

# NOTICE OF DECISION

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



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503-588-6173*

## DECISION OF THE HISTORIC PRESERVATION OFFICER

**MINOR HISTORIC DESIGN REVIEW CASE NO.:** HIS21-18

**APPLICATION NO.:** 21-114146-DR

**NOTICE OF DECISION DATE:** September 28, 2021

**SUMMARY:** A proposal to remove two trees located in front of historic contributing residence William R. Leach House (c1908).

**REQUEST:** A Class 2 Minor Historic Design Review of a proposal to remove two trees located in the front of historic contributing residence William R. Leach House (c1908). The residence is located within the Court Street-Chemeketa Street National Register Historic District, on property zoned RD (Duplex Residential), and located at 1724 Chemeketa St NE, (Marion County Assessors Map and Tax Lot number: 073W26AC01500).

**APPLICANT:** Tiahna Hillier

**LOCATION:** 1724 Chemeketa St NE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapters 230.025(l) – Site Features

**FINDINGS:** The findings are in the attached Decision dated September 28, 2021.

**DECISION:** The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Minor Historic Design Review case No. HIS21-18 based upon the application materials deemed complete on September 1, 2021 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by October 14, 2023, or this approval shall be null and void.

Application Deemed Complete:	<u>September 1, 2021</u>
Public Hearing Date:	<u>September 1, 2021</u>
Decision Effective Date:	<u>October 14, 2021</u>
State Mandate Date:	<u>December 30, 2021</u>

**Case Manager:** Kimberli Fitzgerald, [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net), 503-540-2397

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at [planning@cityofsalem.net](mailto:planning@cityofsalem.net), no later than 5:00 p.m. Wednesday, October 13, 2021. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC

Chapter(s) 230. 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 Historic Landmarks Commission will review the appeal at a public hearing. After the hearing, the Historic Landmarks Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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

**HISTORIC DESIGN REVIEW CASE NO. HIS21-18  
DECISION**

**IN THE MATTER OF APPROVAL OF ) MINOR HISTORIC DESIGN REVIEW  
HISTORIC DESIGN REVIEW )  
CASE NO. HIS21-18 )  
1724 CHEMEKETA STREET NE ) September 28, 2021**

In the matter of the application for a Minor Historic Design Review submitted by Tiahna Hillier, the Historic Preservation Officer, a Planning Administrator designee, having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

**REQUEST**

SUMMARY: A proposal to remove two trees located in front of historic contributing residence William R. Leach House (c1908).

REQUEST: Minor Historic Design Review of a proposal to remove two trees located in the front of historic contributing residence William R. Leach House (c1908). The residence is located within the Court Street-Chemeketa Street National Register Historic District, on property zoned RD (Duplex Residential), and located at 1724 Chemeketa St NE, (Marion County Assessors Map and Tax Lot number: 073W26AC01500).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this decision (**Attachment A**).

**DECISION**

**APPROVED** based upon the application materials deemed complete on September 1, 2021 and the findings as presented in this report.

**FINDINGS**

1. Minor Historic Design Review Applicability

SRC230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

## **PROPOSAL**

The applicant proposes to remove two sequoia trees on the northern portion of the tax lot and replace them with a smaller species within the same family as the existing Sequoias (Miss Grace). One tree is located at the northwestern corner (currently severely trimmed) and the other is located at the northeastern corner. Both trees are approximately 100 years old, 120 feet in height and have a circumference of 120 inches. Due to their size and scale, the applicant has noted that the tree roots are beginning to adversely impact the house, with roots growing up through the basement floor (**Attachment C**).

Removal of these sequoias requires historic design approval because the William R. Leach House and surrounding site defined by the tax lot is a historic contributing resource within the Court Street-Chemeketa Street National Register Historic District. Additionally, any alterations to the building and site must be reviewed by the State Historic Preservation Office (SHPO) to ensure that the work is in accordance with the adopted historic preservation plan for this property because the property is on Special Assessment.

In 2019, the Historic Landmarks Commission affirmed the HIS18-33 Decision by the Planning Administrator denying the Forrest Nelson proposal to remove the two trees due to a lack of evidence submitted demonstrating the need to remove and replace the trees as well as the lack of a proposal to replace the trees. At this time the HLC found that a future applicant could meet the applicable standards to allow the removal of the trees by demonstrating that the trees were adversely impacting the house as well as a submitting a proposal to replace the trees. Should the applicant meet the burden of proof demonstrating the need to remove and replace the trees, the HLC found that the replacement trees should be planted in the same general location as the existing trees, flanking either side of the front façade of the William R. Leach House. The HLC further found that replanting in this location with a species such as the “Miss Grace” would reproduce to the greatest extent possible, the appearance of these site features (**Attachment D**).

## **SUMMARY OF RECORD**

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

## **APPLICANT’S STATEMENT**

A request for historic design review must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. The applicants submitted a written statement, which a portion of is included as **Attachment C** in this staff report.

Staff utilized the information from the applicant’s statements to evaluate the applicant’s proposal and to compose the facts and findings within the staff report. Salem Revised Code: **Criteria: 230.025(I) Site Features** are applicable to this project.

## **FACTS & FINDINGS**

## 1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

## 2. Historic Significance

The two trees are located within the boundaries of the tax lot for the William R. Leach House house, a historic contributing resource within the Court Street-Chemeketa Street District. The two sequoia trees proposed for removal are documented in photos as part of the 1984 historic inventory and the 1985 National Register nomination for the Court Street-Chemeketa Street District (**Attachment B**). The trees were planted during the period of significance for the District (1860-1937) and are notable on this block for their size and species and contribute to context of both the individual William Leach House as well as the overall District which has tree lined streets throughout.

## 3. Neighborhood and Citizen Comments

The subject property is located within the Northeast Neighbors Association (NEN). A Request for Comments was sent to the neighborhood association, and surrounding property owners and tenants within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on September 1, 2021. Comments in support of the applicant's proposal to remove the trees were received from: Janet Strauch, Aislinn Adams, Cindy Kimball, Heidi Grew, Jacqueline Schindele, Jeanette Flaming, Joan Lloyd, John Poole, Patti Caswell, Rob Owen, Steve Elmore, Sue Crothers (**Attachment E**). Comments in opposition to proposal were received from: Sara Johnson and Lisa Carpenter and NEN. Below are the opposition comments along with staff's response (staff has paraphrased/summarized the comments, for the full comment narrative please see **Attachment F**):

1. *The engineer's report states that there is no evidence that the trees have caused damage to the historical structure of the house and that the house is structurally stable (NEN/Johnson & Carpenter).*

Staff's Response: The applicant submitted a "Special Inspection Report" completed by Mark Grenz of Multi-Tech Engineering Services which stated: "*Based on our inspection and review of documents, it is our professional opinion that the structure is sound and stable and free of*

*any significant structural defects. However, we believe that the large trees are currently creating issues with the basement as can be seen in the photos above and that they do pose a potential threat to the long-term integrity of the home. We recommend that they be removed now to facilitate the basement restoration and to maintain the homes present state.”* The City of Salem’s Division Engineer, Plan Review Supervisor Ryan McGraw reviewed the report and concurred with Grenz’s findings.

Therefore, based upon the application materials, photos and the Structural Observation Report submitted, staff finds that while the trees are not currently causing significant structural defects, the trees are currently adversely impacting the basement floor of the Leach House.

2. *“Win-Win” Alternative: We propose that the owner explore the possibility of raising the basement or basement floor to a height that would accommodate the expected growth of trees over the life of the concrete (35-50 years).(Johnson & Carpenter).*

Staff Response: The property is currently enrolled in the Oregon State Special Assessment program (through the end of 2022) and therefore is required not only to comply with SRC 230 which regulates any alterations to the exterior of the structure and site, but must also ensure that the interior of the resource retains its original integrity. Program requirements mandate that all projects directly impacting the interior or exterior of the house must meet the Secretary of the Interior’s Standards for Rehabilitation which would require that the basement be maintained in its current location and form.

#### **4. City Department and Public Agency Comments**

The Building and Safety Division indicates that the applicant must obtain required permits. The City of Salem’s Division Engineer, Plan Review Supervisor Ryan McGraw reviewed the report submitted by Multi-Tech Engineering and concurred with the findings that the roots of the large trees are currently creating issues with the basement. The Planning Division has reviewed the proposal and has no concerns. The Fire Department stated that they have no concerns. The Public Works Department has no concerns. The Oregon State Historic Preservation Office has stated that the property is on Special Assessment through 2022 and any alterations to the interior or exterior of the house must meet the Secretary of the Interior’s Standards for Rehabilitation.

