



AGENDA
ENVIRONMENTAL ADVISORY BOARD
CITY OF PORT ORANGE

Meeting Date: Monday, October 24, 2022

Time: 5:15 PM

Type of Meeting: Regular

Location: 2nd Floor Conference Room
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Roll Call

B. DISCUSSION/ACTION

2. Consideration of Minutes - September 12, 2022
3. Update on the Garden Spot at Riverwalk
4. Solidifying plans for Port Orange Family Days
5. Historic Tree Removal - Halifax Medical Center, 1041 Dunlawton Avenue
6. Items for Next Agenda

C. PUBLIC COMMENTS

D. BOARD COMMENTS

E. ADJOURNMENT

7. Board Report to City Council: November 1, 2022
8. Next Meeting Date: January 23, 2023 @ 5:15 p.m.

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE ENVIRONMENTAL ADVISORY BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN

Environmental Advisory Board Meeting

Monday, October 24, 2022

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ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

ENVIRONMENTAL ADVISORY BOARD
MEETING MINUTES
SECOND FLOOR CONFERENCE ROOM, CITY HALL
PORT ORANGE, FLORIDA
SEPTEMBER 12, 2022

THE REGULAR ENVIRONMENTAL ADVISORY BOARD MEETING of the City of Port Orange was called to order by Vice Chair John Macaluso at 4:00 p.m.

Present: Shawn Goepfert
Philip Klema
Daniel Pompei
Michael Anderson
John Macaluso

Absent: Nancy Vaughn

Also Present: Kristine Cunningham, Chair (via phone)
Margaret Tomlinson, Construction and
Engineering Manager
Tracee Cody, Assistant City Clerk
Harriet Meade, Administrative Assistant

DISCUSSION/ACTION

2. Consideration of Minutes - July 25, 2022

Motion to approve the July 25, 2022 meeting minutes as presented was made by Member Anderson and Seconded by Member Goepfert. Motion carried unanimously by voice vote.

3. Discussion on Confirming What to do at the Fall Festival

Vice Chair John Macaluso discussed what to hand out at the Port Orange Family Days event. Chair Kristine Cunningham feels they should focus on education and a tree giveaway. Member Shawn Goepfert mentioned having a sign for a free tree giveaway for Arbor Day to attract attention. Margaret Tomlinson, Construction and Engineering Manager, will try to prepare a sign-in sheet for Family Days. Board members all agreed that the plan for Family Days will be to promote that they will be giving trees away on Arbor Day. They also discussed times they would be available to man the booth at Family Days.

4. Discussion about the Garden Spot at Riverwalk

Chair Cunningham went to the Riverwalk and the Chamber and received a lot of support for the idea of having a garden spot. Focus will be made on education about native plants and trees and incorporating a memorial or a meditation garden. Ms. Tomlinson asked if there would be any vegetables, like a community garden, but Chair Cunningham said there is not enough protection at this location for that type of garden. Ms. Tomlinson reached out to Parks & Recreation to ask the Board for clarification on who is going to manage the garden. Vice Chair Macaluso believes Parks & Recreation should be in charge of maintaining the area but the Board should be in charge of plant selections and information. Member Goepfert spoke about a sensory garden he visited that he thought would be a nice idea. Member Goepfert and Vice Chair Macaluso mentioned approaching some groups and organizations, such as the Chamber and Rotary Club, for help with maintaining the garden. The Board will meet one more time for preparation before staff from Parks & Recreation attend the meeting to discuss collaboration ideas.

5. Discussion on City Mowing

Member Klema was concerned as to why the City stopped mowing on the southside of Willow Run. Ms. Tomlinson explained the County issued a cease and desist for the City to stop mowing the section because it was eroding the banks. Vice Chair Macaluso would like clarity on what will happen to this section. Ms. Tomlinson will speak to Ronny Buttrum, Deputy Public Works Director, for further clarification.

6. Items for Next Agenda

Update on the Garden Spot at Riverwalk
Solidifying plans for Port Orange Family Days

PUBLIC COMMENTS

There were none.

BOARD COMMENTS

Member Anderson gave an update on the railroad trestle dredging project plan at Spruce Creek and his communication with Niles from the County regarding permits. The next step is to find out what the County needs from the City. Member Goepfert informed the Board that his contact, Buddy Davenport, unfortunately cannot assist with funding. Member Goepfert spoke to the former Mayor about the previous Rose Bay project to gather information for other possible resources for this project.

ADJOURNMENT – 4:39 p.m.

