



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final - Final Tree Commission

---

Wednesday, September 16, 2015

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 1-800-955-8771 or for voice 1-800-955-8770 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. Mellies II, and Ms. Sullivan

**Present** 4 - Mr. Atwell, Ms. Bravo, Ms. Robinson, and Mr. Jackson

### Pledge of Allegiance to the Flag

### Approval of Agenda

*When asked by Chairman David Jackson if there were any changes to the agenda, Ms. Karen DeMaria responded there were none.*

*A motion was made by Mr. Tim Atwell, seconded by Ms. Denise Bravo, that the agenda be approved. The motion carried by unanimous voice vote.*

### Approval of Minutes

1 August 11, 2015 Minutes

**Attachments:** [August 11, 2015 Minutes](#)

**A motion was made by Vice Chair Robin Robinson, seconded by Ms. Denise Bravo, that the Minutes be Approved. The motion passed by an unanimous vote.**

### Old Business

2 **822 Eaton Street/T15-7516/Kate Douglas**  
**Represented by:** Nick Downs-A Caring Tree Company  
**Removal:** 1-Sapodilla

**Attachments:** [822 Eaton Street](#)

**In accordance with Sec. 110-327, a Motion was made by Ms. Robin Robinson, seconded by Mr. Tim Atwell, that the Action Item be Approved to remove 1-Sapodilla at 822 Eaton Street and replace with 22.9" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.**

## New Business

**3 3401 Eagle Avenue/T15-7524/Carl and Marcia Davis**

**Represented by:** John Cole-Shade Tree Services

**Removal:** 1-Mahogany

**Attachments:** [3401 Eagle Avenue](#)

**In accordance with Sec. 110-327, a Motion was made by Ms. Robin Robinson, seconded by Ms. Denise Bravo, that the Action Item be Approved to remove 1-Mahogany at 3401 Eagle Avenue and replace with 15" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.**

**4 2312 Staples Avenue/T15-7542/Mike May**

**Represented by:** Steve Shipiro

**Removal:** 1-Spanish Lime

**Attachments:** [2312 Staples Avenue](#)

**In accordance with Sec. 110-327, a Motion was made by Mr. Tim Atwell, seconded by Ms. Denise Bravo, that the Action Item be Approved to remove 1-Spanish Lime at 2312 Staples Avenue and replace with 4.6" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.**

**5 3740 Duck Avenue/T15-7546/Christopher Santoro**

**Removal:** 1-Strangler Fig

**Attachments:** 3740 Duck Avenue

**In accordance with Sec. 110-327, a Motion was made by Ms. Denise Bravo, seconded by Ms. Robin Robinson, that the Action Item be Approved to remove 1-Strangler Fig at 3740 Duck Avenue and replace with 7" caliber inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.**

**6 1314 Petronia Street/T15-7552/Jonathon Kass**

**Represented by:** Native Landscape Design-Scott Montgomery

**Removal:** 1-Mango

**Attachments:** 1314 Petronia Street

In accordance with Sec. 110-327, a Motion was made by Ms. Denise Bravo, seconded by Mr. Tim Atwell, that the Action Item be Approved to remove 1-Mango at 1314 Petronia Street and replace with 7" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.

**7 2825 Flagler Avenue/T15-7553/John Herndon**

**Represented by:** Tarzan Tree Care

**Removal:** 1-Strangler Fig

**Attachments:**     [2825 Flagler Avenue](#)

In accordance with Sec. 110-327, a Motion was made by Mr. Tim Atwell, seconded by Ms. Denise Bravo, that the Action Item be Approved to remove 1-Strangler Fig at 2825 Flagler Avenue and replace with 11" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.

**8 1000 Southard Street/T15-7554/Anne Ferrara**

**Represented by:** Kenneth King

**Removal:** 1-Avocado

**Attachments:**     [1000 Southard Street](#)

Due to the applicant not being present, a motion was made by Vice Chair Robin Robinson, seconded by Ms. Denise Bravo, that the Action Item be Tabled to the end of the meeting.. The motion passed by an unanimous vote.

In accordance with Sec. 110-327, a Motion was made by Mr. Tim Atwell, seconded by Ms. Robin Robinson, that the Action Item be Approved to remove 1-Avocado at 1000 Southard Street and replace with 12" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input

**9 928 United Street/T15-7556/Kenneth and Sandra Kophamer**

**Represented by:** Richard Judge

**Removal:** 1-Gumbo Limbo

**Attachments:**     [928 United Street](#)

In accordance with Sec. 110-327, a Motion was made by Ms. Denise Bravo, seconded by Mr. Tim Atwell, that the Action Item be Approved to remove 1-Gumbo Limbo at 928 United Street and replace with 15" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.

**10 6 Pinder Lane/T15-7557/William John Marraccini**

**Represented by:** Rob Crider-Just Keys Trees /

Alex Thommes-Craig Reynolds Landscape Architect

**Removal:** 1-Royal Poinciana

**Attachments:**     [6 Pinder Lane](#)

In accordance with Sec. 110-327, a Motion was made by Mr. Tim Atwell, seconded by Ms. Denise Bravo, that the Action Item be Approved to remove 1-Royal Poinciana at 6 Pinder Lane and replace with 17.8" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.

