable option due to:
 - The proximity of the tree to the home.
 - The size of the roots that would need to be cut.
 - Potential further destabilization of the tree, increasing the risk of falling limbs or tree failure.

Recommendation: Based on the site inspection and findings, I recommend the removal of the Silver Maple tree. The reasons for this recommendation are:

Conclusion: Removing the Silver Maple tree is the most appropriate course of action to mitigate safety risks and prevent further structural damage to the property and neighboring properties.

Sincerely,

Joseph Mitchell

Joseph Mitchell

TRAQ Arborist PN-8196A