7. Next Meeting Date: October 24, 2022 @ 5:15 p.m.
8. Board Report to City Council: October 4, 2022

Chair Kristine Cunningham



EAB AGENDA ITEM

EAB MEETING DATE 10/24/2022

CITY COUNCIL DATE 11/15/2022

SUBJECT: Historic Tree Removal – Halifax Medical Center, 1041 Dunlawton Avenue

DEPARTMENT: Community Development

SUMMARY:

On September 22, 2022 a tree removal permit application was received for emergency removal of a 36" Live Oak at Halifax Medical Center located at 1041 Dunlawton Avenue. The parking area around the tree had been coned off to protect the public from falling branches. The arborist who was contracted by Halifax examined the tree and provided a report indicating that the tree posed a high risk of failure in normal weather conditions due to the deteriorated state of the tree caused by a previous lightning strike.

Staff issued the tree removal permit based on LDC Ch. 9, Art. III, Sec. 16.5 (d):

City staff or an authorized representative of the city may allow removal of a historic tree in an emergency prior to city council approval in cases where such trees are diseased, dead, deteriorated or damaged by fire, windstorm, lightning, or other acts of God, and pose imminent danger to life or property. Whether a historic tree is diseased, dead, or damaged by fire, windstorm, lightning, or other acts of God shall be determined according to the process under part (b) of this section. In such a case, the item would go before city council after the fact, and mitigation would require approval by the environmental advisory board for lots other than single or two-family residential.

Pursuant to LDC Ch. 9, Art. III, Sec. 16.5 (b) (5) the EAB may recommend mitigation for historic tree removal, provided by city staff, based upon the resolution adopted by city council. In the interest of flexibility and fairness, the environmental advisory board (EAB) may allow a party to mitigate the replacement of a historic tree through any combination of replacement trees, and/or contribution to the city's tree bank provided that the combination equals or exceeds the required percentage of the total cross-sectional area of the removed historic tree as established by resolution by city council.

Resolution 20-46 Exhibit B for Diseased or Deteriorated Historic Trees on Commercial Properties requires a 5% cross-sectional area replacement. For a 36" diameter tree this equates to the following mitigation options.

MITIGATION OPTIONS:

- Provide (3) 4-1/2" caliper x 14' high replacement shade trees or
- Provide \$1,374.00 tree mitigation payment or
- Provide a combination of replacement trees and a payment to the tree mitigation bank;
 - (1) 4-1/2" caliper x 14' high replacement shade tree plus \$916.00 tree mitigation payment
 - (2) 4-1/2" caliper x 14' high replacement shade tree plus \$458.00 tree mitigation payment

This item is being scheduled for City Council on November 15th and will include the mitigation recommendation from EAB in the report.



Aerial view of Halifax Medical Center showing approximate location of tree



Photo of tree limbs and branches in the parking lot



Photo of damaged tree



Photo of missing bark on trunk from lightning strike



Photo of damaged tree



Photo of damaged tree and missing limb



SB Tree Service

1424 Ridgewood Ave Suite 5
Holly Hill, FL 32117
(386)341-4800

Services Performed For:

Halifax Medical Center
1041 Dunlawton Ave.
Port Orange, FL 32128

Services Performed By:

Christopher Forrest
ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9678A

09/22/2022

Scope: To Assess the current property and provide recommendations and my professional opinion on the health and structure of the tree and any risk it may pose.

Tree Species: Quercus virginiana

Common Name: live oak

DBH: 36"

Location: Parking Island on North side.

Live oak has previous storm damage from a lightning strike from central leader throughout the entire base where Compartmentalization has taken place. Large cavities in base with decay and insect damage. Large cavity through trunk and root collar with decay and rot present. Oak appears to be in decline as the bark is peeling displaying severe damage to heartwood in the inner cambium that has compromised the specimen's structural integrity creating a risk to persons and property. LCR (live crown ratio) is at 10% with severe deadwood throughout the canopy. Large limbs are breaking and falling onto the parking lot.

Likelihood of Failure - Imminent

Likelihood of Impact- High

Consequences of Failure- Severe

Conclusion: Upon conducting a level 1 visual inspection, the live oak has significant defects that have compromised the structural integrity of the specimen deeming it a hazard to the targets (pedestrians and cars) as it poses a high risk of failure in normal weather conditions. The live oak meets ALL requirements for removal. The owner wishes to eliminate all residual risk by removing the live oak.



Christopher Forrest

ISA Certified Arborist
Tree Risk Assessment Qualified
FL-9678A

RESOLUTION NO. 20-46

A RESOLUTION OF THE CITY OF PORT ORANGE,
VOLUSIA COUNTY, FLORIDA; ADOPTING
MITIGATION TABLES FOR HISTORIC TREE
REMOVAL ON RESIDENTIAL AND
NONRESIDENTIAL PROPERTY; PROVIDING FOR
CONFLICTING RESOLUTIONS; AND PROVIDING
AN EFFECTIVE DATE.

