



## URBAN FORESTRY BOARD Agenda

520 E. Cascade Avenue - PO Box 39 - Sisters, Or 97759 | ph.: (541) 549-6022 | [www.ci.sisters.or.us](http://www.ci.sisters.or.us)

**Monday, July 8, 2024 – 3:00 P.M.**

The Urban Forestry Board (UFB) is accessible to the public in person in the City Council Chambers at 520 E. Cascade Avenue, Sisters, OR 97759 and via the following Zoom link:

<https://us02web.zoom.us/j/82291096101?pwd=OFRVTJ4j3oL5TjiHley0CjE8HTZZf0.1>

**Passcode:** 126844

- 1. CALL TO ORDER & ROLL CALL**
- 2. APPROVAL OF MINUTES**
  - A. June 10, 2024 – Regular Meeting
- 3. VISITOR COMMUNICATION** If speaking in-person, please use the Visitor Communication Sign-In form at the meeting. Written communication can be submitted for the record to [jdumanch@ci.sisters.or.us](mailto:jdumanch@ci.sisters.or.us). Written communication and requests to speak via Zoom must be received by 1:00 PM on the day of the meeting.
- 4. BOARD BUSINESS**
  - A. Discussion of proposed Sisters Development Code amendment regulating significant private tree removal on a developing lot.
  - B. Recommendation to remove declining Aspen at 709 S Birch St.
  - C. Recommendation to remove dead Ponderosa Pine at 385 E Jefferson Ave.
- 5. OTHER BUSINESS** - Miscellaneous Issues or For the Board's Information (FYI only) and Specific to Trees in Public Rights-of-Way and Parks. City Forester's Use of Their Professional Authority/Discretion.
- 6. BOARD MEMBER COMMENTS**
- 7. ADJOURN**

*This agenda is also available via the Internet at [www.ci.sisters.or.us](http://www.ci.sisters.or.us). The meeting location is accessible to persons with disabilities. Requests for an interpreter for the hearing impaired or for other disability accommodations should be made at least 48 hours before the meeting by contacting Kerry Prosser, City Recorder at [kprosser@ci.sisters.or.us](mailto:kprosser@ci.sisters.or.us) Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the above referenced meeting; however, the agenda does not limit the ability of the Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice.*

**Urban Forestry Board (UFB)**  
Regular Meeting Minutes  
Monday, June 10, 2024  
*DRAFT*

**Board Members Present:**

Patrick Burke, Chair  
Therese Kollerer, Vice Chair  
Avery McChristian  
Cheryl Pellerin

**City Council Representative Present:**

Gary Ross, Councilor

**Staff Present:**

Dan Galecki, City Forester  
Paul Bertagna, Director, Public Works  
Jackson Dumanch, Project Coordinator, Public Works

**Guests:**

Tony Roos, Kittelson & Associates

**1. Call to Order & Roll Call**

Chair Burke called the Monday, June 10, 2024, regular meeting to order at approximately 3:00 PM. Staff confirmed a quorum was present.

**2. Approval of Minutes**

Burke directed the Board to the May 13, 2024, draft meeting minutes. Kollerer and Pellerin noted several spelling errors. Kollerer made a motion to approve the minutes with adjustments. Pellerin seconded. Motion passed unanimously.

**3. Visitor Communications**

Burke called for visitor communications. Project Coordinator Dumanch stated that there was no visitor communication.

**4. Board Business**

**A. Review of Tree Preservation Layout for the Sisters East Portal Mobility Hub Phase 1 design.**

Burke read the agenda item into the record. Bertagna directed the Board to the plan sheet in the packet and briefly described the methodology and plan for tree removal and preservation. Bertagna then asked Roos if they had anything to add. Roos replied that larger trees were prioritized for preservation and expanded upon the methodology. Bertagna asked for questions from the Board. Kollerer asked about the entrance to the parking lot and direction of vehicle travel. Bertagna explained how traffic would flow through the site. Pellerin asked about the total number of trees planned for removal. Bertagna asked if Roos had that number available.

