AGENDA

TOWN OF FLOWER MOUND
ENVIRONMENTAL CONSERVATION COMMISSION

REGULAR MEETING

December 6, 2022

FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS

6:30 P.M.

****

AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT
https://www.flower-mound.com/agendacenter

****

Comments regarding any item on this agenda can be sent to the Commission Members by Emailing: ECC@flower-mound.com or Calling: 972.874.6340

A. CALL REGULAR MEETING TO ORDER – 6:30 PM

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

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 A member of the Environmental Conservation Commission may request an item(s) be withdrawn from the consent agenda and moved to the regular agenda for discussion by making such a request prior to a motion and vote on the Consent Agenda.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 1, 2022.

F. REGULAR ITEM

2. Consider an application for a tree removal permit (TRP22-0020) for one (1) specimen tree on property proposed for development as Roach Addition. The property is generally located north of Cross Timbers Road and west of Lusk Lane.

G. ADJOURNMENT- REGULAR SESSION

H. CALL WORK SESSION TO ORDER

I. WORK SESSION ITEM

1. Provide an overview of the Town's drainage and floodplain regulations.

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: December 2, 2022, by 5:00 p.m., at least 72 hours prior to the scheduled time of the said meeting.

Helena Lynch
Administrative Assistant

The Flower Mound Town Hall and Council Chambers are wheelchair accessible. Requests for accommodations or interpretive services must be made at least 48 hours prior to this meeting by contacting Helena Lynch, Administrative Assistant, at (972) 874-6340.

ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 1

CONSENT ITEM

DATE: December 6, 2022

FROM: Helena Lynch, Administrative Assistant

ITEM: **Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on November 1, 2022.**

BACKGROUND INFORMATION: This agenda item is to consider approval of the minutes from the November 1, 2022, regular meeting of the Environmental Conservation Commission.

CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. A copy of the draft minutes from the November 1, 2022, regular meeting of the Environmental Conservation Commission.

RECOMMENDATION: Move to approve the minutes from the November 1, 2022, regular meeting of the Environmental Conservation Commission.

THE FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING HELD ON THE 1ST DAY OF NOVEMBER 2022, 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:

Marilyn Lawson	Chair
Deanna Soper	Vice Chair
James Seastrom	Commission Member, Place 2
KC Walsh	Commission Member, Place 3
Alton Bowman	Commission Member, Place 5
Anna Athappan	Commission Member, Place 6
Emily Strittmatter	Commission Member, Place 8
Juli Greenberg	Commission Member, Place 9
Andra Schwenk	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.)

Constituting a quorum with the following members absent:

Rich Murchek	Commission Member, Place 1

And the following members of Town staff present:

Matthew Woods	Director of Environmental Services
Helena Lynch	Administrative Assistant
Jimmy Hoefert	Environmental Review Analyst
Joe Whiteley	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. PRESENTATION

1. Present certificates to the 2022 Tree Recognition Program winners.

DRAFT

Staff Presentation

Jimmy Hoefert, Environmental Review Analyst, gave a presentation with the following items included:

Tree # 1: 1st Kirwan Family Post Oak	Most Majestic Post Oak
Tree # 2: 2nd Kirwan Family Post Oak	Biggest Post Oak
Tree # 3: Sweety Bowman Black Hickory	Best Hickory
Tree # 4: Schaumburger Family Southern Magnolia	Best Magnolia
Tree # 5: Rau Family Southern Live Oak	Best Live Oak
Tree # 6: Narrell Family Post Oak Grove	Best Post Oak Grove

F. CONSENT AGENDA

1. **Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on October 4, 2022.**

Commission Deliberation

Commission Member Seastrom made a motion to approve the October 4, 2022, minutes as presented. Commission Member Walsh seconded the motion.

