



City of Key West, FL

Old City Hall
510 Greene Street
Key West FL 33040

Action Minutes - Final - Final Tree Commission

Tuesday, August 12, 2014

5:00 PM

Old 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 at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

Call Meeting To Order

Pledge of Allegiance to the Flag

Roll Call

Absent 1 - Mr. Mellies II

Present 6 - Mr. Bethel, Mr. Ducote, Mr. Pichardo, Ms. Sullivan, Ms. Robinson, and Chairman Jackson

Approval of Agenda

Approval of Minutes

1 July 08, 2014 Minutes

Attachments: [July 08, 2014 TC Minutes](#)

A motion was made by Mr. Kent Ducote, seconded by Mr. Robert Bethel, that the Minutes be Approved. The motion passed by an unanimous vote.

Old Business

2 **919 White Street/T14-6869/Felix and Juanita Petitt Sr.**
Represented by: Tarzan Tree Care
Remove: 1-Royal Poinciana

Attachments: [919 White Street](#)

PUBLIC COMMENTS:

Bernard Hecht 913 White Street
Nick Downs 572 Hammock Drive
Tim McLane 913 White Street

Following applicants comments, the Public Comments and the Commissioners comments the applicants Withdrew the application stating that they would rather trim the tree..

3 61 Golf Club Drive/T14-6931/Janette Knutson Stone

Remove: 1-Horseflesh Mahogany

Attachments: [61 Golf Club Drive](#)

Due to the applicant not being present, a motion was made by Ms. Robin Robinson, seconded by Mr. Jose Pichardo, that the Action Item be Postponed. The motion passed by an unanimous vote.

New Business

4 907 Whitehead Street (Hemingway House)/T14-6970/Michael Morawski

Represented by: Larrie Busloff-Leaping Lizard

Remove: 1-Royal Poinciana

Attachments: [907 Whitehead Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Ms. Sue Sullivan, that the Action Item be Approved to remove 1-Royal Poinciana and replace with 17" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. No Public input. The motion carried by the following vote:

No: 2 - Mr. Bethel, and Vice Chair Ducote

Absent: 1 - Mr. Mellies II

Yes: 4 - Mr. Pichardo, Ms. Sullivan, Ms. Robinson, and Chairman Jackson

Excused: 0

5 1019 Flagler Avenue/T14-6971/Lawrence Carter

Represented by: Larrie Busloff-Leaping Lizard

Remove: 1-Royal Poinciana, 2-Gumbo Limbo

Attachments: [1019 Flagler Avenue](#)

A motion was made by Mr. Kent Ducote, seconded by Mr. Robert Bethel, that the Action Item be Denied. The motion passed by an unanimous vote.

6 904 Flagler Avenue/T14-6972/John Hammond

Represented by: Tarzan Tree Care

Remove: 1-Avocado

Attachments: [904 Flagler Avenue](#)

A Motion was made by Ms. Sue Sullivan, seconded by Mr. Jose Pichardo, that the Action Item be Approved to remove 1-Avocado and replace with 9.4" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion

carried by unanimous voice vote. No Public input.

7 1414 Albury Street/T14-6975/Don Gray

Represented by: Kenneth King

Remove: 1-Royal Poinciana

After-the-Fact: 1-Stopper, 1-Gumbo Limbo

Attachments: [1414 Albury Street](#)

A Motion was made by Mr. Kent Ducote, seconded by Mr. Jose Pichardo, that the Action Item be Approved to remove 1-Royal Poinciana and the AFTER-THE-FACT removal of 1-Stopper and 1-Gumbo Limbo and replace with 34.5" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

8 119-135 Simonton Street/T14-6990/Key West 07 LLC

Represented by: Carl Gilley

Final Design and Removal:

Transplant: 1-Thatch Palm, 1-Pigeon Plum

Remove: 2-Calophyllum, 1-Alexander Palm, 7-Sabal Palms

Attachments: [119-135 Simonton Street](#)

