



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final - Final Tree Commission

---

Tuesday, September 9, 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

### Roll Call

**Absent** 2 - Mr. Pichardo, and Ms. Sullivan

**Present** 5 - Mr. Bethel, Mr. Ducote, Mr. Mellies II, Ms. Robinson, and Chairman Jackson

### Pledge of Allegiance to the Flag

### Approval of Agenda

### Approval of Minutes

1 August 12, 2014 Minutes

**Attachments:** [August 12, 2014 Minutes](#)

Mr. Kent Ducote requested one correction to item #7 - the addition of allowing for a Royal Poinciana to be planted as an option for the required plantings.

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

### Old Business

2 **1212-1222 Simonton Street/T14-7013/Joel Meisel**  
**Represented by:** Tyler Nielsen & Matthew Lewis  
**Conceptual Design:** Landscape Design

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

A Motion was made by Mr. Kent Ducote, seconded by Ms. Robin Robinson, to Approve the Conceptual Landscape Design. No Public input.

- 3**                                **707 South Street/T14-7030/Gary Turchin**  
**Represented by:** Craig Reynolds Landscape Architecture/Alex  
**Remove:** 2-Royal Poinciana, 2-Strangler Fig trees

**Attachments:**        [707 South Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Neil Mellies II, that the Action Item be Approved to remove 2-Royal Poinciana, 2-Strangler Fig trees 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.

## New Business

- 4**                                **123 Ann Street ROW/T14-7040/City of Key West**  
**Represented by:** Karen DeMaria  
**Remove:** 1-Mahogany

**Attachments:**        [123 Ann Street ROW](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Robert Bethel, that the Action Item be Approved to remove 1-Mahogany and replace with 8.9" caliper inches, FL#1, native dicot, or fruit trees to be planted on City property. The motion carried by unanimous voice vote. No Public input.

- 5**                                **631 Whitehead Street/T14-7041/Key Lime Inn, Inc**  
**Represented by:** Kenneth King  
**Remove:** 1-Frangipani, 1-Gumbo Limbo

**Attachments:**        [631 Whitehead Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Action Item be Approved to remove 1-Frangipani, 1-Gumbo Limbo and replace with 27.3" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

- 6**                                **401 Duval Street (St. Paul's Old Rectory)/T14-7044/St. Paul's Episcopal Church (Larry D. Hooper)**  
**Represented by:** Sandy Lee  
**Remove:** 1-Pandarus

**Attachments:**        [401 Duval Street](#)

A Motion was made by Mr. Kent Ducote, seconded by Ms. Robin Robinson, that the Action Item be Approved to remove 1-Pandarus and replace with 3.8" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

- 7**                                **321 Mickens Lane/T14-7054/Malcolm Burgis**  
**Represented by:** Kenneth King  
**Remove:** 1-Gumbo Limbo

**Attachments:**     [321 Mickens Lane](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Robert Bethel, that the Action Item be Approved to remove 1-Gumbo Limbo and replace with 16.7" 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                    **921 Truman Avenue/T14-7055/Robert and Noreen Pollman**  
**Represented by:** Craig Reynolds Landscape Architecture/Alex  
**Conceptual Design:** Landscape Design

**Attachments:**     [921 Truman Avenue](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Conceptual Landscape Design be Approved. The motion carried by unanimous voice vote. No Public input.

- 9                    **614 Whitehead Street/T14-7056/City of Key West**  
**Represented by:** Karen DeMaria  
**Remove:** 1-Royal Poinciana

**Attachments:**     [614 Whitehead Street ROW](#)

A Motion was made by Mr. Kent Ducote, seconded by Ms. Robin Robinson, that the Action Item be Approved to remove 1-Royal Poinciana and replace with 19.7" caliper inches, FL#1, native dicot, or fruit trees to be planted on City property. The motion carried by unanimous voice vote. No Public input.

- 10                   **720 Emma Street/T14-7058/Victor Cushman**  
**Represented by:** Nick Downs-A Caring Tree Company  
**Remove:** 2-Strangler Fig

**Attachments:**     [720 Emma Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Action Item be Approved to remove 2-Strangler Fig and replace with 24.8" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

- 11                   **616 Eaton Street/T14-7059/Mark and Kris Serbinski**  
**Represented by:** Nick Downs-A Caring Tree Company  
**Remove:** 1-Sandbox

**Attachments:**     [616 Eaton Street](#)

During Agenda Approval, a Motion was made by Mr. Robert Bethel, seconded by Ms. Robin Robinson, that the Action Item be Postponed per the request of the applicant. The motion carried by unanimous voice vote. No Public input.

- 12                   **729-733 Whitehead Street/T14-7060/George T. Pallas**  
**Represented by:** Rob Crider-Just Keys Trees  
**Remove:** 1-Non-native Ficus

**Attachments:**     [729-733 Whitehead Street](#)

A Motion was made by Mr. Kent Ducote, seconded by Ms. Robin Robinson, that the Action Item be Approved to remove 1-Non-native Ficus and replace with 7" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

13

**1001 James Street/T14-7061/Keys Energy Service (Walter Cashwell)**

**Represented by:** Bender & Associates (Haven Burkee)

**Final Design and Removal:**

**Remove:** 1-Seven Year Apple, 1-Mastic, 1-Bahama Strongbark, 1-Blolly, 1-Simpson Stopper, 4-Silver Buttonwood, 5-Spanish Stoppers, 5-Crabwood, and 2-Royal Palms. **Transplant:** 2-Thatch Palms, 3-Sabal Plams, and 2-Buccaneer Palms

**Attachments:**     [1001 James Street](#)

A Motion was made by Mr. Kent Ducote, seconded by Mr. Robert Bethel, to approve the Final Landscape Design with the removal of 1-Seven Year Apple, 1-Mastic, 1-Bahama Strongbark, 1-Blolly, 1-Simpson Stopper, 4-Silver Buttonwood, 5-Spanish Stoppers, 5-Crabwood, and 2-Royal Palms and the relocation/ transplantation of 2-Thatch Palms, 3-Sabal Palms, and 2-Buccaneer Palms and replace with 32" caliper inches, FL#1, native dicot, or fruit trees and 2-native palms to be planted on site. The motion carried by unanimous voice vote. No Public input.