#### **5. Historic Design Review**

SRC Chapter SRC **Criteria: 230.025(I) Site Features** are applicable to this project. Table 230-1 defines this activity as a Class 2 Minor Historic Design Review. Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable criterion.

#### **230.025. Standards for Historic Contributing Buildings and Features within Residential Historic Districts.**

**(I) Site Features.** *Replacement or alteration of site features of a historic contributing building that are identified as significant features on the historic resource inventory for the district, including, but not limited to, driveways, sidewalks, gardens, significant trees, or geological*

*features is allowed, unless the replacement or alteration would materially alter or destroy the features.*

**Finding:** The two sequoia trees proposed for removal and replacement are located at the northern end of the site. Evidence has been submitted that the tree roots are currently adversely affecting the basement within the William Leach House.

As the HLC stated in case HIS18-33: in order to receive approval for the removal of the trees, the applicant would need to submit a new historic design review application that includes either an assessment from a structural engineer which states that the trees are adversely affecting the William Leach House or an assessment from a registered professional arborist stating that the trees are unhealthy or unsound and therefore a hazard to persons or property. Under case HIS18-33, though this information was requested of the applicant, he declined to submit it, rendering it impossible for staff to approve the tree removal request.

In the current case, the applicant has submitted an assessment from a structural engineer that the tree roots are adversely affecting the William Leach House basement, with which the City of Salem's Division Engineer has concurred. Therefore, staff finds that the applicant has met the burden of proof demonstrating the trees are adversely impacting the Leach House required by the HLC under HIS18-33. The size and scale of these trees and their associated roots are adversely affecting not only the basement of the Leach House, but also the hardscape and surrounding site, and the trees will continue to grow larger. The removal of the trees is necessary to ensure preservation of the William Leach House.

**(1) Materials.** *Materials shall duplicate, to the greatest degree possible, the appearance and physical qualities of the original materials. Example: Rhododendron hedge planted during the period of significance is replanted with heritage varieties available during the period of significance.*

**Finding:** The applicant has submitted a specific proposal to replace the existing trees with new trees ("Miss Grace"), duplicating the appearance and physical qualities of the original to the greatest degree feasible.

As the HLC stated in case HIS18-33: should the applicant meet the burden of proof demonstrating the need to remove and replace the trees, the replacement trees should not be of the same exact species as the existing trees but shall be a species more appropriate for an urban residential neighborhood. Under this case, Salem's Urban Forester noted that should the trees need to be replaced, the trees should fit the area available, so as not to repeat the same problem. The "Miss Grace" (*Metasequoia Glyptostroboides*), is a dawn redwood that is a dwarf species from the same general sequoia family. This type of tree will reach just 10' high at maturity with a 3' spread.

Staff finds that the applicant's proposed replacement of the sequoia trees with a species that is within the same family as the sequoia, is a compatible alternative that would be more appropriate in size and scale at maturity.

**(2) Design.** *The design shall reproduce, to the greatest extent possible, the appearance of the original site feature. Example: If the site contains a Lord and Schryver garden, the*

*replacements shall be allowed provided the original design and location of plantings of the historical garden are retained.*

**Finding:** The applicant has proposed planting the replacement trees at the north end of the site on either side of the Leach House.

Under HIS18-33 the HLC stated: should the applicant meet the burden of proof demonstrating the need to remove and replace the trees, the replacement trees should be planted in the same general location as the existing trees, flanking either side of the front façade of the William R. Leach House. Replanting in this location with a species such as the “Miss Grace” shall reproduce to the greatest extent possible, the appearance of these site features.

In the current case, the applicant has proposed planting the replacement trees within the same general location as the existing trees. While the young replacement trees will be significantly smaller in size when planted, once they have had an opportunity to grow to maturity, their appearance will replicate that of the mature trees found throughout the Court Street-Chemeketa Street Historic District, while not adversely impacting the house or any character defining features of the site.

## DECISION

Based upon the application materials deemed complete on September 1, 2021 and the findings as presented in this report, the application for HIS21-18 is **APPROVED**.



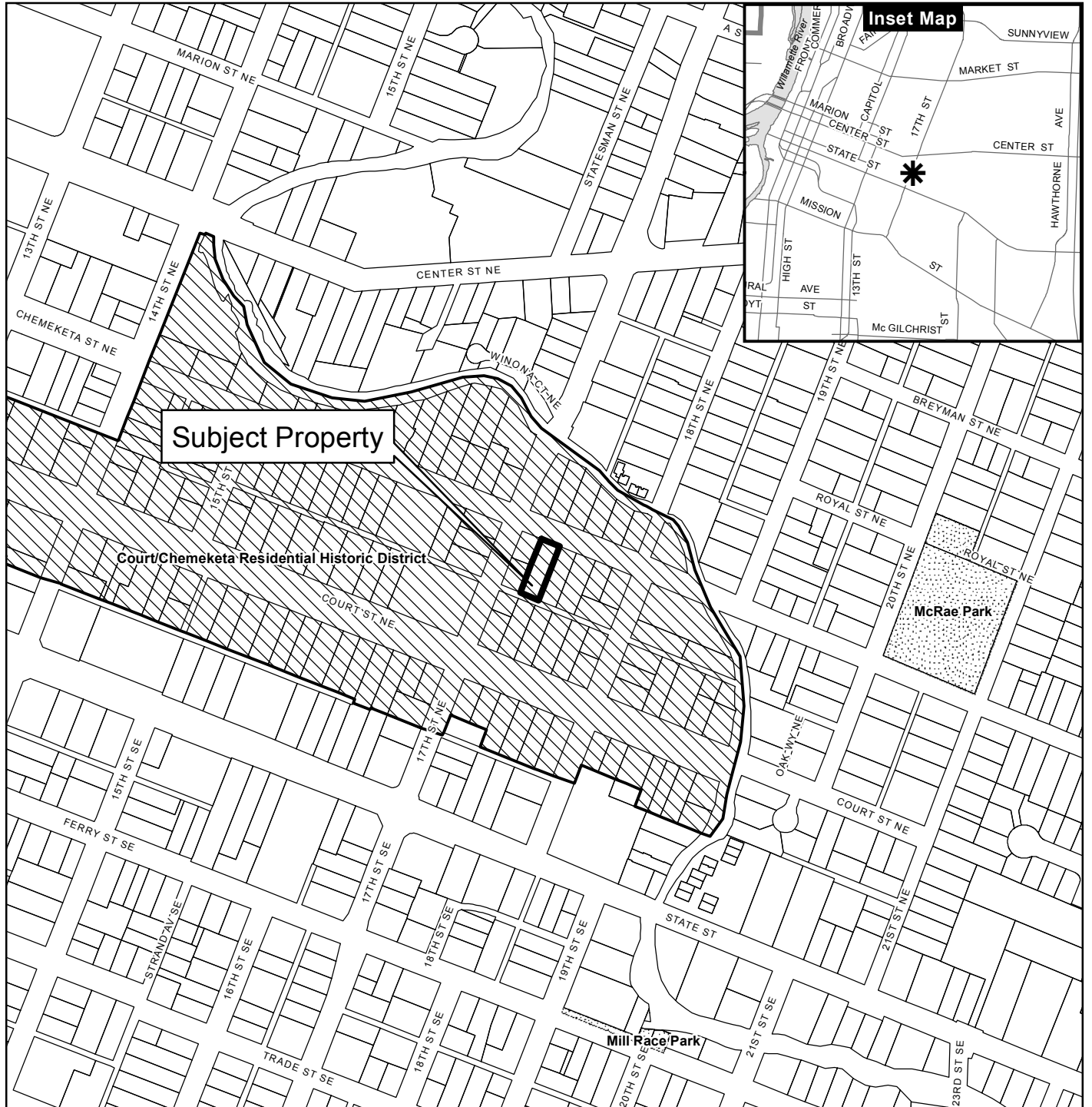
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Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Planning Administrator Designee








- Attachments: A. Vicinity Map & Site Plan  
B. National Register Nomination/State of Oregon Inventory of Historic Properties and City of Salem, *An Inventory of Historic Places*, Feb. 1984 – photos of 1724 Chemeketa  
C. Applicant’s Submittal Materials-Excerpt  
D. HLC Affirm HIS18-33  
E. Support comments  
F. Opposition comments

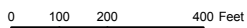


# Vicinity Map 1724 Chemeketa St NE



**Legend**

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



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Legend

- Centerline (Labels)
- Taxlots
- Creeks
  - 50 - 200
  - 200 - 640
  - 640 - 6400
  - GT 6400
- Hydrology
- Street Class
  - Future Minor Arterial
  - Future Collector
  - Major Arterial
  - Minor Arterial
  - Parkway
  - Collector
  - Highway/Freeway
- Urban Growth Boundary
- City Limit

x Proposed Location of New Trees

1: 564



0.02 0 0.01 0.02 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
City of Salem, Oregon

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Enter notes here...

