

Parks and Parkways Commission

February 5, 2024

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Chairman Scott Discon called the meeting to order at 6:04pm

The secretary called the roll.

Commissioners Present: Scott Discon, Lee Frederick, Christy Kervin, Shawn Potter

Absent: Will Afton, Brien Croff, Shelley Winstead

Staff Present: Rad Dickson, Planner; Kathy Reeves, Secretary

Minutes

Ms. Kervin made a motion to adopt the minutes from the December 4, 2023 meeting, Ms. Frederick seconded, and all were in favor.

New Business

Election of Chair and Vice Chair

Ms. Frederick moved to nominate Mr. Discon to remain as Chair, Ms. Kervin seconded, and all were in favor.

Ms. Kervin moved to postpone the Vice Chair election to the next meeting, Mr. Potter seconded, and all were in favor.

Pollinator Event Meeting Date

Ms. Frederick said that she could reach out to the same people as last time.

Mr. Discon said that the same people who worked on the event last time could work on it this time as well. It would be Ms. Frederick, Ms. Kervin, and Ms. Winstead.

Mr. Discon asked if there was a date yet. Mr. Dickson said that they could come up with one now or think on it.

Mr. Discon asked what the date of the previous event was. Mr. Potter said it was April 29th. Mr. Discon asked if they wanted to keep it a similar date this year.

Ms. Kervin moved to set the date for April 27th, Ms. Frederick seconded, and the motion passed unanimously.

Ms. Kervin said there were speakers and vendors at the last event. Ms. Frederick said there was a speaker from the Audubon Society and people selling native plants.

Patty: One of their members recently became a member of the Xerces society and may be interested in the event.

Mr. Discon suggested getting shirts again.

Patty said she would work on recruiting people for the event.

Mr. Discon said to see how many people they get before deciding on speakers. Ms. Frederick said the block schedule worked great last time, but suggested some way to alert people when speakers were starting.

Ms. Kervin asked if there was a way to broadcast the speakers into the greenspace outside.

Mr. Discon said the idea was to do it outside originally, but then they decided to move them inside.

Mr. Potter said to make sure the depot is available as last time there was a presentation last time.

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Ms. Frederick said that Ms. Fuselier ordered lots of wildflower seeds for the event.

Ms. Kervin added that there was a grant for seedlings as well.

Mr. Discon asked if they ran out of seeds last time. Ms. Kervin said they did not.

Ms. Kervin said there is a company in Lafayette that specializes in gulf coast wildflowers. Ms. Frederick asked if Ms. Kervin knew the name, Ms. Kervin said she would have to look it up.

Mr. Dickson suggested that Jess Cole could speak as well.

Madisonville Ordinance Discussion

Mr. Discon saw this in the newspaper and thought they should look at this. He said that a tree over a certain diameter should be protected.

Ms. Kervin said they should protect all the trees that are hard to find in nurseries.

Ms. Frederick said that was one of the major points that was put on the list for the city council. To protect more native trees and protect more trees on a parcel.

Rhonda Alleman: Part of the architectural control committee of Fontainebleau. Last fall they had a request for a tree removal on a residential property. They went and looked at it and thought it was a very significant tree that was being requested for removal. They did not see anything wrong with it when they inspected it.

She emailed Cara Bartholomew to ask for the process for taking down a tree like this and Ms. Bartholomew replied that a permit was required for any removal of a tree over 3 inches dbh. Ms. Bartholomew added that pictures were required, and a site visit would be done if necessary. Ms. Alleman thought that a visit would be made.

When the permit was issued Ms. Alleman said she called the permit office and spoke with Tina Myers who then transferred her to Alex Weiner. Ms. Alleman said she asked Mr. Weiner when the visit to inspect the tree was done, and he replied that site visits are not done for trees on private property. She wondered what was inspected besides City property. She is disappointed with the policy, and their board of directors are also disappointed. She said that anyone in the City could take down any tree they want for any reason no matter how big.

Mr. Dickson said that is not correct. Live Oaks have to go through the variance process as they are protected. For commercial properties vegetation protection zones are required.

Ms. Alleman said she was talking about an established property after the build out.

Mr. Discon asked if a tree had a certain diameter if there was an exception where it was looked at. Mr. Dickson said he was unaware of anything in the CLURO.

Ms. Frederick said they care very much, and they are watching the urban forest dwindle. They have written up a resolution and are trying to present it to the council. Four areas were identified and one of them was greater protection of native trees. They are also asking for more trees to be saved on a parcel. They are trying to address the concern.

