City of Key West
Tree Commission Meeting
October 19, 2009
510 Greene Street, Old City Hall, 5:00 PM
Minutes

1. Call Meeting to Order
2. Roll Call

Tree Commissioners:

___x_____Danilo Crespo
___5:30____Gregory Curry
___x_____Mimi McCoy Grantham
___x_____Rudy Molinet
___x_____Niels Weise
___x_____Ashish Soni
Staff:
___x_____Ronald Ramsingh
Asst. City Attorney
___x_____Cynthia Domenech-Coogle
Urban Forestry Program Manager
___x_____Gladys Abreda
Administrative Secretary

3. Approval of the Agenda

(a) Additions/Changes:

Staff requested adding to agenda 1409 and 1300 block of Flagler, motion to add Ms. McCoy-Grantham, second Mr. Weise.

4. Presentations

Urban Forestry Program Manager Report

Staff discussed quarterly report and fiscal year 2009-2010 budget. Several large donations from tree replacement mitigation were received.
Discussed proposed plantings at Frances/Southard Streets area neighborhood.
Information concerning city tree crews trimming for Goombay and Fantasy Fest beginning 6 am each morning.

Staff discussed 5555 College Road. Communication with manager suggested tabling item until November.

Motion to table until November meeting: Ms. McCoy-Grantham, second Mr. Soni

Mr. Ramsingh, Assistant City Attorney suggested removing 1409 Flagler from adding to the agenda as homeowner had not signed application yet had given verbal consent to tenant, no paperwork to support statement.

Motion to remove 1409 Flagler Ave. from Agenda: Ms. McCoy-Grantham, second Mr. Soni.

5. **Approval of Minutes**

(a) May 14, 2007
(b) September 10, 2007
(c) April 13, 2009
(d) June 8, 2009
(e) August 10, 2009

No Public Input

Motion to approve minutes for April 13, 2009, Mr. Weise, second Ms. McCoy-Grantham.

Motion to approve minutes for June 8, 2009, Mr. Weise, second Mr. Soni.

Motion to approve minutes for August 10, 2009, Mr. Weise, second Ms. McCoy-Grantham

6. Resolutions Tabled Items:

(a) **<u>5555 College Road, Sunset Ventures of Key West, Inc:</u>** Represented by Joanne Alexander. Landscape Plan approval.

( ) Approved ( ) Denied (x) Tabled ( ) Further Action

Notes: The applicant requested this item to be tabled

No public Input

Motion to approve table until next meeting in November, Ms. McCoy-Grantham, second Mr. Soni.

(b) **<u>1212 Newton Street, Doug Siemon:</u>** Compliance Mitigation.

(x) Approved ( ) Denied ( ) Tabled ( ) Further Action

Notes: applicant discussed reasons for not planting on property and willing to mitigate by donating to Tree Replacement Fund in the amount of $1,860.00.

No Public Input

Motion to approve Mr. Weise, second Mr. Soni. Commissioner Ms. McCoy-Grantham suggested planting a Gumbo Limbo in close proximity. Staff suggested White Street.

Amend motion to plant (1) Gumbo Limbo in close proximity: Mr. Weise, second Mr. Soni.

Replacement: donate $1,860.00, in lieu of planting 12.4 caliper inches.

Mr. Molinet discussed expedient planting by city. Staff discussed direction from Mr. Finigan thru Mr. Veliz not to plant any further trees until a Comprehensive Plan is developed. Staff discussed time constraints required to develop plans and suggests outside assistance. Mr. Molinet suggested trees need to be in the ground and if applicants are willing to pay the mitigation money is just sitting in the bank. Mr. Molinet will contact city manager.

7. Resolutions:

(a) **<u>508 Amelia Street, Mr. & Mrs. Dennis Bender</u>**: Compliance Mitigation.

