AGENDA
TOWN OF FLOWER MOUND
ENVIRONMENTAL CONSERVATION COMMISSION
REGULAR MEETING
January 7, 2020
FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS
6:30 P.M.

******************************************************
AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT
HTTPS://TX-FLOWERMOUND.CIVICPLUS.COM/AGENDACENTER
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A. CALL REGULAR MEETING TO ORDER – 6:30 PM

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

To speak to The Environmental Conservation Commission (ECC) during public comment, please fill out a comment form.

• Turn in form by 6:40 p.m. to Administrative Assistant
• Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired
• Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the ECC on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Environmental Services at 972-874-6340 during business hours.

D. STAFF REPORT

Update and status report related to environmental issues and events, regulatory activities, and projects.

E. CONSENT AGENDA - CONSENT ITEMS
This agenda consists of non-controversial or "housekeeping" items and may be approved with a single motion. A member of the Environmental Conservation Commission may request an item(s) be withdrawn from the consent agenda and moved to regular agenda for discussion by making such request prior to a motion and vote on the Consent Agenda.

1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on November 5, 2019.

F. REGULAR ITEMS

2. Consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Lot 5, Block A of the Pepper Creek Ranch Addition. The property is generally located 4705 Summerhill Court.

G. ADJOURNMENT - REGULAR SESSION

H. CALL WORK SESSION TO ORDER

I. WORK SESSION ITEMS

3. Discuss the Environmental Conservation Commission Powers and Duties related to open space preservation and promotion.

J. SUBCOMMITTEE REPORT

Receive updates and status reports related to subcommittee tasks, activities, and projects.

K. COORDINATION OF FUTURE AGENDAS/MEETINGS

L. ADJOURNMENT- WORK SESSION

Matthew Woods
Director of Environmental Services

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: January 3, 2020, by 5:00 p.m., at least 72 hours prior to the schedule time of said meeting.

Emily Chapman
Administrative Assistant
CONSENT ITEM

DATE: January 7, 2020
FROM: Emily Chapman, Administrative Assistant
ITEM: Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on November 5, 2019.

BACKGROUND INFORMATION: This agenda item is to consider approval of the minutes from the November 5, 2019, regular meeting of the Environmental Conservation Commission.

CITIZEN FEEDBACK: N/A
ALTERTNATIVES/OPTIONS: N/A
FISCAL IMPACT: N/A
LEGAL REVIEW: N/A
ATTACHMENTS:
1. A copy of the draft minutes from the November 5, 2019, regular meeting of the Environmental Conservation Commission.

RECOMMENDATION: Move to approve the minutes from the November 5, 2019, regular meeting of the Environmental Conservation Commission.
FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF NOVEMBER 5, 2019

THE FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING HELD ON THE 5TH DAY OF NOVEMBER 2019, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:30 PM.

The Environmental Conservation Commission met in regular session, with the following members present constituting a quorum:

James Seastrom Chair
James Naylor Vice Chair
Russell McNamer Commission Member, Place 3
Marilyn Lawson Commission Member, Place 4
Alton Bowman Commission Member, Place 5
Thomas Bailey Commission Member, Place 6
Deanna Soper Commission Member, Place 7
Elaine Takacs Commission Member, Place 8
Anna Athappan Commission Member, Place 9
Kathryn Wells Commission Member, Place 10

Places 8, 9, and 10 of the Commission do not vote on items unless they sit in place of one of the regular members, Places 1-7.

And the following members of Town staff present:

Matthew Woods Director of Environmental Services
James Hoefert Environmental Review Analyst
Matthew Green Environmental Review Analyst
Tyler Leverenz Environmental Programs Coordinator

A. CALL TO ORDER - REGULAR SESSION: 6:30 PM

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

None.

D. STAFF REPORT

Update and status report related to environmental issues and events, regulatory activities, and projects.

E. CONSENT AGENDA

1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on October 1, 2019.

Commission Deliberation
Commission Member McNamer made a motion to approve the October 1, 2019, minutes with correction. Vice Chair Naylor seconded the motion.

VOTE ON THE MOTION

AYES: Bailey, McNamer, Naylor, Lawson, Bowman, Soper
NAYS: None
ABSTAIN: None

The motion passed with a vote of 6-0-0

F. ADJOURNMENT- REGULAR SESSION AT 6:38 PM

G. CALL WORK SESSION TO ORDER AT 6:38 PM

H. WORK SESSION ITEMS


3. Discuss the Town’s Urban Forestry Program, associated regulations, and program initiatives.

I. SUBCOMMITTEE REPORT

Receive updates and status reports related to subcommittee’s tasks, activities, and projects.