VOTE ON THE MOTION

AYES: **Seastrom, Walsh, Bowman, Soper, Athappan, Schwenk**
NAYS: **None**
ABSTAIN: **None**

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

G. ADJOURNMENT- REGULAR SESSION 6:44 pm

H. CALL WORK SESSION TO ORDER 6:44 pm

I. WORK SESSION ITEM

1. Discuss the Town's tree preservation regulations, environmental regulations, and the development application process.

Staff Presentation

Jimmy Hoefert gave a presentation and answered question with the following slides

- Tree Preservation Regulations – 3 slides
- Protected Tree Lists

DRAFT

- Tree Replacement Requirements
- Development Application Process – 2 slides
- SMARTGrowth Environmental Review
- Appendix A- Fee Schedule Changes
- Landscape Requirements
- Discussion & Questions

J. SUBCOMMITTEE REPORT

Receive updates and status reports related to subcommittee activities and establish subcommittees as necessary.

K. COORDINATION OF FUTURE AGENDAS/MEETINGS

L. ADJOURNMENT- REGULAR SESSION – 7:49 PM

TOWN OF FLOWER MOUND, TEXAS

_____

MARILYN LAWSON, CHAIR

ATTEST:

_____

HELENA LYNCH, ADMINISTRATIVE ASSISTANT

DRAFT

ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 2

REGULAR ITEM

DATE:	December 6, 2022
FROM:	James Hoefert, Environmental Review Analyst
PRESENTER:	Lara Hall, with McAdams
ITEM:	**Consider an application for a tree removal permit (TRP22-0020) for one (1) specimen tree on property proposed for development as Roach Addition. The property is generally located north of Cross Timbers Road and west of Lusk Lane.**

BACKGROUND INFORMATION:

The Roach Addition development consists of approximately 12.476 acres and is generally located north of Cross Timbers Road and west of Lusk Lane. The proposed site for new residential development is currently zoned for Interim Holding Agriculture uses and master planned for the Cross Timbers Conservation Development District. The applicant is proposing to rezone the property to Planned Development District No. 194 (PD-194) with a Agriculture (A) uses. According to the tree survey for the project, the portion to be immediately improved (Lot 4X) contains two (2) specimen trees. The applicant is requesting to remove one (1) of the specimen trees on the site (Tree #306 – 25" post oak). The specimen tree is in good condition and located within the proposed buildable area.

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, 50" of replacement trees, equaling 17 three-inch caliper trees, will be required for the one (1) specimen tree being requested for removal on this site. In addition, protected trees removed will also require replacement at a tree-for-tree rate. The developer is proposing to preserve existing trees on the site, so there will be credits available for the preservation of those trees. Mitigation may be accomplished by paying the applicable fee, planting mitigation trees, or through a combination of planting trees and paying the required fee.

CITIZEN FEEDBACK: As of November 30, 2022, staff has not received feedback related to this item.

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent.
2. Specimen tree removal permit application.
3. Photographs of the specimen trees 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 Roach Addition. The property is generally located north of Cross Timbers Road and west of Lusk Lane.

MCADAMS

LETTER OF INTENT > **2021310537**

November 4, 2022

Jimmy Hoefert, Environmental Review Analyst
Town of Flower Mound
Environmental Services Division
2121 Cross Timbers Road
Flower Mound, Texas 75028

Reference: Tree Removal Permit Application
Lot 1-3, Block A, Abstract NO. 1298
12.476 Acres
Town of Flower Mound
Denton County, Texas

Dear Mr. Hoefert,

On behalf of the developer on the aforementioned property, we are requesting that (1) specimen tree (as outlined in the attached tree survey), as defined in the TOFM Tree Preservation Code, be removed. The tree being requested to be removed due to site conditions and staff request, which thereby mean the subject property cannot reasonably be developed without removal of the trees included in the permit application.

TREE TABULATIONS FROM THE SPECIMEN TREE SURVEY

Total specimen trees	2 trees
Total specimen trees to be removed	1 trees

Due to preexisting conditions, Town of Flower Mound Engineering Standards, Code requirements, and Environmental Staff requests 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.