A Motion was made by Mr. Jose Pichardo, seconded by Mr. Kent Ducote, that the Action Item be Approved to approve the Final Landscape Design, remove 2-Calophyllum, 1-Alexander Palm, 7-Sabal Palms and replace with 4.6" caliper inches and 8-native palms and transplant 1-Thatch Palm, 1-Pigeon Plum, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

9 711 Simonton Street ROW/T14-6993/City of Key West

Represented by: Karen DeMaria

Remove: 1-Mahogany

Attachments: [711 Simonton Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Action Item be Approved to remove 1-Mahogany and replace with 8" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

10 409 Grinnell Street/T14-6999/Tony Weil & Ann Orr

Represented by: Carl Gilley

Remove: 1-Egg Fruit Tree

Attachments: [409 Grinnell Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Ms. Sue Sullivan, that the Action Item be Approved to remove 1-Egg Fruit Tree and replace with 7.6" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

11 916 Seminary Street/T14-7002/Paul H. Cramer

Represented by: Nick Downs-A Caring Tree Company

Remove: 1-Sapodilla

Attachments: [916 Seminary Street](#)

A motion was made by Mr. Kent Ducote, seconded by Mr. Robert Bethel, that the Action Item be Denied. The motion carried by the following vote:

No: 2 - Mr. Pichardo, and Chairman Jackson

Absent: 1 - Mr. Mellies II

Yes: 4 - Mr. Bethel, Vice Chair Ducote, Ms. Sullivan, and Ms. Robinson

Excused: 0

12

616 Eaton Street/T14-7005/FAR Niente, LLC

Represented by: Larrie Busloff-Leaping Lizard

Remove: 1-Spanish Lime, 1-Sandbox tree

Attachments: [616 Eaton Street-WITHDRAWN by Applicant](#)

Withdrawn by the applicant prior to the meeting.

13

525 Angela Street/T14-7008/City of Key West

Represented by: Terrence Justice

Remove: 1-Royal Poinciana

Attachments: [515 Angela Street](#)

A Motion was made by Ms. Sue Sullivan, seconded by Mr. Jose Pichardo, that the Action Item be Approved to remove 1-Royal Poinciana and replace with 14.5" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

14

614 Elizabeth Street/T14-7009/Brent Eckhoff

Represented by: Kenneth King

Remove: 1-Strangler Fig

Attachments: [614 Elizabeth Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Action Item be Approved to remove 1-Strangler Fig and replace with 13.2" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

15

506 Virginia Street/T14-7011/Daniel & Eleanor McConnell

Represented by: Sean McConnell & Norman Wood

Remove: 1-Sapodilla

Attachments: [506 Virginia Street](#)

A Motion was made by Mr. Jose Pichardo, seconded by Mr. Robert Bethel, that the Action Item be Approved to remove 1-Sapodilla and replace with 24" caliper

inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

16 1212-1222 Simonton Street/T14-7013/Joel Meisel

Represented by: Tyler Nielsen & Matthew Lewis

Conceptual Design: Landscape Design

Attachments: [1212-1222 Simonton Street](#)

Prior to the meeting the applicant requested to Postpone.

17 821 Georgia Street/T14-7016/Stacy C. Gray

Represented by: Rob Crider-Just Keys Trees

Remove: 1-Sapodilla

Attachments: [821 Georgia Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Jose Pichardo, that the Action Item be Approved to remove 1-Sapodilla and replace with 16" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

18 1418 Johnson Street/T14-7017/Steven McDaniel

Represented by: Rob Crider-Just Keys Trees

Remove: 1-Mahogany, 1-Pithocellibium Thorn tree

Attachments: [1418 Johnson Street](#)

A Motion was made by Mr. Kent Ducote, seconded by Mr. Robert Bethel, that the Action Item be Approved to remove 1-Sapodilla, 1-Pithocellibium Thorn tree and replace with 22.8" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