J. COORDINATION OF FUTURE AGENDAS/MEETINGS

K. ADJOURNMENT- WORK SESSION – 8:22 PM

TOWN OF FLOWER MOUND, TEXAS

JAMES SEASTROM, VICE CHAIR

ATTEST:

EMILY CHAPMAN, ADMINISTRATIVE ASSISTANT
ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 2

REGULAR ITEM

DATE: January 7, 2020
FROM: James Hoefert, Environmental Review Analyst
PRESENTER: Lara Hall, with McAdams
ITEM: Consider an application for a tree removal permit for one (1) specimen tree on property proposed for development as Lot 5, Block A of the Pepper Creek Ranch Addition. The property is generally located 4705 Summerhill Court.

BACKGROUND INFORMATION:

Lot 5, Block A of the Pepper Creek Ranch Addition is generally located at 4705 Summerhill Court. The site is approximately 0.992 acres in size. The site is currently zoned for Planned Development District No. 162 (PD-162) for a cluster development and is master planned for the Cross Timbers Conservation Development District. A home builder is required to submit a tree survey for each residential lot within the Pepper Creek Ranch Addition subdivision. The lot contains three (3) specimen trees, and the applicant is requesting to remove one (1) specimen tree to build a house. The specimen tree proposed for removal (Tree #699 – 28” post oak) is in good condition and is located within the proposed buildable area of the lot.

The Town’s tree ordinance requires that specimen trees removed from the site be replaced at a rate of two times their caliper inches. Based on its size, 57” of replacement trees, equaling nineteen (19) three-inch caliper trees, will be required for the one (1) specimen tree being requested for removal on this site.

CITIZEN FEEDBACK: As of January 2, 2020, staff has not received feedback related to this item.

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter from the applicant indicating the reason(s) for the tree removal permit request.
2. Specimen tree removal permit application.
3. Photograph of the specimen tree proposed for removal.
4. Photograph of approved signage onsite.
5. Tree Survey.

RECOMMENDATION: Move to recommend approval or denial of the requested permit for the removal of one (1) specimen tree on property proposed for development as as Lot 5, Block A of the Pepper Creek Ranch Addition. The property is generally located 4705 Summerhill Court.
September 13, 2019

Jimmy Hoeft, Environmental Review Analyst
Town of Flower Mound
1001 Cross Timbers Road, Suite 2330
Flower Mound, TX  75028

Reference:  Tree Removal Permit Application
Lot 5, Block B Pepper Creek Ranch
Town of Flower Mound
Denton County, Texas

Dear Mr. Hoeft;

On behalf of the owner/developer on the aforementioned property, we are requesting that (1) specimen tree (as outlined on the attached tree removal exhibit), as defined in the TOFM Tree Preservation Code, be removed. The tree is being requested to be removed due to the infrastructure and onsite grading which thereby means the subject development cannot reasonably be developed, based on economic and/or practical considerations, without removal of the tree included in the permit application.

**TREE TABULATION FROM THE SPECIMEN TREE SURVEY**

Total specimen trees on site to be saved: 2

<table>
<thead>
<tr>
<th>TREE TAG #</th>
<th>CALIPER (&quot;)</th>
<th>COMMON NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>692</td>
<td>37</td>
<td>Post Oak</td>
</tr>
<tr>
<td>696</td>
<td>33</td>
<td>Post Oak</td>
</tr>
</tbody>
</table>

Total specimen trees on site to be removed due to infrastructure and grading: 1

<table>
<thead>
<tr>
<th>TREE TAG #</th>
<th>CALIPER (&quot;)</th>
<th>COMMON NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>699</td>
<td>28.5</td>
<td>Post Oak</td>
</tr>
</tbody>
</table>

The mitigation requirement for tree #699 will include and a standard mitigation rate of 2x the caliper inches of the tree removed. (19) 3” cal. Trees or equivalent preservation credits under section 94-40 of the town ordinance will be required to fulfill the mitigation requirement.

Due to preexisting conditions, infrastructure, grading, Town of Flower Mound Engineering Standards, and site conditions, this specimen tree is not able to be saved. The site plan before you appears to be the most beneficial for taking into account all the site constraints and opportunities.
We are requesting the following specimen tree to be removed:

Tree #699, 28.5" Post Oak

Thank you for your consideration.

Based on the above data, I respectfully ask that the aforementioned trees be allowed to be removed from the site.