## Oregon Historic Site Record

LOCATION AND PROPERTY NAME			
<b>address:</b>	1724 Chemeketa St NE Salem, Marion County	<b>historic name:</b>	Leach, William R, House
<b>assoc addresses:</b>		<b>current/other names:</b>	Stone House
<b>location descr:</b>		<b>block/lot/tax lot:</b>	
		<b>twshp/rng/sect/qtr sect:</b>	7S 3W 26
PROPERTY CHARACTERISTICS			
<b>resource type:</b>	Building	<b>height (stories):</b>	2.0
<b>elig evaluation:</b>	eligible/contributing	<b>total elig resources:</b>	
<b>prim constr date:</b>	c.1908	<b>NR Status:</b>	Listed in Historic District
	<b>second date:</b>	<b>date indiv listed:</b>	
<b>primary orig use:</b>	Single Dwelling	<b>orig use comments:</b>	
<b>second orig use:</b>		<b>prim style comments:</b>	
<b>primary style:</b>	Craftsman	<b>sec style comments:</b>	
<b>secondary style:</b>		<b>siding comments:</b>	
<b>primary siding:</b>	Concrete: Other/Undefined	<b>architect:</b>	
<b>secondary siding:</b>	Cast Stone	<b>builder:</b>	
<b>plan type:</b>			
<b>comments/notes:</b>			
GROUPINGS / ASSOCIATIONS			
<b>Survey/Grouping Included In:</b>	<b>Type of Grouping</b>	<b>Date Listed</b>	<b>Date Compiled</b>
Court Street-Chemeketa Street Historic District	Listed Historic District	08/26/1987	1987
SHPO INFORMATION FOR THIS PROPERTY			
<b>NR date listed:</b>	N/A	<b>Special Assessment</b>	
<b>ILS survey date:</b>		<b>Status</b>	<b>Term</b>
<b>RLS survey date:</b>		Active	1st Term
		<b>End Yr</b>	2022
		<b>106 Project(s):</b>	None
		<b>Federal Tax Project(s):</b>	None
ARCHITECTURAL / PROPERTY DESCRIPTION			
<i>(Includes expanded description of the building/property, setting, significant landscape features, outbuildings and alterations)</i>			
Refer to scanned documents links.			
HISTORY			
<i>(Chronological, descriptive history of the property from its construction through at least the historic period - preferably to the present)</i>			
Refer to scanned documents links.			
RESEARCH INFORMATION			
Title Records	Census Records	Property Tax Records	Local Histories
Sanborn Maps	Biographical Sources	SHPO Files	Interviews
Obituaries	Newspapers	State Archives	Historic Photographs
City Directories	Building Permits	State Library	
<b>Local Library:</b>		<b>University Library:</b>	
<b>Historical Society:</b>		<b>Other Respository:</b>	
<b>Bibliography:</b>			



STATE OF OREGON INVENTORY  
OF HISTORIC PROPERTIES  
State Historic Preservation Office  
Oregon State Parks, Salem, OR 97310



County Marion  
Theme 8d 6b  
Name  
(Common) \_\_\_\_\_  
(Historic) William R. Leach Residence  
Address 1724 Chemeketa, 84400-210  
Queen Anne's Addition  
B2 FrL4, L5  
Present Owner Marion F. James  
Address \_\_\_\_\_  
Original Use Residence  
Date of Construction 1910

Physical description of property and statement of historical significance:

1724 Chemeketa is made of stone, is square, faces north, is two stories. The roof is a shallow midwestern pyramid; there is a central chimney, large solid windows on the second floor.

The wide two-bay front porch with stone columns has a hipped roof and doesn't quite cover the entire front. The color is grey.

The above property was sold by C.B. and Mary Stone to William R. Leach in 1911 for \$4,500 (Vol. 121, page 431). Mr. Stone had acquired Lot 5 in 1907 from O.E. Krausse and Lots 3 and 4 from Mr. Dugan the same year. The Leach's resold the property in 1919 to A.P. Graham for \$4,000 (Vol. 148, page 154) and over the years it has changed hands several times. Specifically, in 1923 to John L. Tucker, in 1943 to Mayme and Milton and Stella Hill, in 1961 to Paul and Anne Weber, in 1964 to Thomasine Ballweber, in 1972 to Harriett DeSeranno, and again to Robert and Marion James, the present owners. There is a possibility that it was used as a "halfway house" at one time in the late 1960's. It is presently for sale again.

continue on back if necessary

Recorded by Toni Salzmann Date 2/5/81

Sources consulted (continue on back if necessary): Title Company Records  
Salem City Directories

Please enclose map. Township 7 N 3 E  
S W Section 26

A/1725C/15/221C

6456



OREGON INVENTORY OF HISTORIC PROPERTIES  
HISTORIC RESOURCE SURVEY FORM

HIST. NAME: \_\_\_\_\_ DATE OF CONSTRUCTION: \_\_\_\_\_  
COMMON NAME: \_\_\_\_\_ ORIGINAL USE: \_\_\_\_\_

86 Ornamental Concrete Block House (c. 1908)  
1724 Chemeketa Street, NE; Assessor's Map 26AC 7-3W; Tax Lot 84400-210  
Owner: Carl E. Robins, 485 23rd Street, SE, Salem, OR 97301

Primary \_\_\_\_\_ TAX LOT: \_\_\_\_\_ BLDG. STRUC. DIST. SITE USE: \_\_\_\_\_  
ADDITION: \_\_\_\_\_ THEME: \_\_\_\_\_  
BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_ QUAD: \_\_\_\_\_

PLAN TYPE/SHAPE: \_\_\_\_\_ NO. OF STORIES: \_\_\_\_\_  
FOUNDATION MATERIAL: \_\_\_\_\_ BASEMENT (Y/N): \_\_\_\_\_  
ROOF FORM & MATERIALS: \_\_\_\_\_  
WALL CONSTRUCTION: \_\_\_\_\_ STRUCTURAL FRAME: \_\_\_\_\_  
PRIMARY WINDOW TYPE: \_\_\_\_\_  
EXTERIOR SURFACING MATERIALS: \_\_\_\_\_  
DECORATIVE FEATURES: \_\_\_\_\_  
OTHER: \_\_\_\_\_  
CONDITION:  EXCELLENT  GOOD  FAIR  DETERIORATED  MOVED \_\_\_\_\_ (DATE)

EXTERIOR ALTERATIONS/ADDITIONS (DATED): \_\_\_\_\_

NOTEWORTHY LANDSCAPE FEATURES: \_\_\_\_\_

Description and Cultural Data: Probably built by Clark B. Stone, a cement worker, this is the only example in the District (and one of very few in Salem) of a structure built of ornamental concrete block, a popular material for foundations, garages, and sometimes entire houses in post-Victorian American building. In 1908, the Sears, Roebuck catalogue devoted 8 pages to advertising the machines for making decorative concrete blocks and described such blocks as a cheap, quick, and practical building material (J. Randall Cotton, "Ornamental Concrete Block Houses," The Old-House Journal, October 1984, pp. 165, 180-183). The machines could stamp the blocks in a variety of patterns, and C. B. Stone built this house with blocks simulating ashlar masonry. (The rear, south, wall is of wood construction.) The house is a two-story American Foursquare with a low-profile hipped roof extending in wide eaves. A hipped-roofed north-facing front porch extends nearly full width. The porch roof is supported by three concrete block piers, which rise from a block balustrade. The large, mostly double-hung windows are in the spirit of the generally simple detailing and massing of the structure. A central chimney rises from the top of the main roof. C. B. and Mary Stone, who in May 1907 had purchased the cottage one lot to the east, bought this lot in October 1907 from O. E. Krausse, the developer of Queen Anne Addition. C. B. Stone, listed in the 1909-1910 City Directory as living next door and identified as a "cement worker," probably built the concrete block house, perhaps on speculation. He and his wife seem not to have lived in it, and in 1911 they sold it to William R. Leach for \$4500.

