



# Town of Loxahatchee Groves

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**TO:** Town Council

**THRU:** Francine Ramaglia, Town Manager

**FROM:** Jim Fleischmann, Town Planning Consultant

**RE:** 15171 Williams Drive Specimen Tree Report

**DATE:** May 6, 2025

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## **Background:**

Oscar Robles, owner of the property located at 15171 Williams Drive (Ref: Exhibit 2), has received approval of a Floodplain Development Application (FDA) to provide an onsite stormwater management system to accommodate a proposed single-family residential development. He has also received a Vegetation Waiver Permit for his proposed single-family residential development and filed a Vegetation Removal Permit (VRP) application for approval to remove specified native trees on the property to construct the retention pond required by the FDA.

Mr. Robles has worked diligently with the Town's Public Works Department and Planning and Zoning Division staff to plan the required stormwater management facilities and apply for the appropriate vegetation removal permits.

The VRP application includes the proposed removal of native Specimen trees within the required stormwater management pond. The location of the stormwater management pond is illustrated on Exhibit 1.

Per ULDC Section 87-035(C)(2)(i), Specimen trees are not subject to cutting, relocation, or mitigation without Town Council approval. To determine if Council approval is necessary, a native tree survey within the area of the property where the stormwater management pond is to be located was prepared by Town staff and its Arborist consultant, Ecotone Services. Per the VRP application, native trees to be removed are all located within the stormwater management pond illustrated on Exhibit 1. Each tree to be removed was individually tagged.

Native Specimen tree species to be removed include 4 Cypress with a minimum DBH of 13 inches. The following data, extracted from the survey, summarizes the trees proposed to be removed.

### A. Native Specimen Trees Minimum Size (DBH) Criteria

Cypress = 13 to 17 inches

B. Location of Native Specimen Trees (Ref: Exhibit 1): Total of 4.

C. Detail of Native Specimen Trees to be Removed:

| Tag Reference | Species | Diameter (DBH) |
|---------------|---------|----------------|
| 213           | Cypress | 14 inches      |
| 215           | Cypress | 13 inches      |
| 216           | Cypress | 17inches       |
| 217           | Cypress | 17 inches      |

Removal of all native trees, including the above list of Tag Reference Specimen trees, within the area illustrated on Exhibit 1 requires prior approval of a VRP including a mitigation plan.

The Specimen Tree Report and approval Resolution 2024-86 were initially presented for consideration by the Town Council at its meeting on November 12, 2024. At the meeting the Town Council questioned whether the tree removal is proposed to occur within a designated wetland and directed staff to research the matter and return with an answer at a future meeting.

LRM, Inc. directed its Arborist Sub-Contractor (Ecotone Services) to research the wetland issue. Following its research, Ecotone Services prepared a report on January 2, 2025. The Ecotone Services report (Ref: Exhibit 3) summarizes FDEP site investigations in November of 2021 and May of 2022 related to potential dredge/fill activities within wetlands or other surface waters onsite.

It was determined by FDEP that, although dredge/fill activities had previously occurred within "wetlands/other surface waters" onsite, the activities were not within state assumed Waters of the United States (WOTUS). Based upon this finding, the FDEP concluded that: (1) it had no jurisdiction in the matter; (2) no further action was required; and (3) the complaint investigation was considered closed.

**Recommendation:**

Jim Fleischmann, LRM, Inc., Town Planning Consultant, is recommending approval of the removal of the 4 noted Cypress Trees with the appropriate mitigation.

Exhibits:

1. Location of the stormwater management pond tree removal area
2. Current aerial photograph and PAPA property data
3. Ecotone Services Report dated January 2, 2025.