( ) Approved (x) Denied ( ) Tabled ( ) Further Action

Notes: Mr. Carl Gilley/Thrinax, Inc., represented Mr. and Mrs. Bender, to mitigate 54" caliper inches of replacement for the tree that was removed. The Benders are requesting to reduce the total requirement cost due to the lengthy process and need to hire an architect, attorney, court reporter and cost of tree removal, new landscaping and installation of swimming pool. Also cost of back fees on the rental building at rear of property not on record.

Staff discussed visiting premises to inspect for replacements and noted only 4 Simpson stoppers with multiple trunks, not in compliance and 5 Spanish Stoppers 2 of which were in poor condition. These were the only native plants on the property. The remainder of the landscape consisted of Areca palms, Bismarkia palm and various non-native shrubs. Very little attention to tree replacement requirements.

Staff further discussed the remaining Spanish Lime has been cleared of deck and debris. Staff further discussed speaking with Mrs. Bender explaining, historically the mitigation approved by the Tree Commission had not included the types of deductions she is requesting.

Mr. Molinet and Ms. McCoy-Grantham shared the same opinion that after 1 1/2 years their response was economic hardship, and did not comply willingly with their obligation even though they were aware of the obligation. Staff noted the 3" caliper inches of native plants.

Ms. McCoy- Grantham commented that the homeowners did not show very much cooperation by planting non-natives instead of planting native trees, would be different if they planted native trees.

No Public Input

Motion to deny the mitigation request: Ms. McCoy-Grantham, second Mr. Soni. Mr. Molinet called for commission vote: Mr. Crespo (yes), Mr. Weise (no), Mr. Curry (yes), Ms. McCoy-Grantham (yes), Mr. Soni (yes).

Replacement: 51 caliper inches will be mitigated at $7,650.00

(b) **<u>3533 Flagler Ave., John Creighton:</u>** Represented by Ken King, Golden Bough Tree Service. Remove (1) Pink Tabebuia.

(x) Approved ( ) Denied ( ) Tabled ( ) Further Action

Notes: Kenneth King/Golden Bough Tree Services represented applicant, stating the tree is to close to the house.

Staff advised of the invasiveness of this species and is threatening the foundation of house.

No Public Input

Motion to approve the removal of the Pink Tabebuia: Mr. Weise, second Ms. McCoy-Grantham.

Replacement: 3 caliper inches native tree, Fl #1, to be planted on site.

(c) **<u>906 Pohalski Lane, Brian & Elizabeth Doyle:</u>** Compliance Mitigation

(x) Approved ( ) Denied ( ) Tabled ( ) Further Action

Notes: The homeowner is willing to donate to the tree replacement fund the amount to mitigate planting 2 native palms on site. Tree commission had approved the removal of 2 Foxtail palms.

Staff discussed no prior approvals for mitigating palm replacement but that the average cost of native palms at minimum 4' requirement is $220. Ms. McCoy Grantham suggested the $220.00 for each palm for a total of $440.00 both palms.

No Public Input

Motion to approve the monetary value of $440.00: Ms. McCoy-Grantham, second Mr. Weise. Vote: Mr. Curry (no), Mr. Soni (no)

Motion passes

(d) **<u>2832 North Roosevelt Blvd., Carl M. Herman:</u>** Represented by Trepanier & Associates, Inc. Plan approval and Compliance Mitigation.

(x) Approved ( ) Denied ( ) Tabled ( ) Further Action

Notes: Mr. Trepanier represented applicant requesting mitigation due to special circumstances and discussed them. A compliant landscape plan was designed and calculated for cost in the amount of $3,000.00. The applicant will mitigate by donation of that amount. DOT will not be placing a sidewalk nor landscaping during reconstruction of North Roosevelt.

Staff discussed Fire Dept. requiring a 360' clearance of fence and tower and to use mitigation donation on Flagler replanting.

Legal staff discussed the code and the provision for such.

No public Input

Motion to approve landscape mitigation from 2832 North Roosevelt Blvd to Flagler Ave. to be planted by landscape company. Ms. McCoy-Grantham, second Mr. Weise.

(e) **<u>525 Angela Street/City Hall/City of Key West:</u>** Represented by Elizabeth Newland/MBI/K2M Architecture Inc. Landscape plan approval.

