



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, February 14, 2017

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting To Order

5:10 PM

Roll Call

Absent 1 - Mr. Kapsch

Present 6 - Ms. Bravo, Ms. Ludwig O'Leary, Mr. Mellies II, Ms. Sullivan, Ms. Robinson, and Mr. Jackson

Pledge of Allegiance to the Flag

Approval of Agenda

Ms. DeMaria requested that item #12 be heard after the approval of the Minutes.

A motion was made by Commissioner Neil S. Mellies II, seconded by Commissioner Sue Sullivan, that the Agenda be approved with Item # 12 being heard 1st. The motion passed by an unanimous vote.

Approval of Minutes

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Minutes from January 19, 2017 Meeting

A motion was made by Commissioner Sue Sullivan, seconded by Vice Chair Robin Robinson, that the Minutes be Approved. The motion passed by an unanimous vote.

New Business #1

- 2 1103-1105 Simonton Street ROW/File# T17-8287/City of Key West
Represented by: Karen DeMaria-Urban Forestry Manager
Requesting approval to remove (1) Mahogany tree growing in the
right-of-way due to safety issues. Tree has three main leaders. The
one leader growing over the road is less than 14 ft over the road which
violates Federal laws of safe vehicular clearance over roadways.
- Mr Greg Veliz, The City of Key West's Assistant City Manger stated "The City of Key West would like to withdraw this application and make some traffic signage to alleviate the tree being a danger to the community."*
- Withdrawn**

Old Business

- 3 Election of 2017 Tree Commission Chair
- A motion was made by Commissioner Neil S. Mellies II, seconded by Vice Chair Robin Robinson, that Chairman David Jackson be approved as the Chairman for the 2017 year. The motion passed by an unanimous vote.**
- 4 Election of 2017 Tree Commission Vice-Chair
- A motion was made by Commissioner Sue Sullivan, seconded by Commissioner Denise Bravo, that Ms. Robin Robinson be approved as Vice Chairman for the 2017 year. The motion passed by an unanimous vote.**
- 5 913 White Street/File# 16-8225/Bernard Hecht & Timothy Malone
Represented by: Widerman Malek
Requesting approval to remove (1) Royal Poinciana tree.
- POSTPONED TO MARCH 14, 2017 MEETING**

New Business #2 (continued from earlier)

- 6 1701 Ashby Street/File# T16-8205/Kit & Brian Wrede
Represented by: Myke McCoy
Requesting approval to remove (1) Gumbo Limbo tree.
- In accordance with Sec.110-327, the approval to remove (1) Gumbo Limbo, to include the replacement of 6.7 caliper inches of approved dicot trees to be planted on site.*
- A motion was made by Commissioner Denise Bravo, seconded by Vice Chair Robin Robinson, that the Action Item be Approved. The motion passed by an unanimous vote.**

- 7 1717 South Street/File# T17-8263/Greg Kerr & Bryant Pantano
Represented by: Larrie Busloff-Leaping Lizard Tree Service
Requesting approval to remove (1) Mahogany tree in the back yard.
In accordance with Sec.110-327, the approval to remove (1) Mahogany tree, to include the replacement of 14.1 caliper inches of approved dicot trees to be planted on site.

A motion was made by Commissioner Sullivan, seconded by Commissioner Bravo, that the Action Items be Approved. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 1 - Commissioner Kapsch

Yes: 5 - Commissioner Bravo, Commissioner Mellies II, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson

- 8 221 Petronia Street/File# T17-8271/Suzanne Desaulniers & Daniel
Michaud
Requesting approval to remove (1) Royal Poinciana tree in front of the house.
In accordance with Sec.110-327, the approval to remove (1) Royal Poinciana tree, to include the replacement of 13.7 caliper inches of approved dicot trees to be planted on site.

A motion was made by Commissioner Bravo, seconded by Commissioner Sullivan, that the Action Items be Approved. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 1 - Commissioner Kapsch

Yes: 5 - Commissioner Bravo, Commissioner Mellies II, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson

- 9 1122 Von Phister Street/File# T17-8276/Glen Wood-Canwest
Investments, LLC
Represented by: Kenneth King
Requesting approval to remove (2) Almond trees in the back yard.
In accordance with Sec.110-327, the approval to remove (2) Almond trees, to include the replacement of 11.1 caliper inches of approved dicot trees to be planted on site.