McChristian asked if it was possible to see what currently exist at the site. Dumanch showed on the screen where existing features were shown. Bertagna added that the Oregon Department of Transportation (ODOT) required the City to align the new entrance with Felicity Lane. Ross asked where a large city bus would stop within the site. Bertagna stated that the first sawtooth would primarily be used with the other two spots used for stacking or other transit providers. Pellerin asked if a 24-inch pine was the largest being removed. Bertagna stated there was a 25-inch pine planned for removal but added that it would be preserved if possible. McChristian asked if there would be critical root zone protection, Bertagna replied that would occur during the construction drawing phase adding that minimizing impact was considered during design. Kollerer asked where the restrooms were located. Bertagna showed the location on the screen. Bertagna added that the material used for some paths were still being considered in order to minimize impact on trees. Ross asked if an Americans with Disabilities Act (ADA) compliant gravel path could be used. Bertagna stated that it could but had concerns over accessibility during wetter months. Bertagna added that the path leading to the labyrinth would remain because it was designed to meet ADA. McChristian asked if pervious pavers were an option. Bertagna replied that it was possible but added that stormwater would readily run off of the paved areas for nearby trees and stated that pavers can become trip hazards. Pellerin asked if the labyrinth would remain. Bertagna confirmed and added that he has been in contact with the Labyrinth community discussing access options. Kollerer asked if the site would be open year-round, Bertagna confirmed it would. Kollerer asked where snow would go, Bertagna replied that some curb would be removed from the design so that snow can be pushed off the pavement into drainage swales. Burke stated they thought it would be easy to plow. McChristian voiced appreciation over the effort to preserve trees. Bertagna stated that some aspects could change to preserve more trees during construction. Ross stated that the lighting would be Dark Sky compliant. Bertagna stated that the paths would have the same bollard lighting for illumination as existing bollard lights on paths on site. Adding that there needs to be a balance between site security, safety, and Dark Skies compliance. Pellerin asked about the number of trees being removed. Dumanch stated that Roos had sent them an email stating 61 trees were shown as being removed, 40 of which are greater than 12-inch diameter at breast height (DBH). Burke asked if there was any further discussion. Kollerer acknowledged the difficulty of saving trees considering the project. Bertagna stated that the City acquired the property for the purpose of a mobility hub and staff were being creative with the design to work around trees and more can be saved by field-fitting certain aspects. McChristian stated that it would be interesting to observe tree preservation techniques as the project progresses. Bertagna stated that the Board would see more about the project in the future. Kollerer asked if stumps would be removed or left standing. Bertagna replied that it would depend on location and surrounding and future conditions.

**B. Review of draft Heritage Tree nomination form and draft recording document.**

Burke read the agenda item into the record. Dumanch began by stating that the Chair had not been present the last time the Board had reviewed the document and had requested reviewing the document. Dumanch noted that the form had been updated to include Board comments and that a draft recording document had been created with legal assistance. Pellerin stated that they thought the document looked good as well as the agreement. Bertagna stated that the agreement ran with the land not the property owner. Dumanch asked for any further edits that

may have been missing. Kollerer stated they appreciated seeing the updated form. McChristian asked if the City Council had reviewed the documents. Bertagna stated that they have not yet. Dumanch stated that the City Council could be reviewing the documents in a July meeting. Kollerer asked which one. Pellerin stated that there was only one meeting in July. Burke asked if a motion was needed. Bertagna replied that a motion would be good. Pellerin made a motion to approve the draft nomination and recording document for City Council review. Kollerer seconded. The motion passed unanimously. Ross asked if it would be reviewed by Council in a workshop. Dumanch confirmed that to be the case.

## **5. Other Business**

### **A. Leaning Ponderosa Pine near 320 N Songbird St.**

Galecki stated that he had been collaborating with Dumanch on this tree. Galecki stated that this tree had no real immediate issues to be concerned of and recommended observation. Dumanch stated that the lean has been existing for some time and personally observes the tree during high wind events and had not observed any concerns. Kollerer stated they observed the tree and acknowledged the large amount of space for the roots compared to other trees. McChristian stated that the pitch could be removed in the fall to see if it returned in the spring in order to determine if insects were present. Bertagna asked if there was risk to the tree. McChristian stated that it could be done without serious harm. Burke asked Galecki if he had any concerns about scraping the pitch off. Galecki agreed with what McChristian described. Burke asked Bertagna who would perform that, Bertagna replied that staff would work with McChristian on performing the work. McChristian asked if a resident reported the tree. Dumanch stated that the adjacent property owner reported the concern in addition to some dead limbs that were later removed.

