



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Tree Commission

Tuesday, November 12, 2019

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.

ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting To Order - 5:04 P.M.

Roll Call

Absent 2 - Mr. Mellies II, and Chairman Jackson

Present 5 - Ms. Bravo, Ms. Cabanas, Mr. McRAE, Vice Chair Pope, and Mr. Stotts

Pledge of Allegiance to the Flag

Approval of Agenda - The agenda was unanimously approved as amended.

Approval of Minutes

1 October 8, 2019

Attachments: [Minutes](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Jeff Stotts, that the Minutes be Approved. The motion passed by an unanimous vote.

Old Business

- 2 916 Elizabeth Street (Chelsea House 2)/T2019-0412/KHP IV Key West LLC and City of Key West
Represented by: Michael McCoy-New Leaf Environmental
Requesting approval to remove (1) Tamarind tree.

Attachments: [Updated Staff Report](#)
 [Additional Information and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Tamarind tree, at 916 Elizabeth Street to be replaced with 22.5 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 1 - Commissioner Stotts

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 4 - Commissioner Bravo, Commissioner Cabanas, Commissioner McRAE, and Vice Chair Pope

New Business

- 3 Approval of 2020 Tree Commission Meeting Calendar

Attachments: [2020 Tree Commission Meeting Calendar](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, that the Action Item be Approved. The motion passed by an unanimous vote.

- 4 1610 South Street/T2019-0460/Andrew Fisher
Represented by: Tom Simonson
Requesting approval to remove (1) Oleander tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Misha McRAE, in accordance with Sec.110-327, to approve the removal of (1) Oleander tree, at 1610 South Street to be replaced with 5.7 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by a unanimous vote.

- 5 610 Duval Street/T2019-0469/610 Duval LLC-Frank Strafaci
Represented by: Sean Creedon-Treeman LLC
Requesting approval to remove (1) Avocado tree and Royal Poinciana tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1)Avocado tree, at 610 Duval Street to be replaced with 11.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 2 - Vice Chair Pope, and Commissioner Stotts

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana tree, at 610 Duval Street to be replaced with 9.6 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 1 - Vice Chair Pope

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 4 - Commissioner Bravo, Commissioner Cabanas, Commissioner McRAE, and Commissioner Stotts

- 7 609 Duval Street/T2019-0471/Old Town Key West Development LTD
Represented by: Frank Herrada
Requesting approval to remove (1) Mahogany and (1) Royal Poinciana tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Jeff Stotts, in accordance with Sec. 110-328(1) that the removal of the Mahogany tree at 609 Duval Street be denied due to the species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion passed by a unanimous vote.

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Royal Poinciana tree, at 610 Duval Street to be replaced with 9.1 caliper inches of Royal Poinciana tree. The motion carried by the following vote:

No: 2 - Vice Chair Pope, and Commissioner Stotts

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

- 9 1109 Varela Street/T2019-0472/John Anderson & Kevin Broomell
Requesting approval to remove (1) Mango tree.

Attachments: [Report and Application](#)

A motion was made by Commissioner Cabanas, seconded by Commissioner Bravo, in accordance with Sec.110-327, to approve the removal of (1) Mango tree, at 1109 Varela Street to be replaced with 10.4 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 2 - Vice Chair Pope, and Commissioner Stotts

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

- 10 1007 Thomas Street/T2019-0474/Stephanie Nadeau
Represented by: Kenneth King
Requesting approval to remove (1) Royal Poinciana tree.

Attachments: [Report and Application](#)

Vice Chair Russell Pope passed the gavel to Commissioner Denise Bravo in order to make a motion, seconded by Commissioner Jeff Stotts, in accordance with Sec. 110-328(1) that the removal of the Royal Poinciana at 1007 Thomas Street be denied due to the species, size, champion tree status, historical importance and/or condition of the tree make it a unique or rare specimen. The motion passed by a unanimous vote.

- 11 1226 South Street/T2019-0476/Matthew Reed
Represented by: Kenneth King
Requesting approval to remove (1) Spanish Stopper and (1) Simpson Stopper.

Attachments: [Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Spanish Stopper tree and (1) Simpson Stopper tree, at 1226 South Street to be replaced with 8.0 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 1 - Commissioner Stotts

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 4 - Commissioner Bravo, Commissioner Cabanas, Commissioner McRAE, and Vice Chair Pope

- 12 1213 14th Street Lot 224/T2019-0478/Island West
Investment Corp
Represented by: Cameron Norris
Requesting approval to remove (1) Strangler Fig tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Strangler Fig tree, at 1213 14th Street to be replaced with 14.4 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 13 101 Front Street Unit 1/T2019-0481/Mike Miltko
Represented by: John Harrison-DOT Palm
Requesting approval to remove (1) Strangler Fig tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, in accordance with Sec.110-327, to approve the removal of (1) Strangler Fig tree, at 101 Front Street to be replaced with 16.3 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 14 1116 Varela Street/T2019-0483/Shawn & Donna Harman
Requesting approval to remove (1) Strangler Fig tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