WHEREAS, Article II of Chapter 9 of the City of Port Orange Land Development Code authorizes adoption of mitigation tables for historic tree removal on residential and nonresidential property by resolution of the City Council of the City of Port Orange; and

WHEREAS, pursuant to this authority the City hereby adopts mitigation tables for historic tree removal on residential and nonresidential property by resolution; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port Orange, Florida as follows:

SECTION 1. The City Council of the City of Port Orange hereby adopts the Mitigation Table for removal of Healthy Historic Trees, attached hereto as **Exhibit "A."**

SECTION 2. The City Council of the City of Port Orange hereby adopts the Mitigation Table for removal of Diseased or Deteriorated Historic Trees, attached hereto as **Exhibit "B."**

SECTION 3. The City Council of the City of Port Orange hereby adopts the Mitigation Table for removal of Healthy Historic Trees Removed Without a Permit, attached hereto as **Exhibit "C."**

SECTION 4. The City Council of the City of Port Orange hereby adopts the Mitigation Table for removal of Diseased or Deteriorated Historic Trees Removed Without a Permit, attached hereto as **Exhibit "D."**

SECTION 5. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict.

SECTION 6. This resolution shall become effective immediately upon adoption.


MAYOR DONALD O. BURNETTE

ATTEST:


Robin L. Fenwick, MMC, City Clerk



Adopted on the 15 day of September, 2020.

Reviewed and Approved: 
Shannon K. Balmer, Assistant City Attorney

EXHIBIT A HEALTHY HISTORIC TREES**15% CROSS SECTIONAL AREA REPLACEMENT**

MITIGATION FOR HISTORIC TREES ON MULTI-FAMILY, COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL LOTS

A	B	C	D	
SIZE OF TREE BEING REMOVED	15% CROSS SECTIONAL AREA IN SQUARE INCHES	# OF 4 1/2" CALIPER TREES REQUIRED FOR REPLACEMENT	TREE BANK CONTRIBUTION*	
36	152.68	10	B x \$27 =	\$ 4,122
37	161.28	10	B x \$27 =	\$ 4,355
38	170.12	11	B x \$27 =	\$ 4,593
39	179.19	11	B x \$27 =	\$ 4,838
40	188.50	12	B x \$27 =	\$ 5,089
41	198.04	12	B x \$27 =	\$ 5,347
42	207.82	13	B x \$27 =	\$ 5,611
43	217.83	14	B x \$27 =	\$ 5,881
44	228.08	14	B x \$27 =	\$ 6,158
45	238.57	15	B x \$27 =	\$ 6,441
46	249.29	16	B x \$27 =	\$ 6,731
47	260.24	16	B x \$27 =	\$ 7,027
48	271.43	17	B x \$27 =	\$ 7,329
49	282.86	18	B x \$27 =	\$ 7,637
50	294.53	19	B x \$27 =	\$ 7,952
51	306.42	19	B x \$27 =	\$ 8,273
52	318.56	20	B x \$27 =	\$ 8,601
53	330.93	21	B x \$27 =	\$ 8,935
54	343.53	22	B x \$27 =	\$ 9,275
55	356.38	22	B x \$27 =	\$ 9,622
56	369.45	23	B x \$27 =	\$ 9,975
57	382.76	24	B x \$27 =	\$ 10,335
58	396.31	25	B x \$27 =	\$ 10,700
59	410.10	26	B x \$27 =	\$ 11,073
60	424.12	27	B x \$27 =	\$ 11,451
61	438.37	28	B x \$27 =	\$ 11,836
62	452.86	28	B x \$27 =	\$ 12,227
63	467.59	29	B x \$27 =	\$ 12,625
64	482.55	30	B x \$27 =	\$ 13,029
65	497.75	31	B x \$27 =	\$ 13,439
66	513.18	32	B x \$27 =	\$ 13,856
67	528.85	33	B x \$27 =	\$ 14,279
68	544.75	34	B x \$27 =	\$ 14,708
69	560.89	35	B x \$27 =	\$ 15,144
70	577.27	36	B x \$27 =	\$ 15,586
71	593.88	37	B x \$27 =	\$ 16,035
72	610.73	38	B x \$27 =	\$ 16,490
73	627.81	39	B x \$27 =	\$ 16,951
74	645.13	41	B x \$27 =	\$ 17,418
75	662.68	42	B x \$27 =	\$ 17,892