## **6. Board Member Comments**

Kollerer asked about the status of a memorial tree for Dave Moyer, offering a tree they have or acquiring a more mature tree. Pellerin asked what the process would be. Kollerer replied it would start with talking to the Fire Department. Burke stated that the Fire Department is working on a memorial and this could be done alongside that, adding that he could ask them about it. Bertagna stated that if something couldn't work worked out between the City and the Fire Department then a tree could be planted at Village Green.

Kollerer stated that they had not yet reached out to Associate Planner Shoup about the next Arbor Day celebration. Bertagna thanked those who were at the last one and stated that all of the trees planted were still alive. Ross stated that the smaller native shrubs that were planted are filling in well and will help prevent people from disturbing the riparian work.

Pellerin asked if there was a standard measurement from road to property lines for right of way (ROW) and how to define ROW. Bertagna stated that it includes roads, most sidewalks and paths, and drainage swales. The width is 80 feet in older areas but current max width is about 60 feet, adding that some are as small as 30 or 40 feet. Pellerin asked if any property lines ended at the edge of road pavement. Bertagna stated that is not typical and described how ROW is sized appropriately for roads, pedestrian facilities, and sometimes parking and stormwater facilities. Bertagna added that some residents will landscape outside of property lines up to the edge of

pavement, especially in some Home Owners Associations (HOA). Ross asked if there were any private roads maintained by HOAs. Bertagna confirmed that to be the case and described how some roads in the city became private.

McChristian asked if debris from removed trees was going to be removed from East Portal to eliminate any chance of insect infestation spreading. Bertagna asked Dumanch why the arborist hadn't removed the debris, Dumanch stated that they were not aware any debris remained and asked if the debris was larger or smaller. McChristian replied the debris was large sections of the bole and asked Galecki if debarking would help prevent spread. Galecki stated that smaller sections of bole and branches under 10-20 inches in diameter were preferred by the insects while large sections of bole and stumps were least preferred.

McChristian asked if the Planning Department would be returning regarding tree removal during development. Dumanch stated that work was still being done on that. Pellerin asked if the Board would review any updates to the draft. Dumanch stated that the Board had requested reviewing the draft again and that staff was agreeable to that request.

Bertagna stated that Dumanch might have an update. Dumanch stated that they were hoping to have an update but was delayed. Dumanch stated that the City is working on getting setup with TreePlotter software, but there was an issue with data uploading without any information aside from location. Dumanch hoped that it would be working by the next meeting to view the City's existing inventory. Ross stated that it could be useful regarding heritage trees. Bertagna stated that it could be useful for any interested third party. Dumanch stated that the public will be able to access it with a "view-only" login as well as for tracking tree health and many other uses.

Bertagna updated the Board on trees in town:

- tree mortality was down.
- a large Pine on private property adding that Code Enforcement was working with the property owner to remove the tree.
- some stressed ponderosa pines near Luttons.
- Limb removal on tree near Open Door that had previously been topped.
- Forester Service property will require removal of some trees on their property.

Pellerin asked how a property owner can determine where ROW is. Bertagna stated that the best way is to find property pins marking the corners of a lot, adding that people can use Deschutes DIAL to see aerial views, use landmarks to approximate, and suggested individuals call City Hall for help finding property pins or a professional surveyor.

Bertagna updated the Board on the search for a new Forester. Bertagna stated that staff was working with the City of Redmond on finding a way for McChristian to act as the City's on-call Forester.

## **7. Adjourn**

Burke adjourned the meeting at approximately 3:55 PM.



**Meeting Date:** July 8, 2024

**Type:** Urban Forestry Board

**Subject:** Proposed Sisters Development Code amendment regulating significant private tree removal on a developing lot.

**Staff:** J. Smith

**Dept:** CDD

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**Action Requested:** Discussion of proposed amendments to the Sisters Development Code (SDC) specifically addressing the penalty for the unauthorized removal of Significant Trees located on developing property.

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**Summary Points:** The proposed amendments to SDC will establish a new specific penalty for the unauthorized removal of significant trees on private property during development. SDC 3.2.500 outlines the requirements for removal of significant trees during development. Significant trees have a trunk diameter of eight inches or greater as measured 4.5 feet above the ground.