A motion was made by Commissioner Bravo, seconded by Vice Chair Robinson, that the Action Items be Approved. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 1 - Commissioner Kapsch

Yes: 5 - Commissioner Bravo, Commissioner Mellies II, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson

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1200 George Street/File# T17-8277/Gainey Maxwell

Represented by: Kenneth King

Requesting approval to remove (1) Strangler Fig tree.

In accordance with Sec.110-327, the approval to remove (1) Strangler Fig tree, to include the replacement of 14.8 caliper inches of approved dicot trees to be planted on site.

A motion was made by Commissioner Bravo, seconded by Vice Chair Robinson, that the Action Item be Approved. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 1 - Commissioner Kapsch

Yes: 5 - Commissioner Bravo, Commissioner Mellies II, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson

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1314 Eliza Street/File# T17-8279/Jack Schmid

Requesting approval to remove (1) Royal Poinciana tree in the front yard.

In accordance with Sec.110-327, the approval to remove (1) Royal Poinciana tree, to include the replacement of 20.1 caliper inches of approved dicot trees to be planted on site.

A motion was made by Vice Chair Robinson, seconded by Commissioner Bravo, that the Action Items be Approved. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 1 - Commissioner Kapsch

Yes: 5 - Commissioner Bravo, Commissioner Mellies II, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson

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1314 Petronia Street/File# T17-8284/Jonathon Kass

Represented by: Carl Gilley Landscape Design

Requesting approval to remove (1) Floss Silk tree in the front yard.

In accordance with Sec.110-327, the approval to remove (1) Floss Silk tree, to include the replacement of 4.1 caliper inches of approved dicot trees to be planted on site.

A motion was made by Commissioner Bravo, seconded by Vice Chair Robinson, that the Action Items be Approved. The motion carried by the following vote:

No: 1 - Commissioner Ludwig O'Leary

Absent: 1 - Commissioner Kapsch

Yes: 5 - Commissioner Bravo, Commissioner Mellies II, Commissioner Sullivan, Vice Chair Robinson, and Chairman Jackson

Administrative Hearing

- 13** 813 Baptist (Patone) Lane/Jim Marsh-Piper Realty LLC (owner)
Respondent: Jim Marsh-Piper Realty LLC
Alleged Violation: Removal of (1) Spanish Lime tree without benefit of a tree removal permit.
- In accordance with Sec. 110-291 The Tree Commission entered a compliance agreement with the new property owner, to include the replacement of the after the fact removal of (1) protected Spanish Lime tree, with replanting with 7.9 caliper inches of approved FL #1 dicot tree from the approved list, to be planted on site.*
- A motion was made by Commissioner Sue Sullivan, seconded by Vice Chair Robin Robinson, that the Compliance Item be Approved. The motion passed by an unanimous vote.**
- 14** 1017 Windsor Lane/RSJ & RJJ LLC (Owner)
Respondent: RSJ & RJJ LLC
Alleged Violation: Removal of a regulated tree greater than 4" diameter without benefit of a tree removal permit.
- In accordance with Sec. 110-291 The Tree Commission entered a compliance agreement to the property owner, the replacement of the after the fact removal of regulated tree more than 4 inches in diameter, replanting with 9 caliper inches of approved FL #1 dicot tree from the approved list, to be planted on site.*
- A motion was made by Commissioner Neil S. Mellies II, seconded by Commissioner Denise Bravo, that the Compliance settlement be Approved. The motion passed by an unanimous vote.**
- 15** 618 Freeschool Lane/Miano Group Investments LTD (owner)
Respondent: Bradly Gendron-Gendron General Contracting
Alleged Violation: Tree abuse-excavation of a hole for a pool within the protected root zone of four regulated palms.
- In accordance with Sec. 110-291 The Tree Commission entered a compliance agreement with the Contractor, Bradley Gendron- Gendron General Contracting, to include a settlement fee of \$500.00, for the Alleged Violation of tree abuse-excavation of a hole for a pool within the protected root zone of 2 protected Palm Trees.*
- A motion was made by Commissioner Neil S. Mellies II, seconded by Commissioner Denise Bravo, that the Compliance Settlement Item be Approved. The motion passed by an unanimous vote.**

Public Comments

Urban Forestry Manager's Report

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January Monthly Tree Report

Assistant City Attorney's Report

Commissioner's Reports

Adjournment

6:00 PM