Ms. Frederick said there needs to be a follow up visit to confirm that trees that are planted survive.

Ms. Alleman said she wanted to bring this to the attention of the commission.

Mr. Discon asked if there was anything that could be done to save this tree. Mr. Dickson said he did not know of anything in the CLURO that would protect it.

Ms. Kervin said she was under the impression that the tree inspector for residential areas was able to access private property, why are they unable to access the property. Mr. Dickson said he just did commercial landscaping; residential landscaping was Mr. Weiner.

Ms. Kervin said that Mr. Dickson was able to go on commercial private property. Mr. Dickson said that was after an inspection was requested. Ms. Kervin said that if it happened for one it should happen for the other.

Ms. Alleman read CLURO Section 9.2.5.15 "Inspection of required landscape installation by a qualified landscape inspector employed by the City shall be required prior to the issuance of a Clearing Permit, a Tree or Shrub Removal Permit."

Mr. Dickson said that was for landscape installation.

Ms. Frederick asked what the purpose of the inspection was if nothing but a live oak could be protected.

Ms. Alleman said that if anything over 3 inches dbh requires a permit, where should the line be drawn for inspection. The association is going to have an arborist look at the tree. She said that Ms. Bartholomew responded that the City goes out for commercial jobs, if it is a live oak, or another special circumstance.

Ms. Kervin said that Ms. Bartholomew is not the judge and the jury. The law needs to be applied equally.

Ms. Alleman said they could not change this situation, but beyond this there needs to be some consideration. Mr. Discon said the only reason this tree is alive is because of the HOA, but the majority of Mandeville is not in an HOA.

Ms. Alleman suggested establishing a certain dbh for inspections. Ms. Frederick said they are working on it, and have written a resolution for the city council.

Ms. Frederick said that in the Madisonville ordinance has a follow up written for developments that are required to replant.

Mr. Discon asked if the City had something like that. Mr. Dickson said he believes there is a one-year guarantee. Ms. Frederick asked if the City really goes out and checks. Mr. Dickson said that she would have to speak with Mr. Weiner as he does the residential stuff, he just does commercial reviews.

Ms. Kervin asked if Madisonville inspects trees on private property.

Mr. Dickson said that if they are protecting trees over a certain size, how are they guaranteeing any tree over that tree is that certain size.

Ms. Frederick said they are losing trees. She knows of ten that died from the drought.

Mr. Discon asked if they could get the existing regulations. Mr. Dickson said he could pull all things tree related.

Mr. Discon said the City cannot afford to keep replacing trees that do not survive.

Ms. Kervin said she does not understand having a tree inspector for residential property that cannot inspect the trees. It does not make sense to her.

Ms. Frederick said they need to work on it, and get a shift of priorities.

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Ms. Kervin said that even if they do these things when projects come through the Planning Department, the department is the gatekeeper. Ms. Frederick said if they can modify the CLURO the Planning Department has to follow it.

Mr. Discon asked what happened across the street. If the City did what it was supposed to do why are all the trees gone. He does not think any of the trees survived. He knows that Mr. Dickson is new, but he wondered if these properties are being inspected.

Ms. Alleman said it was used as reference for other properties as well.

Mr. Discon said they came up with the commercial buffer when Ochsner built their building. This was not supposed to happen again.

Mr. Discon said the comprehensive plan update is coming soon and does not see why this could not be included as well.

Ms. Frederick said this was directly related to the recommendation that was written.

Buck Abbey, 1129 Villere: We need to look at how we protect, preserve, and get trees planted in Mandeville. Keeping trees in the community and getting trees planted and getting people to take the urban forest canopy seriously is a tough job. It takes someone working in the field every day. The protection should be expanded to native trees and requirements for removal of non-native trees. This is something that needs to be looked at.

Parks and Parkways 3-5 Year Project Plan

Mr. Discon said they should take their projects and prioritize them so a list can be provided to the city council. He will get with Mr. Dickson and pull notes from prior years.

Mr. Discon said they are trying to finish up Marigny this year, and get some money to do under the causeway and the four corners.

Staff Update

City Water Truck

Mr. Dickson said he spoke with the director about this. It seems to be a collaboration between Public Works and the city council.

City Mulch Status

Mr. Dickson read the proposal and visited the lot by Jackson and Jefferson where there is a woodchipper and a healthy amount of chips. He does not see the need for this program right now as there is not a huge demand.

Mr. Discon said the mulch sitting around should be put under the Causeway. It would look better than the dirt that is there right now.

Mr. Dickson said that the City 3rd parties out some of the trees that are harder to cut, and they do not mulch the trees. The trees that Public Works cuts get mulched.