Respectfully submitted,

[Signature]

Jameson Pinson, PLA
Landscape Architect, TX #2826
Town of Flower Mound
Application for:
TREE REMOVAL PERMIT
(Effective for Developments submitted 10/6/08 - present)

Check one:  _Protected Tree  _Specimen Tree  _Historic Tree

1. Applicant- Note: Must be a licensed Landscape Architect or Registered Arborist
Name:  

Address:  
201 Countryview Drive
Boerne, TX 78006

Phone:  
940.240.1012 ext 522

Applicant’s Legal Interest in the Property:
Landscape Architect

2. Property Owner(s)
Name(s):  Ryan Anderson
Address:  709 Crater Lake Circle
Keller Texas 76248

3. Location and Legal Description of Property:
Lots 3, Block B of Pepper Creek Ranch Addition, Flower Mound, Denton County
4. Owner's Authorization of Representation

I, [Name], the owner of the above described real property, do hereby authorize [Name] to represent my interests and to file an Application for Tree Removal Permit for said real property, pursuant to the terms and provisions of Chapter 94 (Trees), of the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances.

Signature of Owner

[Notary Public]

5. Applicants Affidavit- Note: Applicant must be a licensed Landscape Architect or Registered Arborist.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I, [Name], do hereby swear or affirm that all of the Information contained herein and submitted herein is, to the best of my knowledge, true, correct and complete and that no false, misleading or incomplete information has been intentionally provided or submitted with this Application for a Tree Removal Permit.

Signature of Applicant

[License Number]
State of Licensure: Texas
Or ISA Certified Arborist No.

[Notary Public]

6. Received by Town of Flower Mound on (Date) 9/13/2019 by (initials) JRH.
4705 Summerhill Court -
Specimen tree proposed for removal

Tree #699 – 28” post oak
Tree Removal Request Signage

Along Cross Timbers Road
Legends:
- **Protected Tree to Remain**
- **Protected Tree to Remove**
- **Specimen Tree to Remain**
- **Specimen Tree to Be Removed**

**Notes:**
In regards to tree #926; if additional BMPs are needed, a written letter from an ISA certified arborist must be presented prior to construction.
<table>
<thead>
<tr>
<th>LIST #</th>
<th>TAG #</th>
<th>CALIBER (&quot;)</th>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>REMOVED</th>
<th>SPECIMEN</th>
<th>REMARKS</th>
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<tbody>
<tr>
<td>1</td>
<td>688</td>
<td>6</td>
<td>POST OAK</td>
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<td>NO</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>689</td>
<td>14</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
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<td>NO</td>
<td></td>
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<tr>
<td>3</td>
<td>691</td>
<td>9.5</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
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<td>NO</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>692</td>
<td>37</td>
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<td>Quercus stellata</td>
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<td>YES</td>
<td></td>
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<tr>
<td>5</td>
<td>695</td>
<td>8</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
<td>YES</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>696</td>
<td>33</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
<td>NO</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>697</td>
<td>18</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
<td>YES</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>698</td>
<td>21</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
<td>YES</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>699</td>
<td>28.5</td>
<td>POST OAK</td>
<td>Quercus stellata</td>
<td>YES</td>
<td>YES</td>
<td></td>
</tr>
</tbody>
</table>

**TREE PRUNING, REMOVAL AND PROTECTION MEASURES**

**A. QUALITY ASSURANCE**
1. Comply with applicable Federal, state, county and local regulations governing landscape work.
2. Employ only experienced personnel. Provide adequate supervision by qualified foreman.

**B. TREE PRUNING**
1. Pruning shall be performed under the supervision of an International Society of Arboriculture (ISA) Certified Arborist.
2. All trees within the project area shall be pruned to:
   - Remove dead or dying branches and limbs.
   - Remove weak limbs that could become dangerous.
   - Remove branches that interfere with utility lines or structures.
   - Pruning cuts shall be made in accordance with ANSI 300 Pruning Standard and work shall be performed in accordance with ANSI 71.33-1 Safety Standards. Pruning shall be in accordance with ISA's Best Management Practices for Tree Pruning.
3. No more than 20 percent of live foliage shall be removed from any tree.
4. Branch shall be chipped and chips shall be spread underneath trees within the tree protection zone to a maximum depth of 4 inches, leaving the trunk clear of mulch.

**C. TREE REMOVAL**
1. Tree preservation requires a commitment to preserving and maintaining retained trees, as well as any美术ized trees within the Project Area.
2. All woody debris from tree removals from the Project Site shall be chipped and stored on site for future use in the tree preservation efforts at the discretion of the Landscape Architect.

**D. TREE PROTECTION**
1. Before beginning work, the Project Manager, Landscape Architect, and/or Owner or their agents are required to meet at the site to review all work procedures, access routes, storage areas, and tree protection measures. Any intended construction activities on the Project Site shall be cleared with all affected parties.
2. Fences are to be maintained and removed in accordance with the Project Site. Fences will define the specific protection zone for each tree or group of trees.
3. Any tags required within the tree protection zone shall be accomplished with hand operated equipment.
4. Trees to be removed from within the tree protection zone shall be removed in accordance with the Supervision of a Certified Arborist. The trees shall be cut near ground level and the stump ground.

