

Approved December 19, 2019

**TREE COMMISSION MINUTES**

**JANUARY 17, 2017 - 5:30 P.M.**

**PARKS AND RECREATION HEADQUARTERS**

**MEMBERS:**

X	Dr. Maurice Holt, Chair
X	Terry Plauche, Vice-Chair
X	William Rooks, Sec/Treasurer
X	Dr. Rip Pfeiffer
	Cleve Formwalt
X	Jesse McDaniel
	Evan Cox

**STAFF:**

X	Parks and Recreation	Matthew Capps
X	Urban Forestry	Peter Toler
X	Alabama Power	Eric Garret
X	Planning & Zoning	Richard Olsen
X	Legal	Melissa Mutert

Dr. Holt called the meeting to order at 5:30 P.M. and confirmed that the number of members present represented a quorum.

**TREASURER'S REPORT:**

Mr. Rooks presented the Treasurer's Report with an ending balance of \$13,354.57. A motion was made by Dr. Pfeiffer, with second by Mr. Plauche, to approve the Treasurer's Report.

The motion carried unanimously.

**PERMIT REQUESTS:**

**P-2017-001**

**Michael Spina**

**1252 Government Street**

**(North side of Government Street, 55'± West of Georgia Avenue)**

**Remove two Live Oaks, one 22" and one 5"**

Michael Spina, 1252 Government Street, Mobile, AL, spoke on his own behalf and stated that he owned this property and was opening a restaurant. His request was to remove the two trees in the right-of-way as he had difficulty himself in locating the entrance when travelling east, and he felt others would have equal problems finding the entrance. He further stated that a street sign also caused a visibility problem. This property was vacant for a number of years, and he thought that visibility may have been part of the problem.

After discussion, a motion was made by Mr. Rooks, with second by Mr. Plauche, to deny the request to remove the 22" live oak, and approve removal of the 5" live oak, subject to the

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following:

1. Urban Forestry to remove the 5" live oak while on site performing trimming on the 22" live oak; and
2. Donation of two (2) live oaks to be planted at another location in City of Mobile right-of-way by Urban Forestry. Donation to be in the form of a check for \$200.00 per tree (\$400.00 total) to the Mobile Tree Commission, with a subsequent check from the Commission for \$400.00 then written to Urban Forestry.

The motion carried unanimously.

### **P-2017-002**

**Joseph N. Asarisi**

**3151 Dauphin Street**

**(Southwest corner of Dauphin Street and Pierpont Drive West)**

**Remove one 18" Live Oak**

Joseph N. Asarisi, Asarisi and Associates, 6348 Piccadilly Square Drive, Suite 215, Mobile, AL, spoke on behalf of the property owner, DPG Shopping Centers, LLC, and stated that the existing turn-out onto Dauphin Street from the site did not meet city standards. The only way to meet city standards and remain within the property boundaries was to remove the 18" oak tree. The radius doesn't go into the tree, but it would be right up against it so they would lose the tree anyway. Although the recommendation is for hold-over, he requested that they be allowed to proceed as the contractor is well into construction, the site work is nearing completion, and this issue was holding it up.

After discussion, a motion was made by Mr. McDaniel, with second by Mr. Rooks, that the applicant was to request permission for the curb cut radius to extend beyond the west property line and encroach into the frontage of the adjacent property to the west from that property owner with the following conditions:

- If there is an agreement, the drive way shall shift to the west to provide area around the tree in question.
- If an agreement cannot be reached, the permit is approved, subject to the following conditions:
  1. Submission of documentation that the adjacent property owner did not grant permission for the radius to extend in front of their property;
  2. Donation of two (2) live oaks to be planted at another location in City of Mobile right-of-way by Urban Forestry. Donation to be in the form of a check for \$200.00 per tree (\$400.00 total) to the Mobile Tree Commission, with a subsequent check from the Commission for \$400.00 then written to Urban Forestry

The motion carried with Mr. Plauche recused.

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**OTHER BUSINESS:**

Jim Rossler, City Council Attorney, addressed the Commission and presented a draft ordinance that would require a permit from the Mobile Tree Commission for the removal of ANY tree located in a City park. This ordinance would apply to any park or playground maintained by the City, whether it was dedicated or not. There would be an emergency provision, and after discussion, Mr. Rossler stated that he would be in favor of an exclusionary clause for nuisance trees and size restrictions.

Mr. Rossler was not aware of when this item would appear on the City Council agenda.

Dr. Pfeiffer suggested that since members of the Tree Commission were appointed by a City Council member that they each contact their respective Council representatives with comments or questions.

**ADJOURNMENT:**

With no further business before the Commission, the meeting was adjourned at 6:20 P.M.