SOURCES: \_\_\_\_\_

NEGATIVE NO.: \_\_\_\_\_ RECORDED BY: \_\_\_\_\_  
SLIDE NO.: \_\_\_\_\_ DATE: \_\_\_\_\_

SHPO INVENTORY NO.: 459



## Proposal: Remove existing Redwoods (2) Replace with "Miss Grace"

### *Metasequoia glyptostroboides* 'Miss Grace'

**Common name:** Miss Grace Dawn Redwood

**Pronunciation:** met-a-se-KWOY-a glip-to-stro-BOY-dez

**Family:** Taxodiaceae

**Genus:** *Metasequoia*

**Type:** Conifer

**Native to (or naturalized in) Oregon:** No

- › Deciduous conifer, more or less ground sprawling, but if staked, a small tree, maybe 10 ft and 3 ft wide (3 × 0.9 m) in 10 years, with weeping branches. Foliage is gray-green in summer and orange in autumn prior to leaf fall.
- › Sun. Easy to transplant, performs best in moist, well-drained, slightly acid soils.
- › Hardy to USDA Zone 5. Discovered as a witch's broom in New York, it was introduced by Buchholz & Buchholz Nursery, in Gaston, Oregon. There is some confusion in the nursery literature about the origin of this cultivar, or rather its confusion with another cultivar. Some nursery descriptions say it was originally discovered as a seedling in Japan and named 'Golden Ogi' ("golden mantle"). Later it was brought to Europe by the Dutch nurseryman Pieter Zwijnenburg Jr. and renamed 'Miss Grace'; this is unlikely since 'Miss Grace' does not have yellow foliage. It is more likely that this narrative describes the origin of the cultivar 'Gold Rush', which has golden-yellow foliage throughout the summer.
- › Silverton, Oregon: Oregon Garden - Conifer Garden.

*Click image to enlarge*



plant habit

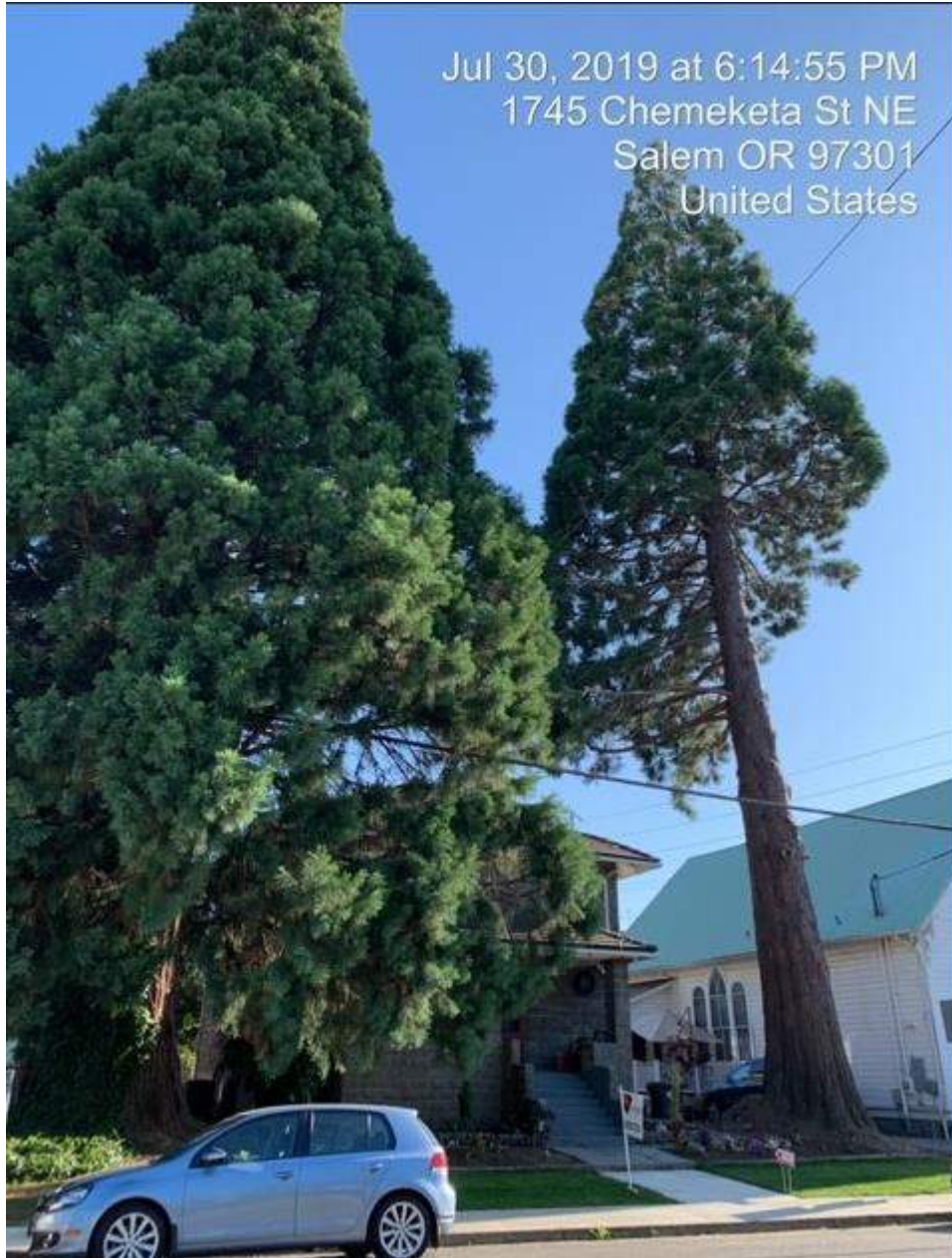


plant habit



foliage

Existing Trees



1724 Chemeketa- 2019 (post pruning)





2012



1981





1155 13th Street SE  
Salem, Oregon 97302  
(503) 363-9227

## Special Inspection Report

For

*1724 Chemeketa St NE*

Salem, OR

August 21<sup>st</sup>, 2020

Up dated November 19<sup>th</sup>, 2020

Our office has been requested to provide an inspection of the historic home located at 1724 Chemeketa Street NE in Salem, Oregon.

On August 21<sup>st</sup>, 2020, our office performed the inspection of the home.

The house is on the Historic Register for the Salem area.

The house is framed by two very large trees in the front of the home. A note on this matter, we did not note any current impact to the house from the oversized trees, however, it is possible that in the future, some damage to the foundation system could occur do to there close proximity to the home. The stone walkway along the west side of the house has been elevated irregularly as a result of the tree in that area, next to the house.



Tree Roots







We reviewed the public records for the City of Salem that related to this area of town. We did not find any documents that identified any ground instability for the area. Nor did we find any documents that identified any environmental issues as well.

**Based on our inspection and review of documents, it is our professional opinion that the structure is sound and stable and free of any significant structural defects. However, we believe that the large trees are currently creating issues with the basement as can be seen in the photos above and that they do pose a potential threat to the long-term integrity of the home. We recommend that they be removed now to facilitate the basement restoration and to maintain the homes present state.**





## COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

January 18, 2019

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

**NOTICE OF FINAL LAND USE DECISION    Appeal of Historic Design Review Case No. HIS18-33 for Property located at 1724 Chemeketa St NE**

YOU ARE HEREBY NOTIFIED that the Historic Landmarks Commission, at their January 17, 2019 meeting, adopted findings affirming the Planning Administrator's decision. A copy of the Order is attached.

Any person with standing may appeal the Historic Landmark Commission's 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 January 18, 2019**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file, including findings, conclusions, modifications, and conditions of approval, if any, is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.

A handwritten signature in blue ink that reads "Lisa Anderson-Ogilvie". The signature is written in a cursive style and is positioned above a horizontal line.