19 630 Elizabeth Street/T14-7018/James Heslin

Represented by: Rob Crider-Just Keys Trees

Remove: 1-Spanish Lime

Attachments: [630 Elizabeth Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Ms. Sue Sullivan, that the Action Item be Approved to remove 1-Spanish Lime and replace with 18.4" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

20 906 Florida Street/T14-7020/Sheila Moore

Represented by: Mama's Garden Center

Remove: 1-Mahogany, 1-Avocado

Attachments: [906 Florida Street](#)

A Motion was made by Mr. Jose Pichardo, seconded by Mr. Robert Bethel, that the Action Item be Approved to remove 1-Mahogany, 1-Avocado and replace

with 15.6" caliper inches, FL#1, native dicot, or fruit trees to be planted on site.
The motion carried by unanimous voice vote. No Public input.

Administrative Hearing

21

616 Whitehead Street / Steven Eid (Owner)

Respondent: Jack Sengupta and Jimmy Whitley

Improper and unauthorized trimming of 2 Spanish Lime trees

Attachments: [616-618 Whitehead Street - Administrative Hearing](#)

Neither respondent was present at the meeting but Mr. Jack Sengupta was in correspondence with the City of Key West Urban Forestry Manager and had indicated his wishes to enter into a Compliance Settlement Agreement with the Tree Commission. A motion was made by Ms. Robin Robinson, seconded by Mr. Robert Bethel, that:

- 1) The respondent (Jimmy Whitley) shall pay a fine of \$500 to the City of Key West Fund.
- 2) The respondent (Jack Sengupta) shall hire a certified arborist to maintenance trim the (2) Spanish Lime trees within (3) months of the date of the signed document and shall make sure that the property owner (Steven Eid) gives his permission for access to the property in order for the arborist to trim the tree. Also, the respondent (Jack Sengupta) shall hire a certified arborist to maintenance trim the (2) Spanish Lime trees (1) year from the date of the first trim and have the City of Key West Urban Forestry Manager inspect the tree after each maintenance. The respondent (Jack Sengupta) is to agree to always use a certified arborist for any future tree trimming work.

22

532 Fleming Street / Shirlee Ezmirly (Owner)

Respondent: Shirlee Ezmirly

Tree abuse of 1 Royal Poinciana tree

Attachments: [532 Fleming Street - Administrative Hearing](#)
 [532 Fleming Street - Public Comments](#)

When asked by the Tree Commission Chairman David Jackson, the respondent (Shirlee Ezmirly) indicated her wishes to enter into a Compliance Settlement Agreement with the Tree Commission. A motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that:

The respondent (Shirlee Ezmirly) shall hire a certified arborist to document the health of the entire tree and submit a report to the Tree Commission that includes a plan to repair the drill holes and a recommendation as to the future of the tree, within (3) months of the date of the signed document. The respondent (Shirlee Ezmirly) shall also hire an entomologist to determine the extent of any insect infestation in the tree and submit a report to the Tree Commission that includes a plan to repair the drill holes and properly treat the tree, within (3) months of the date of the signed document. The City of Key West Urban Forestry Manager shall review the requested documents and determine the best course of future action for the tree. The respondent (Shirlee Ezmirly) shall pay a fine of \$1000 to the City of Key West Tree fund within (6) months of the final date of the agreement.

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Discussion and Vote to Purchasing Tree Planting Supplies

A motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Action Item be Approved to allow the purchase of tree planting supplies. The motion passed by an unanimous vote.

Public Comments**PUBLIC COMMENTS:**

Victor Larsen - 1315 Petronia Street and 514 Louisa Street. Mr. Larsen stated that new owners to the island need to be educated as to the value of the trees on the island and not simply be allowed to remove the old trees in order to put in pools and/or do complete new landscape plans.

Urban Forestry Program Manager Report

24

July 2014 Tree Applications Monthly Report

Attachments: [July 2014 TC Monthly Report](#)

Received and Filed

Assistant City Attorney Report**Comments from Commissioners****Adjournment**

7:44 pm