Ms. Frederick asked if the trees along the lakefront were getting mulched. Mr. Dickson said it has not been done since before Ida.

Ms. Kervin asked if it was advertised that there was mulch available. Mr. Dickson said it would have to be advertised both ways, to the public and to arborists.

Ms. Kervin asked if anyone could drive up and get some. Mr. Dickson said they could.

Mr. Discon asked if it could be added to the water bill.

Mr. Dickson said they should figure out how to reach out to arborists to get more mulch.

Ms. Frederick said that when people come in for a tree permit, they should be informed to bring the mulch to City Hall. Mr. Dickson said that should be added to the tree removal application.

Ms. Kervin asked if this is something that should be added to the CLURO. Mr. Discon said that he thinks that Mr. Dickson just needs to talk to Ms. Bartholomew.

Winter Tree Purchase

Mr. Dickson said the deadline is March 1st. Six trees were offered this year. Mr. Discon asked if there was a limit, Mr. Dickson said he did not have one. The size is 15 gallon this year. The City will also install the trees in the front.

Mr. Discon asked if this was advertised on Facebook. Mr. Dickson said it was.

Ms. Kervin asked if the live oak planting program was still in place. Mr. Discon said he believed so, you just have to get the business approval and they have to agree to take care of them.

Mr. Discon said that he and Mr. Dickson need to meet and go over the plants that were installed along Florida to see which need to be replaced due to the drought.

Re-Leaf Application

Mr. Dickson said that this was covered under the winter tree purchase.

Burn Update

Mr. Dickson said the burn was completed about a month ago. He got Jess Cole under contract to go through and trim trees, seed for wildflowers, and add native plugs.

Mr. Discon said he was interested in planting some trees as a commission. Mr. Dickson said that he believed it was covered under the contract with Ms. Cole.

Ms. Kervin asked where to direct people for the re-leaf application. Mr. Dickson said it was available on the website or people could email him and he would send them a copy. He said that next year it would probably be a fillable form.

Marigny Tree Planting

Mr. Dickson said that 58 crape myrtles and 32 vitex were ordered and planted along Marigny Avenue. Mr. Discon said they were planted along the median.

Ms. Frederick said to get some mulch on them. Mr. Dickson said he knew an area with a lot of pine straw.

Ms. Frederick asked if there was a list of trees to choose from for arbor day. Mr. Dickson said he had a list, but talking to suppliers bare roots did not have a big market after March. The price is good so he can order them and they can still give them away, but he does not know if it would be better to save some of these plantings for winter.

Ms. Frederick asked when the date was, Mr. Dickson said the idea was April. Mr. Discon said April was too late, and it should be done in March. The residents love this project. Mr. Dickson said he should be able to place the order at the end of this week.

Ms. Frederick asked if they were doing the same trees as last time. Mr. Dickson said there were a few leftovers so he would add those to the ones that had the highest demand.

Mr. Discon said to get the plants ordered and then they would pick a date.

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Mr. Dickson asked if there were any specific species wanted. Mr. Discon suggested getting the ones from last year. Ms. Kervin suggested adding swamp chestnut as it was hard to get locally.

Public Comment

Patty Zebrick, Wild Ones Pontchartrain Basin Chapter President: Does not like the way the trees look in Beau Rivage. For the pollinator activity bring in someone to talk about protecting the trees for caterpillars, and the value of native trees.

Mr. Discon said to get speakers and send them to Ms. Frederick. He suggested potentially having multiple speakers for the event.

Ms. Zebrick said that she found that magnolias did very well. Mr. Discon suggested adding them to the seedling list, along with blackgum. Mr. Dickson said he was planning on Nuttall Oaks as well.

Ms. Zebrick asked what the CLURO was. Mr. Discon said it was the Comprehensive Land Use Regulation Ordinance. It is available online.

Ms. Zebrick asked when the Mandeville ordinance was going to be proposed. Ms. Frederick said they are waiting for it to be placed on the city council agenda. She would let Ms. Zebrick know.

Ms. Zebrick agreed with Mr. Abbey about having an employee to monitor the trees.

Buck Abbey, 1129 Villere: He and Bonnie were going to walk up and down Marigny and remove the wires from the live oaks as the trees are growing around the wires. Mr. Dickson said to let him know when he goes out as he will go out with him.

Mr. Discon said the City live oaks will be in the right of way in the intersections.

Mr. Abbey said he read some articles about the tree giveaway program and look across the country to see if other communities did them. It would be nice if the tree giveaway policy was written up to see how successful it was. If there was a description it would be something that other communities could use.