* \$27 - ACCEPTED NATIONAL VALUE PER SQUARE INCH

EXHIBIT B DISEASED OR DETERIORATED HISTORIC TREES**5% CROSS SECTIONAL AREA REPLACEMENT**

MITIGATION FOR HISTORIC TREES ON MULTI-FAMILY, COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL LOTS

A	B	C	D	
SIZE OF TREE BEING REMOVED	5% CROSS SECTIONAL AREA IN SQUARE INCHES	# OF 4 1/2" CALIPER TREES REQUIRED FOR REPLACEMENT	TREE BANK CONTRIBUTION*	
36	50.89	3	B x \$27 =	\$ 1,374
37	53.76	3	B x \$27 =	\$ 1,452
38	56.71	4	B x \$27 =	\$ 1,531
39	59.73	4	B x \$27 =	\$ 1,613
40	62.83	4	B x \$27 =	\$ 1,696
41	66.01	4	B x \$27 =	\$ 1,782
42	69.27	4	B x \$27 =	\$ 1,870
43	72.61	5	B x \$27 =	\$ 1,960
44	76.03	5	B x \$27 =	\$ 2,053
45	79.52	5	B x \$27 =	\$ 2,147
46	83.10	5	B x \$27 =	\$ 2,244
47	86.75	5	B x \$27 =	\$ 2,342
48	90.48	6	B x \$27 =	\$ 2,443
49	94.29	6	B x \$27 =	\$ 2,546
50	98.18	6	B x \$27 =	\$ 2,651
51	102.14	6	B x \$27 =	\$ 2,758
52	106.19	7	B x \$27 =	\$ 2,867
53	110.31	7	B x \$27 =	\$ 2,978
54	114.51	7	B x \$27 =	\$ 3,092
55	118.79	7	B x \$27 =	\$ 3,207
56	123.15	8	B x \$27 =	\$ 3,325
57	127.59	8	B x \$27 =	\$ 3,445
58	132.10	8	B x \$27 =	\$ 3,567
59	136.70	9	B x \$27 =	\$ 3,691
60	141.37	9	B x \$27 =	\$ 3,817
61	146.12	9	B x \$27 =	\$ 3,945
62	150.95	9	B x \$27 =	\$ 4,076
63	155.86	10	B x \$27 =	\$ 4,208
64	160.85	10	B x \$27 =	\$ 4,343
65	165.92	10	B x \$27 =	\$ 4,480
66	171.06	11	B x \$27 =	\$ 4,619
67	176.28	11	B x \$27 =	\$ 4,760
68	181.58	11	B x \$27 =	\$ 4,903
69	186.96	12	B x \$27 =	\$ 5,048
70	192.42	12	B x \$27 =	\$ 5,195
71	197.96	12	B x \$27 =	\$ 5,345
72	203.58	13	B x \$27 =	\$ 5,497
73	209.27	13	B x \$27 =	\$ 5,650
74	215.04	14	B x \$27 =	\$ 5,806
75	220.89	14	B x \$27 =	\$ 5,964

* \$27 - ACCEPTED NATIONAL VALUE PER SQUARE INCH

EXHIBIT C HEALTHY HISTORIC TREES
REMOVED WITHOUT A PERMIT
MITIGATION FOR HISTORIC TREES ON SINGLE AND TWO-FAMILY LOTS

A	B	C	
SIZE OF TREE BEING REMOVED	15% CROSS SECTIONAL AREA IN SQUARE INCHES	TREE BANK CONTRIBUTION*	
36	152.68	B x \$27 =	\$ 4,122
37	161.28	B x \$27 =	\$ 4,355
38	170.12	B x \$27 =	\$ 4,593
39	179.19	B x \$27 =	\$ 4,838
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70	577.27	B x \$27 =	\$ 15,586
71	593.88	B x \$27 =	\$ 16,035
72	610.73	B x \$27 =	\$ 16,490
73	627.81	B x \$27 =	\$ 16,951
74	645.13	B x \$27 =	\$ 17,418
75	662.68	B x \$27 =	\$ 17,892

**Replacement tree schedule will follow the existing LDC requirements based on the size of the lot (1 shade tree/2,500

* \$27 - ACCEPTED NATIONAL VALUE PER SQUARE INCH

**EXHIBIT D DISEASED OR DETERIORATED HISTORIC TREES
REMOVED WITHOUT A PERMIT
MITIGATION FOR HISTORIC TREES ON SINGLE AND TWO-FAMILY LOTS**

A	B	D	
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36	50.89	B x \$27 =	\$ 1,374
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**Replacement tree schedule will follow the existing LDC requirements based on the size of the lot (1 shade tree/2,500

* \$27 - ACCEPTED NATIONAL VALUE PER SQUARE INCH