(x) Approved ( ) Denied ( ) Tabled ( ) Further Action

Notes: Ms. Newland discussed landscape plan stating all the existing vegetation will be transplant or removed, 35 trees in total, 20 transplants 14 removals with 1 large Mahogany remaining on Simonton. There was a change in the design; the new building will be 30.4' to roof top, pre-cast, concrete, 2 story building, Ms. Newland stated previously meeting with DRC, November meeting with HARC, while showing rendering of new City Hall, Ms. Newland stated the city will need to waive buffer requirements due to accessibility of city hall.

Staff discussed the removal of the 14 trees being in very poor condition; not fiscally responsible to retain or transplant. The trees to be removed include the 3 large

Poinciana's in front of city hall on Angela; one of which should be removed with in the next few months: easternmost tree, 1 Clusia rosea (Autograph tree), 1 Peltoforum, 4 J. Capers, 1 Sour Orange, numerous Alexander palms, 1 Frangi pani, 1 small Cassia and 1 Ficus tree. Replacement inches total of 118". The Mahogany in front of parking lot remains, and will be protected during construction. Replacement trees are shown on pg 3 of plans submitted.

Mr. Molinet asked if the city is taking down trees when they will be replaced as homeowners can not remove a tree without replacement there should not be any difference with the city. Mr. Molinet also he pointed out that he does not see any palm trees in the plan. Ms. Newland said that they are trying to plant canopy trees, but at Mr. Molinet request she will try to squeeze in some palm trees. Ms. McCoy Grantham requested a Poinciana tree by the new city hall.

Staff noted the new trees will be minimum 12'.

No Public Input

Motion to remove and transplant according to plan and approval of landscape plan: Ms. McCoy Grantham, second Mr. Weise.

(f) ADDED TO AGENDA:1200, 1300 and 1400 blocks Flagler Ave.

transplant 1 Gumbo Limbo 8' to corner of Flagler and Tropical; 1203 Flagler transplant 1 Radiata, 1300 Flagler Ave. and Tropical, ROW transplant 10 Radiata palms some in clumps, Floss Silk to be removed, transplant very large Geiger tree and remove 1 African Tulip.

Motion to approve transplanting and removals 1200, 1300 and 1400 blocks Flagler Ave. Ms. McCoy-Grantham, second Mr. Weise.

8. Administrative Hearing: na

9. Champion Tree Nomination: Staff will bring list to next meeting

10. City of Key West Tree Commission First Biannual 'Native Tree Give Away':

Mr. Curry is going to prepared a list of native plants and asked if this something that we have to budget. Mr. Ramsingh said that the amount has to be approved by the city commission and should be in the budget for educational programs. Mr. Soni asked if cost exceeded $16,000.00 does it still need to be approved by city commission; Mr. Curry will inquire about the cost from City Electric's tree give away for next meeting.

Mr. Molinet would like to meet with the city manager and the major. he will let him know where he stands as a tree commissioner.

11. Discussion Items:

Mr. Ramsingh discussed the current standing of litigation between Havlick and the City.

Mr. Weise motion to Adjourned, second Ms. McCoy-Grantham 6:53p.m.

12. Staff and Emergency Approval Permits

(a) **<u>1111 Varela Street, Richard Leal</u>**; Remove (4) Alexander palms and (2) Christmas palms, replace (6) native palms Fl #1. **Permit #5370**

(b) **<u>909 Virginia Street/City Key West/ROW;</u>** **Emergency,** remove (1) Poinciana.

replace with 11.7 caliper inches native canopy Fl #1. **Permit #5371**

(c) **11 Lowes Lane /City Key West/ROW;** Remove (1) Coconut palm. **Permit #5372**

(d) **1008 Watson Street, John Branden Berg;** Remove (1) Coconut palm, replace with (1) native palm Fl #1. **Permit #5373**

(e) **6 Lowes Lane, Peter Johns:** **Emergency,** remove (1) Breadfruit tree, replace with (1) native canopy tree Fl #1. **Permit #5374**