Ms. Frederick said there were three different programs. There is the shade program, the business planting, and the seedlings.

Mr. Abbey said he would be willing to work with Mr. Discon on the 3-5 year program. He wanted to know if the crape myrtles on Marigny were all Natchez. Mr. Dickson said they were.

Mr. Abbey asked what happened to the plan that was presented to the public. Mr. Discon said it ended up being too expensive due to the curbing so it was decided to leave it how it is and do the crape myrtles. Mr. Abbey said the amount of crape myrtles that were planned to go in was too many.

Mr. Dickson said he was thinking about doing some graybeards, but he had to keep the powerlines in mind.

Ms. Frederick moved to open the agenda to have Mr. Potter discuss the livestreaming, Mr. Discon seconded, and the motion passed unanimously.

Mr. Potter asked if there was something that he could do. Mr. Dickson said that he spoke with IT a couple of times. Ms. Frederick said for Mr. Potter to go to the Mayor.

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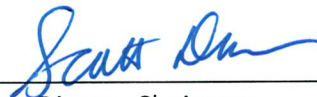
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Ms. Kervin motioned to adjourn the meeting at 7:33pm, seconded by Mr. Potter and was unanimously approved.



Alex Weiner, Secretary



Scott Discon, Chairman
Parks and Parkways Commission

Ordinance

Tree Preservation

Among the many features which our residents embrace and to which our visitors are attracted, is our environment and, in particular, our historic, majestic oaks and other trees indigenous to South Louisiana. Our trees not only beautify our Town and provide shade, but also provide cleaner air, water and soil. For these reasons, and others, the Town has prioritized the preservation and propagation of these gems of our environment. In pursuit thereof, the Town does hereby adopt the following Ordinance:

A. Definitions

1. A "protected tree" is defined as any live oak or cypress tree possessing a diameter at breast height (dbh) of 6" or more. DBH is the tree diameter measured at 4.5' above the ground.
2. "Landowner" is the owner of that real property upon which a protected tree is growing .

B. Permits

1. A tree permit is required from the Town prior to pruning, cutting or removing any protected tree, or any portion thereof. Such pruning, cutting or removing shall be recommended in writing and supervised by a licensed arborist or a state forester. Said recommendation shall be attached to the permit application.
2. The removal of dead trees or the selective pruning to remove one or more dead, diseased or broken branches, shall not require a permit. If a portion of a tree branch touches the roof or fascia of a structure, a permit will not be required for removal of the portion touching the structure.

C. Protection

1. The landowner shall use reasonable care in maintaining protected trees. If a protected tree dies during construction of any improvements, or during the 18 months following the completion of said construction, the landowner shall replace the protected tree within six months of death with a protected tree of the same species as set forth hereafter in D2. The landowner shall protect all plant materials required by this Ordinance to maintain a protected tree in a healthy condition. For each tree , a planting area or open ground space of at least 25 square feet, with a minimum side dimension of five feet, shall be required for trees of up to six inches (6") in diameter. For each additional two inches of tree diameter of the protected tree, an additional 25 square feet of planting area or open ground space shall be required.

2. During construction, protected trees shall be surrounded by a barrier fence composed of materials not harmful to the protected tree to be erected at the outside edge of the drip line. These materials shall be designated by the licensed arborist. Fencing shall be maintained throughout the entire construction process.
3. It shall be unlawful to place soil around a protected tree causing disease or death. If soil is necessary to properly drain the land, all efforts shall be made to protect the area within the dripline of the protected tree from the impact of the additional soil. Efforts to protect the protected tree shall include adopting the recommendation of a licensed arborist.

D. Mitigation for permitted removal of protected trees

1. Protected Trees that have been declared dead, diseased, infested, fatally declining or hazardous, through no fault of the landowner, and is determined by a licensed arborist should be removed, shall not require any mitigation.
2. In order to obtain a permit to remove protected trees, the landowner shall mitigate the removal of such trees. For each protected tree removed, two (2) trees of the same species shall be planted. Replacement trees shall be at least 3" in diameter.
3. Owner shall submit a written report of a licensed arborist confirming the necessity of tree removal and the mitigation with the permit application.

E. Fines and Penalties

Violation of this Ordinance shall cause the Landowner to incur the following penalties:

1. No less than \$200.00, but no more than \$500 if the tree is 6-10" dbh
2. No less than \$500.00, but no more than \$1000 if the tree is over 10" dbh, but under 30" dbh
3. No less than \$1000.00, but no more than \$2500 if a tree is more than 30" dbh