**E. SPECIMEN TREE PROTECTION FENCING**
1. Fences are to be maintained and removed until the Project Site has been completed and final landscape operations begin. Fences may be installed or removed without written permission from the Landscape Architect. Fences may be constructed from 6’ x 10” stakes and orange wire fencing material.
2. Trees to be preserved shall have 4 inches of hardwood mulch applied to the tree protection zone. The hardwood mulch shall be replenished as necessary to maintain a 4-inch depth.
3. Construction trailers, trucks, and storage areas must remain outside fenced areas at all times.
4. Fences must be erected in a straight, radial direction from the tree much like spokes on a wheel. All underground utilities and drain or irrigation lines shall be routed outside the tree protection zone. Fences must be placed to protect the area from further damage. Fences shall be approved by the landscape architect. Towers should be placed around the tree base to protect it from any damage or damage to the surrounding area.
5. Any materials, equipment, spoil, or waste water must be deposited, stored, or placed within the tree protection zone.
6. No materials, equipment, spoil, or waste water may be deposited, stored, or placed within the tree protection zone.
7. No materials, equipment, spoil, or waste water may be deposited, stored, or placed within the tree protection zone.
8. No materials, equipment, spoil, or waste water may be deposited, stored, or placed within the tree protection zone.
9. Any grading, construction, demolition, or other work that is expected to encounter tree roots must be monitored by the Landscape Architect. Specific locations or tree tag numbers should be identified.
DATE: January 7, 2020  
FROM: Matthew Woods, Director of Environmental Services  
ITEM: Discuss the Environmental Conservation Commission Powers and Duties related to open space preservation and promotion.

BACKGROUND INFORMATION: This work session item provides the Environmental Conservation Commission (ECC) the opportunity to discuss the established powers and duties related to the preservation and promotion of open space in the Town.

The ECC formed an Open Space Subcommittee to review the Open Space Plan and its application related to residential development projects within the Cross Timbers Conservation Development District. The subcommittee recently recommended an open space reporting form and process which were approved by the ECC. The reports will provide information related to the condition of the applicable conservation easements or dedicated open space within approved development projects. The ECC also continues to promote the preservation of open space through various meetings, events, and educational opportunities in the Town.

ALTERNATIVES/OPTIONS:
N/A

ATTACHMENTS:
1. ECC Powers and Duties

RECOMMENDATION: This item is for discussion purposes; therefore, no formal action is required.
Sec. 2-175. - Powers and duties.

The environmental conservation commission shall have the following powers and duties:

1. **Open space.** Promote the town's open space plan and its components and facilitate relations between landowners and land trusts. Develop and implement appropriate land protection techniques and tools for preserving open, productive agricultural, natural and scenic lands, while creating compatible recreational resources where appropriate.

2. **Conservation projects.** Review, evaluate and/or propose conservation projects in relation to objectives expressed in the open space plan and advise town council on appropriateness of conservation incentives.

3. **Water quality and conservation.** Advise the town council relative to water conservation and the future character and health of the town's bodies of water, stormwater, ground water, and surface water to include reviewing water quality and conservation program activities, prioritizing actions and plans, and public education.

4. **Tree preservation.** Oversee and advise the town council and staff in policy matters relative to tree preservation. Promote tree care, planting, and the proper management of urban forests.

5. **Special matters.** Consider, investigate, report and/or recommend upon any special matter or question coming before the commission within the scope of its duties and responsibilities or referred to it by the town council or town manager.

6. **Outdoor learning area.** Assist in the enhancement, promotion, and preservation of the town's tree farm and outdoor learning area.

7. **Recruitment and funding.** Assist and advise the town council and staff in recruitment of volunteers, facilitating grant applications, and seeking contributions to support environmental initiatives.

8. **Public engagement.** Promote public awareness and community outreach programs related to environmental initiatives.

9. **Advisory resources.** The commission may form subcommittees, recruit unpaid advisors, hold public hearings, encourage the interest of other organizations in its objectives, and engage in similar activities which in its judgment may assist it in making recommendations and promoting environmental conservation.

10. **Regulations.** The commission may propose adoption, amendment, or repealment of regulations to town council as deemed necessary or desirable in order to carry out its powers and duties.

11. **Reporting.** The commission shall submit to the town council, not less than every 12 months, a report of its progress and recommendations.

12. **Sustainability.** The commission shall develop, oversee, and promote the town's sustainability plan and its components.

(Ord. No. 51-11, § 2, 9-19-2011)