Lisa Anderson-Ogilvie, AICP  
Deputy Community Development Director and Planning Administrator

Attachment: Order No. HIS18-33

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

**BEFORE THE HISTORIC LANDMARKS COMMISSION OF THE CITY OF SALEM**

**HISTORIC DESIGN REVIEW CASE NO. HIS18-33  
DECISION**

**IN THE MATTER OF APPROVAL OF ) ORDER NO. HIS18-33  
HISTORIC DESIGN REVIEW )  
CASE NO. HIS18-33 )  
1724 CHEMEKETA STREET NE ) JANUARY 18, 2019**

This matter having come regularly for hearing before the Historic Landmarks Commission at its January 17, 2019 meeting, and the Historic Landmarks Commission (HLC), having received evidence and heard testimony, makes the following findings and adopts the following order affirming the decision of the Planning Administrator and denying the application for removal of two sequoia trees as proposed in Case No. HIS18-33.

**(I) PROCEDURAL FINDINGS:**

- (a) On October 12, 2018, Forrest Nelson filed an application for a Minor Historic Design Review approval to remove two sequoia trees located at 1724 Chemeketa Street NE. The applicant was deemed complete for processing on November 2, 2018.
- (b) On November 15, 2018, the Planning Administrator issued a decision denying the application for tree removal, Case No. HIS18-33.
- (c) The applicant appealed the Planning Administrator Decision on November 30, 2018.
- (d) On January 17, 2019 a public hearing before the Historic Landmarks Commission took place. The HLC voted to affirm the Planning Administrator's decision to deny the application.
- (e) The Facts and Findings attached hereto as "Exhibit 1," are incorporated herein by reference.

**(II) SUBSTANTIVE FINDINGS**

- (a) The applicable criteria for approval of the removal of trees within a historic district are SRC 230.025(l).
- (b) The November 30, 2018 Notice of Appeal filed by the property owner, Forrest Nelson raises the following issues:
  - a. The historic name is incorrect.
  - b. Mr. Nelson was given verbal approval to remove the trees.



- c. The age of the trees is incorrect.
- d. Damage to the primary historic resource has been demonstrated.
- e. Replacement of the trees.

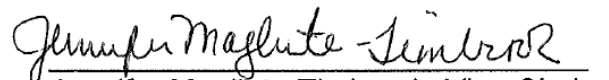
(c) Testimony and evidence was received by the Salem Historic Landmarks Commission that the applicant has not yet met the burden of proof required to demonstrate that the trees require immediate removal because they are damaging the primary historic resource on the site. The Historic Landmarks Commission finds that the application, as proposed does not meet the applicable criteria for approval under SRC 230.025(l). Complete findings are included in Exhibit 1.

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE HISTORIC LANDMARKS COMMISSION OF THE CITY OF SALEM, OREGON:**

**Section 1.** The Salem Historic Landmarks Commission affirms the decision of the Planning Administrator; and denies Case No. HIS18-33.

**Section 2.** This order constitutes the final land use decision and any appeal must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

ADOPTED by the Salem Historic Landmarks Commission this 17<sup>th</sup> day of January, 2019.

  
Jennifer Maglante-Timbrook, Vice-Chair  
Salem Historic Landmarks Commission

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

Case Manager: Kimberli Fitzgerald, AICP, Historic Preservation Officer,  
[kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net)

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

**DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION  
CRITERIA AND FINDINGS FOR CASE NO. HIS18-33  
A PROPOSAL TO REMOVE TWO SEQUOIA TREES AT 1724 CHEMEKETA STREET NE**

**PROCEDURAL FINDINGS**

The applicant submitted Historic Design Review application materials on October 12, 2018. The application was deemed complete on November 2, 2018.

The Historic Preservation Officer, a Planning Administrator designee, issued a Type I Notice of Decision denying the original proposal to remove the two trees on November 15, 2018 per SRC 300.420 to the applicant, property owner, the NEN neighborhood Association and all property owners of record within 250 of the proposed work area.

An appeal of the decision was filed by Forrest Nelson on November 30, 2018. The subject property is located within the Northeast Neighbors Neighborhood Association (NEN). Notice of public hearing was posted on the subject property. Notification of the public hearing was sent to the neighborhood association, and surrounding property owners within 250 feet of the property pursuant to Salem Revised Code (SRC) requirements on December 27, 2018.

**FINDINGS APPLYING THE APPLICABLE SALEM REVISED CODE CRITERIA FOR TREE REMOVAL WITHIN A RESIDENTIAL HISTORIC DISTRICT**

**Salem Revised Code 230.025 Standards for Historic Contributing Buildings and Features within Residential Historic Districts.**

*(I) Site Features. Replacement or alteration of site features of a historic contributing building that are identified as significant features on the historic resource inventory for the district, including, but not limited to, driveways, sidewalks, gardens, significant trees, or geological features is allowed, unless the replacement or alteration would materially alter or destroy the features.*

**Finding:** The HLC finds that the while evidence has been submitted that the tree roots are adversely affecting the hardscape surrounding the William Leach House, no evidence has been submitted demonstrating that the trees are hazardous or that they are currently harming the foundation or the structural integrity of the William Leach House itself. The HLC finds that removal and replacement of these trees will destroy these features and therefore the applicant's proposal does not meet this standard.

The HLC finds that if the applicant can demonstrate that the trees are a hazard to persons or property or that removal of the trees is necessary to ensure preservation of the William Leach House, it would be possible to receive historic design review approval for their removal. The HLC finds that in order to receive approval for the removal of the trees, the applicant would need



to submit a new historic design review application that includes either an assessment from a structural engineer which states that the trees are adversely affecting the William Leach House or an assessment from a registered professional arborist stating that the trees are unhealthy or unsound and therefore a hazard to persons or property.

**(1) Materials.** *Materials shall duplicate, to the greatest degree possible, the appearance and physical qualities of the original materials. Example: Rhododendron hedge planted during the period of significance is replanted with heritage varieties available during the period of significance.*

**Finding:** The HLC finds that the applicant has not submitted a specific proposal to replace the existing trees with new trees duplicating the appearance and physical qualities of the original, therefore this standard has not been met.

The HLC finds that should the applicant meet the burden of proof demonstrating the need to remove and replace the trees, the replacement trees should not be of the same exact species as the existing trees but shall be a species more appropriate for an urban residential neighborhood. The HLC finds that should the trees need to be replaced, the trees should fit the area available, so as not to repeat the same problem. The HLC finds that the “Miss Grace” (*Metasequoia Glyptostroboidea*), is an appropriate replacement tree. This is a dawn redwood that is a dwarf species from the same general sequoia family which will reach just 10’ high at maturity with a 3’ spread. The HLC finds that the replacement of the sequoia trees with a species that is within the same family as the sequoia, is a compatible alternative that would be more appropriate in size and scale at maturity.

**(2) Design.** *The design shall reproduce, to the greatest extent possible, the appearance of the original site feature. Example: If the site contains a Lord and Schryver garden, the replacements shall be allowed provided the original design and location of plantings of the historical garden are retained.*

**Finding:** The HLC finds that while evidence has been submitted that the tree roots are adversely affecting the hardscape surrounding the William Leach House, no evidence has been submitted demonstrating that the trees are hazardous or that they are currently harming the foundation or the structural integrity of the William Leach House itself. Further, the HLC finds that the applicant has not submitted a proposal to replace the trees that would reproduce to the greatest extent possible the appearance of these trees and therefore this standard has not been met.

However, the HLC finds that should the applicant meet the burden of proof demonstrating the need to remove and replace the trees, the replacement trees should be planted in the same general location as the existing trees, flanking either side of the front façade of the William R. Leach House. Replanting in this location with a species such as the “Miss Grace” shall reproduce to the greatest extent possible, the appearance of these site features. While the young replacement trees will be significantly smaller in size when planted, once they have had an opportunity to grow to maturity, the HLC finds that their appearance will replicate that of the mature trees found throughout the Court Street-Chemeketa Street Historic District, while not

adversely impacting the house or any character defining features of the site.

The Historic Landmarks Commission **AFFIRMS** the November 15, 2018 Planning Administrator Decision and **DENIES** the HIS18-33 proposal.