1. Existing code language:
  - a. Currently, any violation of 3.2.500 will result in a class C violation of \$500.00.
  - b. For reference, Significant tree removal on private property when not associated with a development is regulated under Sisters Municipal Code 9.30.030 and results in a fine of no less than \$500.00, but not to exceed \$2000.00.
  - c. The City Council has directed staff to re-evaluate the penalty for unauthorized removal of Significant Trees in light of recent unauthorized removals and the concern that the current penalty isn't an appropriate deterrent.
  
2. Proposed code amendment: In Exhibit A attached, staff proposes adding new enforcement language directly to Section 3.2.500 (as the proposed fines will be unique to this section of the Code) and sets a penalty per diameter of removed tree per Urban Forestry Board recommendations. Additionally, Staff added a supplement replacement fine that could add a penalty if the removed tree is not replaced. Staff would like guidance on the new proposed code.

**Financial Impact:**

While there will be an increased financial impact to those who violate the City code with an amendment, the proposed code change won't have a negative financial impact to the City.

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**Attachments:**

- Exhibit A – Draft Ordinance with enforcement options.

**Exhibit A**  
**Code Amendments**

Added Language in double underline  
Deleted language in ~~strikethrough~~

**3.2.500 Additional Penalties**

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**F. Additional Penalties.**

1. Base Fine. Notwithstanding anything in Chapter 1.4 to the contrary, a violation of 3.2.500(D) that results in the death or removal of a significant tree, will be subject to a fine of not less than \$300.00 per inch of diameter of the applicable significant tree as measured 4.5 feet above the ground with each wrongfully killed or removed significant tree constituting a separate violation subject to a separate fine.

2. Supplemental Replacement Fine. In addition to any other penalty, remedy, or cause of action available to city, if the injury, mutilation, or death of a significant tree is caused by a violation of 3.2.500(D) ,the city may require the responsible party to repair or replace the significant tree with a tree of equivalent size and species within 90 days after demand from city. If not timely and/or adequately repaired or replaced, whether because of infeasibility, non-compliance, or any other reason, the city may require the responsible party to pay an additional fine in the amount of the replacement value, which replacement value shall be determined by the city in accordance with the latest edition of Guide for Plant Appraisal, authored by the Council of Tree and Landscape Appraisers.



**TO:** Urban Forestry Board  
**FROM:** Dan Galecki, Spindrift Forestry Consulting, SAF CF, City of Sisters Urban Forester  
**COPY:** Paul Bertagna, Public Works Director  
Jackson Dumanch Public Works Project Coordinators  
**RE: 709 S Birch St, Declining Aspen**

**Introduction** Aspen with poor foliage and signs of decline

**BACKGROUND & FINDINGS:**

An Aspen was discovered at 709 S Birch St. to be in a state of decline. Poor foliage growth, and also a slight lean towards the street is evident.



**FISCAL IMPACT:** Loss of urban ROW trees depletes the overall forested city-scape. Estimated cost of removal is about \$125.

**ACTION REQUESTED / RECOMMENDATION:**

Recommendation is to remove this Aspen. Even though positive ID of the problem or pathogen is not definitive, it is unlikely this Aspen will survive. Furthermore, Aspen is not a desirable species and a better replacement should be considered.



## STAFF REPORT

**TO:** Urban Forestry Board  
**FROM:** Dan Galecki, Spindrift Forestry Consulting, SAF CF, City of Sisters Urban Forester  
**COPY:** Paul Bertagna, Public Works Director  
Jackson Dumanch, Public Works Project Coordinator

**RE:** 385 E Jefferson Ave. Dead Ponderosa Pine 6/5/2024

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### INTRODUCTION:

A dead Ponderosa Pine has been observed at 385 E Jefferson Ave.

### BACKGROUND & FINDINGS:

A dead Ponderosa Pine is observed in the ROW. The tree is obviously dead, and insect infestation is likely to have killed this particular tree.



**FISCAL IMPACT:** Estimated cost of removal of the Pine is \$1200.

**FINAL RECOMENDATIONS:** There is no other remedy but to remove the Pine. Only very small suitable species can be planted in its place as a replacement.