(f) **1400 Catherine Street, James Allen:** Remove (1) Coconut palm, replace (1) native palm Fl #1. **Permit #5375**

(g) **1210 Johnson Street, Deborah Suelgrove:** Remove (2) Coconut palms, replace with (2) native palms Fl #1. **Permit #5376**

(h) **828 Fleming Street, Sheila Mullins:** Remove (1) Coconut palm, replace with (1) native palm FL#1. **Permit #5377**

(i) **314 Margaret Street, Lorraine Phelps**: Remove (1) Coconut palm, replace with (1) native palm Fl#1. **Permit #5378.**

(j) **201 Front Street/ Truman Ave/ 237 Southard:** Remove (1) Coconut palm, replace with (1) native palm Fl #1. **Permit #5389**

(k) **717 Fort Street/City Key West/ROW:** Remove (1) Coconut tree. **Permit #5390**

(l) **820 White Street, S. Stern:** Remove (8) Christmas palms. Replace with (8) native palms Fl#1. **Permit #5391**

(m) **915 Duval Street, Stuart Kemp:** Remove (1) Coconut tree, replace with (1) native palm Fl#1. **Permit #5392**

(n) **512 Greene Street LLC:** Remove (1) Latania palm, replace with (1) native palm Fl#1. **Permit #5393**

(o) **1423 Flagler/City Key West/ROW:** Remove (4) Alexander palms. **Permit #5394**

(p) **903 Grinnell/City Key West/ROW:** Remove (1) Coconut palm. **Permit #5395**

(q) **2516 Linda Avenue/Randall Sterling:** Remove (2) Coconut palms. Replace with (2) native palms, FL#1. **Permit #5396**

(r) **527 Bahama Street/Heather Godoy:** Remove (1) Coconut palm. Replace with (1) native palm, FL#1. **Permit #5397**

(s) **1616 Bertha Street/Cee Roth:** Remove (1) Coconut palm. Replace with (1) native palm, FL # 1. **Permit #5398**

(t) **823 Whitehead Street/Bob Pollman:** **Emergency:** Remove (1) China Berry tree. Replace with 9 caliper inches of native canopy trees, on site, FL#1. **Permit #5399**

(u) **930 Eaton Street/Tom Callahan:** Remove (1) Ficus benjamina tree. Replace with 5 caliper inches of native trees, on site, FL#1. **Permit # 5400**

(v) **800 Duval Street/City of Key West/ROW:** **Emergency:** Remove (1) Gumbo Limbo. Replace with 13 caliper inches of native canopy trees, on site, FL#1. **Permit #5401**

(w) **1616 Bertha Street/Cee Roth:** **Emergency:** Remove (1) Gumbo Limbo tree. Replace with 4.3 caliper inches of native canopy trees, on site, FL#1. **Permit # 5402**

(x) **<u>1017 White Street/Mary Pfund:</u>** **Emergency:** Remove (1) Poinciana tree. Replace with 1 caliper inch of native canopy trees, on site, FL#1. **Permit # 5403**

(y) **<u>2019 Flagler Avenue/Arline Zoll:</u>** Remove (1) Coconut palm. Replace with (1) native palm, FL#1. **Permit # 5404**

(z) **<u>1404 White Street/Todd Stuart:</u>** Remove (1) Coconut palm. Replace with (1) native palm, FL#1. **Permit # 5405**

(aa) **<u>1310 Seminary Street/Kristi and Steven Gallish:</u>** Remove (1) Washingtonia palm. Replace with (1) native palm, FL#1. **Permit # 5406**

(bb) **<u>1310 Seminary Street/Kristi and Steven Gallish:</u>** **Emergency:** Remove (1) Cork tree and (1) Yellow Tabebuia tree with 12 caliper inches of native canopy trees, on site, FL#1. **Permit #5407**

10. City of Key West Tree Commission First Annual 'Native Tree Give Away':

11. Discussion Items:

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