**VOTE: Yes 5    No 1 Schutte    Absent 2 (Sund, Mulvihill)    Abstain 0**

- Attachments:
- A. Decision for Case HIS18-33
  - B. Forrest Nelson Appeal
  - C. Oregon Historic Sites Database Record and Inventory Form
  - D. Fitzgerald email, January 29, 2018
  - E. J&J Tree Removal estimate
  - F. Urban Forester Memo, January 7, 2019
  - G. Justin Emerson Kidd, January 6, 2019 email

Prepared by Kimberli Fitzgerald, Historic Preservation Officer

**Kimberli Fitzgerald**

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**From:** Cindy Kimball <kimball.cindylou@gmail.com>  
**Sent:** Wednesday, September 15, 2021 9:32 AM  
**To:** Kimberli Fitzgerald  
**Subject:** Comments on proposal to remove trees in front of William Leach House (Case #HIS21-18)

Good morning Kimberli,

After reading the engineers report, seeing the photos and reading the opinions of some of the neighbors, I would like to comment on the Giant Sequoia trees in front of the Leach House.

First off, whoever planted them did a disservice to the house and the neighborhood. Those trees are not appropriate for such a small lot and so close to the house. I know those trees well as I walk by them often. I am a tree lover, and I hate to see any tree cut down unnecessarily. But those trees are going to be a problem in the future to the foundation of that house, just as they are a problem to the basement of that house now. They block the view of the historic home now, so you can hardly see the house.

I live in the Englewood area and I love the old oaks and fir trees here and they spill out into our neighborhood. I have two old firs and three Oregon white oaks in my city yard. So I do love trees. But I also have a property out east of town, with 8 giant sequoias that were planted by previous owners in 1960. One tree is very close to the shop and the roots have lifted up the concrete floor making the rolling door caddywhompus and unable to shut properly.

So, in my opinion, let the homeowners cut them down, and require them to replant with appropriate city trees. They will cause damage to the foundation eventually so they might as well get started on repairing and replanting asap. I believe in being proactive and prevent problems from occurring, instead of reactive to problems

Thanks for your time,  
Sincerely,  
Cindy Kimball

## Kimberli Fitzgerald

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**From:** Heidi Preuss Grew <hpgrew@gmail.com>  
**Sent:** Thursday, September 16, 2021 12:09 PM  
**To:** Kimberli Fitzgerald  
**Cc:** Court Chemeketa Group  
**Subject:** Sequoia trees

Kimberli,

I echo many of my neighbors' concerns about these sequoia trees and their unfortunate ill placement so close to historic homes. I am in support of seeing them removed. Push will eventually come to shove regarding the growth of those trees and I am in favor of preserving historic residential structures in the CCHRD neighborhood over trees that are indeed impressive (!! ) but improperly cited.

Perhaps as a visual impact mediation, as suggested by another neighbor, there could be sequential removal of the sequoias with at least a year space between the removal of the second. I also would suggest taking down the tree that already has been partly chopped (and looks horrible).

Replanting with appropriate trees I hope would also be part of a proposal.

However, in the end I do support removal of both trees.

Heidi Preuss Grew  
1568 Chemeketa Street NE

## Kimberli Fitzgerald

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**From:** jacqueline schindele <jacquelineandtazio@gmail.com>  
**Sent:** Thursday, September 16, 2021 9:50 AM  
**To:** Kimberli Fitzgerald  
**Subject:** William Leach House

Dear Kimberli,

I do not live in the Historic District, yet feel that perhaps I am rather uniquely qualified to express an opinion in re the issue of the Minor Historic Design Review, case # H1S 21-18. This is in reference to the Wliam Leach House at 1724 Chemeketa St. NE, Salem. You see, I am one of the very few Salemites that has lived with a Redwood/ Sequoia for more than a quarter of a century.

I own and reside in an elderly house

(constructed in 1923) at 970 15th St. NE, Salm.

In the summer of 1931 Jason Frizzell & his wife Mabel purchased my home from the Paynter family. During closing Jason & Mabel took a ride trip in their Model T to northern California's Sequoia National Park. Having driven through the drive-through tree, Mabel spotted a display about 300 feet away to the side.

"Jason, could we please buy this itty bitty tree & give it a good home in Salem?" \*

The purchase price of the seedling was all of 25 cents, & yes, they bought it, brought it back & proceeded to plant it in the exact center of the back yard. Worst mistake ever!

Fast forward to the 1962 Columbus Day storm: the tree had grown into a 'school marm', which is logging speak for a double trunked tree. The property lost 7 birch trees and the tops of both sequoias. For several thousand dollars the tree(s) was/were sculpted to resemble 1 from a distance. Many years later I bought the property & being new to Salem had no idea about Redwood/Sequoia trees. I was also new to home ownership; I was an idiot.

I rather quickly found that I am (as is my dog). extremely allergic to the aforementioned tree. Gardening has become extremely hazardous near the tree, due to allergens and an extreme trip risk.

This last year's ice storm has ruined the crown again.

It would cost about \$15,000 to artfully repair it.

The ice storm also brought down my power line (not the first time). The line goes directly through the tree. I can't get internet as the providers don't want to wrestle with the tree. These are just the overhead annoyances.

The trees roots have caused such a tripping hazard that they are exceeding dangerous. They have also caused damage to my cement garage floor.

My sewer line has to be checked yearly & my irrigation lines need replaced again (4th time).

I can fill my lawn debris can weekly from the droppings

from the tree. I only have a 4 foot deep accumulation of Sequoia droppings left

(which are a fire hazard) rimming the tree(s) & many black garbage bags filled with excess debris.

As a child I grew up in the middle of a forest in northern Washington. I know trees & adore them.

Having said that, I do know that Redwoods/Sequoias are NOT City trees, but belong in forests, glens, groves, woodlands and parks with the land necessary for them to thrive. The shallow roots are terribly affected by concrete, which in turn affects the

health of the trees. Because the trees are so large

they are a serious potential danger for homes, sidewalks, parked vehicles and people. They and their extremely heavy (+ 300 pounds and in excess of 27 feet) limbs DO come down in wind and ice storms and extreme heat episodes. I lose between 2 - 12 limbs annually.

My insurance costs are approaching the truly prohibitive.  
The city could be liable for damages should it rule against the homeowners.

There has been a communication circulating which suggests that the homeowners raise their basement floor. Wouldn't that do far more damage to an historic structure?  
Most of the basement heights are approximately 8 feet. Raising the structure a foot could negate practical use. Code requires an 8 foot height of bedrooms in a basement. So, one would either have to dig out or raise the foundation. Perhaps those who oppose the homeowners modest desire to have the trees removed would be willing to pay for any/all the expenses the owners WILL incur?

As I can not visit the site  
(I am recovering from foot surgery and cannot at the moment walk) I am unable to make a detailed assessment. I apologize for that. There must be an absolute minimum of 30 feet for modest root growth and water, sewer, irrigation, cable and gas lines. Again, concrete kills.

Please have some compassion for the homeowners. I do not know them. I do know Redwoods and Sequoias. They simply are NOT a city tree. They most likely were planted by a well meaning nincompoop. Do we really need a merciless policy to protect a tree(s) and inflict harm on people? Surely other tree(s) could be planted that are City lot friendly that will not do the damage that the Redwoods/Sequoias most definitely WILL do and will continue to do. Thank you for your attention to this matter with it's short term and long term consequences.

\* all information concerning the Frizzells and the property prior to my ownership is from direct conversations with Jason. He was a lovely man.

Sincerely,  
Jacqueline Schindele  
970 15th Street NE  
Salem, Oregon  
(503) 409-5779

## Kimberli Fitzgerald

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**From:** Jeanette Flaming <[bjflaming@comcast.net](mailto:bjflaming@comcast.net)>  
**Sent:** Wednesday, September 8, 2021 3:29 PM  
**To:** Kimberli Fitzgerald  
**Subject:** Removal of 2 Sequoia trees at 1720 Court.

Attention: Kimberly Fitzgerald

I support the recommendation for the tree removal to protect the home currently at that location. Sequoias are magnificent but are too large for a small city lot (as are many trees in Salem). They become dangerous and frightening- especially in a storm.

Jeanette Flaming  
1515 Chemeketa St. NE  
Salem OR 97301  
[bjflaming@comcast.net](mailto:bjflaming@comcast.net)  
Sept. 8, 2021

## Kimberli Fitzgerald

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**From:** Joan Lloyd <jello879@gmail.com>  
**Sent:** Thursday, September 16, 2021 8:53 AM  
**To:** Kimberli Fitzgerald  
**Subject:** Case No HIS21-18 1724 Chemeketa St. NE

I am opposed to the motion to preserve the Sequoias. I do care about trees but I also care about the house that was ordered from a Sears catalog and is unique in the Court Chemeketa Residential Historic District.