Vice Chair Russell Pope passed the gavel to Commissioner Denise Bravo in order to make a motion, seconded by Commissioner Jeff Stotts, in accordance with Sec. 110-328(1) and (2) that the removal of the Strangler Fig at 1116 Varela Street be denied due to the species, size, champion tree status, historical importance, location and/or condition of the tree make it a unique or rare specimen. The motion carried by the following vote:

No: 1 - Commissioner Cabanas

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 4 - Commissioner Bravo, Commissioner McRAE, Vice Chair Pope, and Commissioner Stotts

- 15 601 Caroline Street/T2019-0485/KHP IV Key West LLC
Represented by: John Cole-Shade Tree Inc
Requesting approval to remove (1) Avocado, (1) Jatropha,
and (1) Frangipani tree.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Bravo, seconded by Commissioner McRAE, in accordance with Sec.110-327, to approve the removal of (1) Avocado tree, (1) Jatropha tree, and (1) Frangipani tree at 601 Caroline Street to be replaced with 19.0 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion carried by the following vote:

No: 2 - Vice Chair Pope, and Commissioner Stotts

Absent: 2 - Commissioner Mellies II, and Chairman Jackson

Yes: 3 - Commissioner Bravo, Commissioner Cabanas, and Commissioner McRAE

- 16 420 Grinnell Street/T2019-0490/William & Brandi Shapiro
Represented by: Kenneth King
Requesting approval to remove (3) Japanese Blueberry
trees.

Attachments: [\(LARGE FILE\) Report and Application](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Tonya Cabanas, in accordance with Sec.110-327, to approve the removal of (3) Japanese Blueberry trees, at 420 Grinnell Street to be replaced with 14.1 caliper inches of dicot or fruit trees from the approved list, FL#1, to be planted on site. The motion passed by an unanimous vote.

- 17 Review of Heritage Tree Applications

Attachments: [2019 Applications List](#)

Postponed

Administrative Hearing

- 18 1900 and 1908 Flagler Avenue/1900 Flagler Avenue-Geary Management Company, Inc (Shanna Key-owner) and 1908 Flagler Avenue Corp (owner)
Respondent: Geary Management Company, Inc
The topping of (8) dicot trees including Strangler Fig and Jamaican Dogwood trees, without benefit of a tree removal or heavy maintenance trimming permit.

Attachments: [\(LARGE FILE\) Administrative Notice and Staff Report](#)
 [\(LARGE FILE\) Updated Staff Report](#)
 [Update Administrative Hearing Notice](#)

A motion was made by Commissioner Jeff Stotts, seconded by Commissioner Denise Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent for the topping of (8) dicot trees including Strangler Fig and Jamaican Dogwood trees without benefit of a permit. The respondent was given permission to remove the topped trees and he agreed to replant 55.3 caliper inches of approved dicot trees, FL#1, from approved list, to be planted onsite. The motion passed by a unanimous vote.

- 19 Mallory Square/City of Key West (owner)
Respondent: PAC Comm, Inc
One Coconut Palm was removed without benefit of a tree removal permit and (1) Gumbo Limbo tree was severely damaged by machinery during construction activities (tree abuse).

Attachments: [Notice and Report](#)

A motion was made by Commissioner Denise Bravo, seconded by Commissioner Jeff Stotts, to find that (1) Coconut Palm tree was removed without benefit of a tree removal permit and (1) Gumbo Limbo tree was irreparably damaged by machinery during construction activities (tree abuse) at Mallory Square and that payment withheld by the City Engineering Department in the amount of \$4,617.50 for the tree issues do satisfy the complaint. The motion passed by an unanimous vote.

- 20 257 Margaret Street (Key West Historic Seaport)/City of Key West (owner)
Respondent: Sea Tech of the Florida Keys, Inc.
Several trunks in (2) Christmas Palm clumps were damaged during construction activities (tree abuse).

Attachments: [Hearing Notice](#)
 [Staff Report](#)

A motion was made by Commissioner Jeff Stotts, seconded by Commissioner Denise Bravo, in accordance with Sec. 110-291, that the City of Key West enter into a compliance settlement agreement with the respondent, for several trunks in (2) Christmas Palm clumps were damaged during construction activities (tree abuse) at 257 Margaret Street without benefit of a permit. The respondent agreed to plant 4 Thatch Palms 6-8 feet tall in the area as outlined on the staff report. The motion passed by an unanimous vote.

Reports

- 21 Urban Forestry Manager's Report

Attachments: [Monthly Report](#)

Received and Filed

Assistant City Attorney's Report

Public Comments

Commissioner Comments

Adjournment - 7:11 P.M.