14

**1315 Whitehead Street/T14-7063/Southwhitehead LLC**

**Represented by:** Trepanier & Associates and Ladd Roberts-Landwise Design

**Conceptual Design:** Landscape Design

**Attachments:**     [1315 Whitehead Street](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Kent Ducote, that the Conceptual Landscape Design be Approved. The motion carried by unanimous voice vote. No Public input.

15

**1300 S. Roosevelt Blvd ROW (Duck Avenue)/T14-7066/City of Key West**

**Represented by:** Karen Olson/Karen DeMaria

**Remove:** 3-Royal Poinciana

**Attachments:**     [1300 S Roosevelt Boulevard ROW \(Duck Avenue\)](#)

A Motion was made by Ms. Robin Robinson, seconded by Mr. Neil Mellies II,, that the Action Item be Approved to remove 3-Royal Poinciana and replace with 6.6" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

16

**713 White Street (Peary Court Cemetary)/T14-7067/City of Key West**

**Represented by:** Karen DeMaria/Russell Brittain

**Remove:** 1-Gumbo Limbo, 1-Pithocellobium Thorn tree

**Attachments:**     [713 White Street](#)

A Motion was made by Mr. Kent Ducote, seconded by Ms. Robin Robinson, that the Action Item be Approved to remove 1-Gumbo Limbo, 1-Pithocellobium Thorn tree and replace with 21.2" caliper inches, FL#1, native dicot, or fruit trees to be planted on site. The motion carried by unanimous voice vote. No Public input.

## Administrative Hearings

17

**415 Bahama Street / Bahama 415 LLC (Owner)**

**Respondent:** South Wind Pools

**Tree abuse - No tree protection during construction**

**Attachments:**     [415 Bahama Street](#)

When asked by the Tree Commission Chairman David Jackson, the respondent Bob Sunderman of Southwind Pools indicated his desire 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 shall:

- 1) Pay a fine of \$250 to the City of Key West Tree Fund.
- 2) Create a Tree Protection Training Plan for his employees and a copy of the plan be submitted to the City of Key West Urban Forestry Manager.

**No:** 2 - Mr. Bethel, and Mr. Mellies II

**Absent:** 2 - Mr. Pichardo, and Ms. Sullivan

**Yes:** 3 - Vice Chair Ducote, Ms. Robinson, and Chairman Jackson

**Excused:** 0

18

**3810 Flagler Avenue / 3810 Flagler Avenue LLC (Owner)**

**Respondent:** Pinewood Enterprises, Inc

**Improper and unauthorized cutting of the roots of two (2) large diameter Mango trees**

**Attachments:**     [3810 Flagler Avenue](#)

When asked by the Tree Commission Chairman David Jackson, the respondent Pinewood Enterprises, Inc. indicated their desire 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 shall:

- 1) Pay a fine of \$250 to the City of Key West Tree Fund.
- 2) Create a Tree Protection Training Plan for their employees and sub-contractors. A copy of the plan will be submitted to the City of Key West Urban Forestry Manager.
- 3) Hire a Certified Arborist to evaluated the Mango trees 1 year from the date of the signed agreement. A report will be submitted to the Urban Forestry

Manager to determine if additional action is required. If trees are declining in health, then possible replacements might be required. If trees are in good health, then file will be closed with no additional action necessary.

**No:** 2 - Mr. Bethel, and Mr. Mellies II

**Absent:** 2 - Mr. Pichardo, and Ms. Sullivan

**Yes:** 3 - Vice Chair Ducote, Ms. Robinson, and Chairman Jackson

**Excused:** 0

**19**

**2315 N. Roosevelt Blvd / City of Key West (Owner)**

**Respondent:** Key West Yacht Club

**Improper trimming and unauthorized removal of mangrove trees**

**Attachments:**     [2315 N. Roosevelt Boulevard](#)  
[KWYC Settlement Recommendation 9-8-14](#)

When asked by the Tree Commission Chairman David Jackson, the respondent the Key West Yacht Club indicated their desire to enter into a Compliance Settlement Agreement with the Tree Commission. A motion was made by Mr. Kent Ducote, seconded by Ms. Robin Robinson, that:

The respondent shall:

- 1) With State of Florida approval, shall hire a professional mangrove trimmer / Certified Arborist to properly trim the mangrove trees along North Roosevelt Boulevard.
- 2) Plant a minimum of 24 caliper inches of FL#1 native dicot trees (not mangroves) onto the property.
- 3) Remove invasive / exotic vegetation from the property (Brazilian Pepper and Thespesia Popuinea / Seaside Mahoe)
- 4) Plant according to current 'Best Management Practices'. Consistent with permitting requirements, the replacement trees shall remain alive for a minimum of 1 year or be replaced with like.
- 5) The City of Key West Urban Forestry Manager be contacted for inspection of required tree installation.

**Public Comments**

**Urban Forestry Program Manager Report**

**20**

**August 2014 Tree Applications Monthly Report**

**Attachments:**     [August 2014 TC Monthly Report](#)

Received and Filed

**Assistant City Attorney Report**

**Comments from Commissioners**

**Adjournment**