The engineer said that there was no structural damage caused by the trees' roots. Is it fair to make the owner wait until there is damage in order to remove the trees? The expense of repair to the house and removal of the trees would/could be substantial. There may never be problems with the structure of the house and maybe the trees would never fall down but they are inappropriate on a city lot. They do keep growing both in height and diameter. Click on the link below:

[https://www.google.com/search?q=the+sequoia+that+on+can+drive+through&rlz=1CAVARX\\_enUS906US906&sxsrf=AOaemvKA4oDIAaelpmpLM5vqYraWP-JSFQ:1631753487439&tbm=isch&source=iu&ictx=1&fir=ItVD\\_yrG30iVpM%252C3Jdz2btJY9d20M%252C\\_&vet=1&usg=AIL4\\_-kQmypwbRZRBTTrHPGCDwOLy2wDs0lw&sa=X&ved=2ahUKEwi42Oq3o4LzAhU0CjQIHRiMDegQ\\_h16BAgkEAE#imgrc=ItVD\\_yrG30iVpM](https://www.google.com/search?q=the+sequoia+that+on+can+drive+through&rlz=1CAVARX_enUS906US906&sxsrf=AOaemvKA4oDIAaelpmpLM5vqYraWP-JSFQ:1631753487439&tbm=isch&source=iu&ictx=1&fir=ItVD_yrG30iVpM%252C3Jdz2btJY9d20M%252C_&vet=1&usg=AIL4_-kQmypwbRZRBTTrHPGCDwOLy2wDs0lw&sa=X&ved=2ahUKEwi42Oq3o4LzAhU0CjQIHRiMDegQ_h16BAgkEAE#imgrc=ItVD_yrG30iVpM)

A compromise might be possible by allowing the one that has already been severely limbed up to be removed and a replacement tree suggested by the Urban Forester planted and, after a year or two, when the new tree is somewhat established consider cutting down the other.

Joan Lloyd, property owner in the CCRHD



## Kimberli Fitzgerald

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**From:** John L. Poole <jlpoole56@gmail.com>  
**Sent:** Thursday, September 16, 2021 9:18 AM  
**To:** Kimberli Fitzgerald  
**Cc:** courtchemeketa@groups.io  
**Subject:** Re: [courtchemeketa] Case No HIS21-18 1724 Chemeketa St. NE

Hi Kimberli,

We owned a Victorian home built in the 1880s in Napa and was in a district that would be eligible for the National Register; unfortunately a nomination was never filed. We had a coast redwood tree that was six feet in diameter approximately 8' from the corner of the house. It was a beautiful tree and a significant part of the back yard. Yet, its roots were starting to invade the footings (stone) of the house and were simply going to get worse. I wanted to deal with the problem before it became worse, e.g. root pruning?

We hired [Bill Pramuk](#), a Registered Consulting Arborist in Napa, California, to advise us about the tree and its proximity to the house. Bill's opinion was that he likes to see redwoods at least 100' away from a structure. Our tree's top had split due to death of the main apical area and was just a problem that would keep growing. We therefore decided to take it down. (I ended up reclaiming all the lumber with my sawmill and brought billets with me to Salem when we moved, some of which will be greenhouse benches.)

An acquaintance at my work used to do tree climbing for lumber companies in Northern California. He had been up and down redwoods like a squirrel. He told me of a story about a "sleeper", a long branch that suddenly breaks off of redwoods becoming a javelin falling to the ground, that came down and through a roof of an adjacent house and then through the ceiling and then through a refrigerator (!) in the kitchen just as an arrow might pierce a pumpkin.

As much as the sequoias on Chemeketa are impressive specimens, I've always feared that the owners of the two adjacent structures were living under the swords of Damocles and just waiting for roots to go under their house (roots like leaky old sewer lines) and start doing some damage. I regret to see the trees come down, but I support their removal for the sake of the safety and well-being of the structures and their occupants. It was an ill-conceived idea to plant such large growing trees in those locations and now it is time to pay the piper.

I hope the tree replacement selection will have in mind a 100 year strategy; I suspect the Dawn Redwood might have long term problems, too -- there is not much land on the property for a large tree. Perhaps a native white oak would be more manageable and provide better shade?

Sincerely,

John L. Poole

On 9/16/2021 8:52 AM, Joan Lloyd wrote:

I am opposed to the motion to preserve the Sequoias. I do care about trees but I also care about the house that was ordered from a Sears catalog and is unique in the Court Chemeketa Residential Historic District.

The engineer said that there was no structural damage caused by the trees' roots. Is it fair to make the owner wait until there is damage in order to remove the trees? The expense of repair to the house and removal of the trees would/could be substantial. There may never be problems with the structure of the

house and maybe the trees would never fall down but they are inappropriate on a city lot. They do keep growing both in height and diameter. Click on the link below:

[https://www.google.com/search?q=the+sequoia+that+on+can+drive+through&rlz=1CAVARX\\_enUS906US906&sxsrf=AOaemvKA4oDIAaelpmpLM5vqYraWP-JSFQ:1631753487439&tbm=isch&source=iu&ictx=1&fir=ItVD\\_yrG30iVpM%252C3Jdz2btJY9d20M%252C&vet=1&usg=AI4\\_-kQmypoWbRZRBTTrHPGCDwOLy2wDs0lw&sa=X&ved=2ahUKEwi42Oq3o4LzAhU0CjQIHRiMDegQ\\_h16BAgkEAE#imgsrc=ItVD\\_yrG30iVpM](https://www.google.com/search?q=the+sequoia+that+on+can+drive+through&rlz=1CAVARX_enUS906US906&sxsrf=AOaemvKA4oDIAaelpmpLM5vqYraWP-JSFQ:1631753487439&tbm=isch&source=iu&ictx=1&fir=ItVD_yrG30iVpM%252C3Jdz2btJY9d20M%252C&vet=1&usg=AI4_-kQmypoWbRZRBTTrHPGCDwOLy2wDs0lw&sa=X&ved=2ahUKEwi42Oq3o4LzAhU0CjQIHRiMDegQ_h16BAgkEAE#imgsrc=ItVD_yrG30iVpM)

A compromise might be possible by allowing the one that has already been severely limbed up to be removed and a replacement tree suggested by the Urban Forester planted and, after a year or two, when the new tree is somewhat established consider cutting down the other.

Joan Lloyd, property owner in the CCRHD

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John Laurence Poole  
1566 Court ST NE  
Salem OR 97301-4241  
707-812-1323 office

## Kimberli Fitzgerald

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**From:** noreply@cityofsalem.net on behalf of ijsy69@aol.com  
**Sent:** Thursday, September 16, 2021 9:20 AM  
**To:** Kimberli Fitzgerald  
**Subject:** Contact Kimberli Fitzgerald  
**Attachments:** ATT00001.bin

Your Name	Leslie M Polson
Your Email	ijsy69@aol.com
Your Phone	5035699229
Street	930 Garnet St NE
City	Salem
State	OR
Zip	97301
Message	Dear Commission: I am not in favor of the removal of the trees at 1724 Chemeketa, the Leach House. I know that the trees are huge but they are part of the history of the house and are healthy. They have been there over 100 years and any damage to the house has been from its history as a men's boarding house. I have been inside the house and have not seen any damage from the trees. The pulled out toilets and other mess have come from tenants. I do not see that there is any reason to remove the trees at this point. I lived at 1796 Chemeketa for 8 years so this house was a neighbor of mine. Yours truly, Leslie Polson

This email was generated by the dynamic web forms contact us form on 9/16/2021.

## Kimberli Fitzgerald

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**From:** Steve Elmore <elmore.tn@gmail.com>  
**Sent:** Monday, September 13, 2021 3:33 PM  
**To:** Kimberli Fitzgerald  
**Subject:** Comment re: Minor Historic Design Review Case No. HIS21-18

Hi, Kimberli. Regarding Minor Historic Design Review Case No. HIS21-18, the proposed tree removal at 1724 Chemeketa St NE, I support the removal. I hate to lose old trees, even non-native ones such as these, but the two Sequoias at the subject property are entirely too big. At some point they'll inevitably cause damage to the house itself and to the city sidewalk.