11

**603 Elizabeth Street/T15-7558/KDC Properties Of Key West**

**Represented by:** Rob Crider-Just Keys Trees

**Removal:** 1-Royal Poinciana

**Attachments:**     [603 Elizabeth Street](#)

In accordance with Sec. 110-327, a Motion was made by Ms. Denise Bravo, seconded by Mr. Tim Atwell, that the Action Item be Approved to remove 1-Royal Poinciana at 603 Elizabeth Street and replace with 25" caliper inches, FL#1, native dicot, or fruit trees from the approved list, to be planted on site. The motion carried by unanimous voice vote. No Public input.

12

**410-414 Simonton Street & 411 Bahama Street/T15-7560/Inter-Ocean Holdings**

**Represented by:** Alex Thommes-Craig Reynolds Landscape Architect  
**Conceptual Landscape Design**

**Attachments:**     [410-414 Simonton Street & 411 Bahama Street - Conceptual Landscape Design](#)

In accordance with Sec. 110-327, a Motion was made by Ms. Robin Robinson, seconded by Mr. Tim Atwell, that the Action Item be Approved for the Conceptual Landscape Design Plan for 410-414 Simonton Street and 411 Bahama Street. The motion carried by unanimous voice vote. No Public input.

## Administrative Hearings

13

**409 Frances Street / Glenn Kapsch (Owner)**

**Respondent:** Jerry J. Harvey II

**Alleged Violation:**

Tree abuse - Improper and unauthorized trimming of 2 Silver Buttonwood trees

**Attachments:**     [409 Frances Street - Administrative Hearing](#)

When asked by the Tree Commission Chairman David Jackson, if the respondent would like to enter into a Compliance Settlement Agreement with the Tree Commission, Ms. Ashley Sybesma, the representative for Jerry J. Harvey, stated her client agrees with the proposed terms of the Compliance Settlement Agreement, which were that with the owner's approval, plant 21" caliper inches, FL#1, native dicot, or fruit trees from the approved list at 409 Frances Street, that an arborist be hired to examine the existing trees, making any necessary proper cuts, determine the overall tree health and yearly monitor the long term trees condition for a period of 3 years and that Mr.

Harvey be fined \$500. Ms. Karen DeMaria interjected stating that she had been in contact with the owner of 409 Frances Street and due to space restrictions it would be best to require the planting of two (2) 8' trees instead. Ms. Ashley Sybesma agreed to the change.

A motion was made by Ms. Robin Robinson, seconded by Ms. Denise Bravo, that:

Mr. Jerry J. Harvey, with the owner's approval, plant two (2) 8', FL#1, native dicot, or fruit trees from the approved list at 409 Frances Street, that an arborist be hired to examine the existing trees, making any necessary proper cuts, determine the overall tree health and yearly monitor the long term trees condition for a period of 3 years and that Mr. Harvey be fined \$500. The motion carried by unanimous voice vote. No Public input.

14

**428 Greene Street / Joseph Farber and Richard Johnson (Owners)**

**Respondent:** Islandsclaping (David Cunningham)

**Alleged Violation:**

Tree abuse - Improper and unauthorized trimming of 1 Strangler Fig

**Attachments:**      [428 Greene Street - Administrative Hearing](#)  
[Arborist Evaluation](#)

When asked by the Tree Commission Chairman David Jackson if he would like to enter into a Compliance Settlement Agreement with the Tree Commission, the respondent, David Cunningham of Islandsclaping stated he would like to enter into a Compliance Settlement Agreement with the Tree Commission.

In accordance with Sec. 110-327, a Motion was made by Mr. Tim Atwell, seconded by Ms. Denise Bravo, that the respondent shall pay a fine of \$2000 and the property owner shall pay a fine of \$3000. The motion carried by unanimous voice vote. No Public input.

In accordance with Sec. 110-327, a Motion was made by Ms. Denise Bravo, seconded by Mr. Tim Atwell, that the property owner shall:

- 1) Hire an International Society of Arboriculture certified arborist to administer ANSI A300 pruning standards.
- 2) If required, Cable remaining lions tailed branch, to reduce likelihood of branch failure. Correctly prune recent cuts. Correctly prune ripped cut below the point of the tear to allow the wound to seal over properly, if possible, or trace ripped wound to allow closure.
- 3) Inspect tree quarterly for first year to remove dead branches and evaluate trees condition, then annually for 5 years.
- 4) Adventitious sprouts shall be allowed to remain and develop on entire tree for minimum of 2 years. Then clean, reduce, and thin, sprouts along the entire length of the limbs removing not more than 10% of sprouting. Adventitious sprouts are in response to over pruning in an attempt to replace the stored energy. Wait until sprout growth slows before next pruning visit.
- 5) Due to the condition, maturity and setting of the tree large branches shall not be allowed to develop.
- 6) No live branches larger than 3 inches diameter shall be removed without prior approvals and/or permits.
- 7) A written evaluation should be submitted to owner and Urban Forestry Manager at end of second and fifth year to determine whether the tree is recovering or declining and make any adjustments to procedures if required.

The motion carried by unanimous voice vote. No Public input.

## **Public Comments**

## **Urban Forestry Program Manager's Report**

15

August 2015 TC Monthly Report

**Attachments:**    [August 2015 TC Monthly Report](#)

Received and Filed

## **Assistant City Attorney's Report**

## **Comments from Commissioners**

## **Adjournment**