

Elena Sasin

From: Floyd Harrington
Sent: Monday, November 28, 2016 1:27 PM
To: Elena Sasin
Cc: Sandra Freund; Jim Duggan; Andrew Barrett
Subject: SW 155th 3-Lot partition, Type 2 Land Use application tree and easement discussion

Elena,
Here is my response for the record and as requested.

While City Code Title 5 Public Protection, 5.05.116 Obstructing Public Easements provides us the authority to strictly regulate what is allowed in a public utility easement and other sections of City code provide the City Engineer authority to act in the best interest of the City, we have every intention to work with the developer to avoid removal of or damage to the existing trees.

While Section 5.05.116 gives us the authority to prevent encumbrances of the easement, it also allows us to approve obstructions. Our Site Development Manager has the authority to make such an agreement. There is no guidance in the Code or the Engineering Design Manual on the size of trees that can be allowed to be planted in the easement as they are usually not allowed in a utility easement. This is due to the damage they can and often do cause to utility facilities as well as the potential to prevent City maintenance forces from accessing the facilities. We occasionally have to remove trees that have been allowed to grow in an easement, over a utility, to prevent or stop damage from occurring. The condition put in place for this development limiting the trees to a mature height of 20' is a compromise in that these smaller trees have a lesser chance of damaging the utility facilities than do larger trees. This allows the developer and property owner the option to plant the smaller trees to beautify their property in this constrained area. The developer and future owners need to be aware that trees located within the easement may have to be removed if they prevent required maintenance work. No one wants a backed up sewer line.

For this development, it is my understanding that the City Arborist, Pat Hoff, and the Site Development Manager, Jim Duggan, have agreed to allow the existing trees to remain in place, based on utility location and installation criteria intended to protect the trees. The developers arborist has proposed to install the sanitary sewer line by boring to avoid and/or minimize the impact to the tree roots. They also propose to install the storm line by trenching beyond the dripline of the trees to avoid the roots.

We will work with the developer on location, materials and methods of installing the utilities in order to save the trees. Any decision to remove a tree will be based on life, health, safety and City maintenance access needs. Based on what we know at this time, we believe that we can successfully accomplish the goal of saving the trees that are encroaching on the utility easement.

Thank you,
Floyd

Floyd Harrington | City Engineer

City of Beaverton | Public Works Department

12725 SW Millikan Way | City Hall -The Beaverton Bldg. | 4th Floor

P.O. Box 4755 | Beaverton, OR 97076

503.350-3656 (Office) | 503-260-9137 (Mobile) | fharrington@beavertonoregon.gov