The block house at the applicant's address is especially unique in this historic neighborhood of mostly wooden houses. I would hate to see it damaged by such massive trees continuing to grow on and dominate such a small lot. I support their removal.

Steve

Stephen H. Elmore  
1623 Chemeketa St. NE  
Salem, OR 97301

## Kimberli Fitzgerald

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**From:** Sue Crothers <SUEBEAN2@msn.com>  
**Sent:** Wednesday, September 8, 2021 12:37 PM  
**To:** Kimberli Fitzgerald  
**Subject:** Case. No HIS21-18 for 1724 Chemeketa St NE

Hi Kimberly,

After an admittedly very quick reading of this application, I feel the homeowners are justified in their request. The trees are just too darned big and destructive for their location. They do nothing for the exterior look or interior light of the house. I support their removal and the reversal of the damage done to the house.

Susan Crothers  
1530 Chemeketa St NE

## Kimberli Fitzgerald

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**Subject:** FW: [courtchemeketa] Case No HIS21-18 1724 Chemeketa St. NE

**From:** Aislinn Adams <aislinnadams318@gmail.com>

**Sent:** Thursday, September 16, 2021 5:03 PM

**To:** courtchemeketa@groups.io

**Cc:** Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>

**Subject:** Re: [courtchemeketa] Case No HIS21-18 1724 Chemeketa St. NE

Hi Kimberli,

I too support removing the sequoias. They are totally out of scale to the houses and an accident waiting to happen. I would recommend getting advice from the city's arborist Milan Davis who I'm sure would have good suggestions for replacements. I love large trees, especially native species however, these sequoias are the wrong trees in the wrong place.

Best, Aislinn Adams

--

**Aislinn Adams** Design

1420 Court St., NE, Salem OR 97301, USA

Tel: (+1) 503 378-0780

Website: <http://www.aislinnadams.com/>

Facebook: <https://www.facebook.com/aislinnadamsdesign>

## Kimberli Fitzgerald

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**Subject:** FW: [courtchemeketa] Case No HIS21-18 1724 Chemeketa St. NE

**From:** Rob Owen <robowntv@gmail.com>

**Sent:** Thursday, September 16, 2021 8:56 AM

**To:** Joan Lloyd <jello879@gmail.com>

**Cc:** Kimberli Fitzgerald <KFitzgerald@cityofsalem.net>

**Subject:** Re: [courtchemeketa] Case No HIS21-18 1724 Chemeketa St. NE

Here! Here! I'm in total agreement with Joan, although I'd just let them both be cut down now. It is unfair to the homeowner to let the historic house be at-risk for the sake of two trees. We have to be sensible and removing those two trees is sensible.

Rob Owen

Pittsburgh Trib \* Seattle Times \* Kansas City Star \* Richmond Times-Dispatch

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Pittsburgh Trib stories: <https://triblive.com/aande/tv-talk-with-rob-owen/>

Seattle Times stories: <https://www.seattletimes.com/entertainment/tv/>

Kansas City Star stories: <https://www.kansascity.com/entertainment/tv/>

TCA \* Critics Choice \* GALECA member



Sept. 16, 2021

To: Kimberli Fitzgerald  
Historic Preservation Officer, City of Salem Planning Division  
555 Liberty Street SE, Room 305  
Salem, Oregon 97301

From: Northeast Neighbors (NEN)

Re: Minor Historic Design Review Case No. HIS21-18  
PROPERTY LOCATION: 1724 Chemeketa St NE  
A proposal to remove two trees located in front of historic contributing residence William R. Leach House (c1908).

Kimberli,

Northeast Neighbors (NEN) voted via email on September 15 and 16 to support the preservation of two trees at 1724 Chemeketa St. NE in front of the William R. Leach House. The engineer's report states there is no evidence that the trees have caused damage to the historical structure of the house and that the house is structurally stable.

The NEN Board supports keeping the trees as contributing historic features of the historic property in our community. The trees appear healthy, provide habitat, and help to offset CO2.

Thank you for considering our testimony.

Respectfully,

Lynn Takata  
NEN Chair  
1056 18<sup>th</sup> St NE  
Salem, Or 97301



## Kimberli Fitzgerald

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**From:** Sara Johnson <sarajohnson249@gmail.com>  
**Sent:** Thursday, September 16, 2021 3:31 PM  
**To:** Kimberli Fitzgerald; Lisa Carpenter  
**Subject:** comments on Leach House tree removal proposal  
**Attachments:** comments tree removals chemeketa 9.14.21.docx

Kimberli,

Attached please find comments on the proposal to remove two trees from the William Leach House.

Thank you.

Sara Johnson  
Lisa Carpenter

September 16, 2021

### **Comments on proposal to remove trees in front of William Leach House (Case #HIS21-18)**

We recognize that it is both a great privilege and a great responsibility to own and maintain a home in a National Register Historic District -- and that it may sometimes feel like a burden, even with the benefit of tax incentives, grant monies and investment values.

We also trust that decisions like this one are not taken lightly by any of the parties involved and, as residents of the neighborhood, appreciate the opportunity to comment on the proposal to remove two historic Redwoods in front of 1724 Chemeketa St., NE.

Based on our reading of the proposal and engineer's report, we believe that the burden for demonstrating damage to the historical structure itself has not been met, and that the trees should not be removed at this time. We also propose exploration of an alternative that might meet the owner's basement restoration desires, while also leaving the trees in place for now.

**Burden has not been met.** The two Redwood trees are documented as "contributing features" of the historic property. Their removal would be approved if either of two burdens is met – one having to do with the trees themselves, and the other having to do with impacts of the trees on the historical structure (personal notes from conversation with City staff, 9/13/21).

It is our understanding that there is no documentation suggesting that the trees are in poor health, or that they are posing danger to property or person; rather, that *the issue at this time is whether the trees are causing damage to the historical structure itself.*

The engineer's report (having reviewed only pages 1 and 10 of the body of the report, as provided by the City) is clear and specific in its language that *the trees are **not** causing damage to the historical structure itself*, including, in the words of the engineers...

- "it is our professional opinion that the structure is sound and stable"
- "free of any significant structural defects"
- "did not note any current impact to the house"

Further, in a search of public records...

- no documentation was found for ground instability
- no documentation was found for environmental issues

There is mention that the stone walkway on the west side has been impacted but, importantly, the walkway is not part of the historical structure.

The recommendation to proceed with removal is based on possibilities in the future, which may or may not occur, and is laden with speculative language (emphasis added)...

- "it is *possible* that in the *future*" (how far in the future 10 years? 50 years?)

- “some damage... *could* occur” (some? the bar is significant damage; could, not will)
- “*potential* threat” (so, maybe/maybe not)

Obviously, if the trees are left in place, they will continue to grow, as all indicators are that they are healthy trees, and we address this below (see “Win-win Alternative?”).

**Property purchased with full knowledge.** What is prompting this proposal at this time? The property recently changed hands, and during the course of due diligence for the sale, it was noted that the basement floor was slanting and would need repair (personal notes from conversation with City staff, 9/13/21). Photos in the engineer’s report document tree roots exposed when the basement floor was removed.

However, based on language in the engineer’s report, it is clear that *basement floor damage does not constitute damage to the historical structure itself.*

Granted, the basement floor will need repair; however, importantly, it appears that the home was purchased with full knowledge:

- knowledge of the damage to the basement floor,
- knowledge that the home is a contributing structure in an historic district, and
- knowledge of the burdens that would need to be met in order to remove the trees.

**Win-win alternative?** We are not without sympathy to the owner’s predicament and it is in the spirit of seeking a win-win solution that we propose that the owner explore the possibility of raising the basement or basement floor to a height that would accommodate expected growth of the trees over the life of the concrete (~35-50 years).

In summary, while there are many tax breaks and other incentives to owning an historic home, it also comes with difficult situations like this one, and requires a homeowner to be flexible in their plans, and to balance their wants with the community’s wants. In this case, the burden of demonstrating damage to the historical structure itself has not been met, as evidenced by the owner’s own engineer’s report, and future damage to the historical aspects of the structure is speculative and of unknown timeline. We believe the apparently healthy 100+ year-old trees are, literally, irreplaceable and should remain at this time, and we propose resolution of current concerns by raising the basement floor.

###

Sara Johnson  
Lisa Carpenter