The following is the specimen tree we are requesting to be removed:

1. Tree #306 25.5” Post Oak

This tree is being removed due to site constraints and staff request.

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

Sincerely,

Lara Hall

Lara Hall RLA
Landscape Architect, TX #3748

Town of Flower Mound Environmental Services
Mailing Address: 2121 Cross Timbers Road, Flower Mound, TX 75028
Telephone: 972-874-6340 Website: www.flower-mound.com

TREE REMOVAL PERMIT

(Effective for Developments submitted 10/6/06 - present)

Check one: ___Protected Tree _X_Specimen Tree ___Historic Tree

This application is required to be submitted 30 days prior to the next available ECC hearing.

1. Applicant- Note: Must be an ISA certified arborist, certified forester, or a registered landscape architect.

Name:
Lara Hall

Address:
201 Country View Drive Roanoke, TX 76262

Phone:
817-933-3306

Applicant's Legal Interest in the Property:
Landscape Architect

2. Property Owner(s)

Name(s):
Address:
Jody Roach
4993 Lusk Lane
Flower Mound, TX 75028

3. Location and Legal Description of Property:

_____Lot 1-3, Block A_____

_____Abstract 1298_____

_____12.476 Acres_____

4. Owner's Authorization of Representation

I, Joseph Garland Roach III, the owner of the above described real property, do hereby authorize _____ 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]
Signature of Owner

Bradley Alexander Cox
My Commission Expires
2/11/2026
Notary ID
133584101

Given Under My Hand and Seal of Office
This the 4th Day of November, 2022
B A Cox
Notary Public
In and For Denton County, Texas.

5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I _____Lara Hall_____, 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.

Lara Hall
Signature of Applicant

Landscape Architect License No.3748
State of Licensure_____
Or ISA Certified Arborist No._____
Or Certified Forester No. _____

Given Under My Hand and Seal of Office

Bradley Alexander Cox
My Commission Expires
2/11/2026
Notary ID
133584101

This the 4th Day of November, 2022

BA Cox

Notary Public

In and For Denton County, Texas

6. Received by Town of Flower Mound on (Date) 11/04/2022 by (initials) JRH.

7. REQUIRED SUBMITTALS CHECKLIST

a. A $250 Administrative fee per Specimen or Historic Tree proposed for removal, not to exceed a total of $1,000 per permit application.

b. A $200 fee is required for each Tree Removal Request sign that is made by the Town. The sign(s) must be placed on the property 15 days prior to the ECC hearing that the item is scheduled for on the agenda. Signs shall be placed perpendicular to the street and clearly visible. There shall be one sign for each 500ft of street frontage.

c. One (1) electronic copy of this application signed and notarized.

d. One (1) electronic copy of the site plan, development plan, or concept plan or landscape plan where applicable.

e. One (1) electronic copy of the Tree Survey drawn to the largest practical scale and indicating the items as required by the Town's Tree Ordinance.

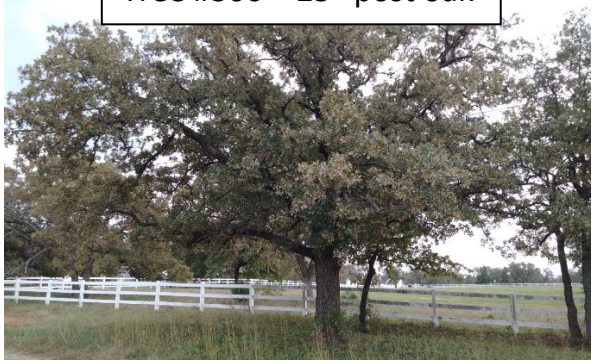
f. One (1) electronic copy of photograph(s) or other evidence indicating that (a) sign(s) has/have been placed on the lot or tract as required by Chapter 94 of the Town's code of ordinances. Photograph(s) shall be taken from the street(s).

g. One (1) electronic copy of a photograph for each tree requiring a tree removal permit, which is proposed for removal.

h. One (1) electronic copy of a written document fully explaining the reasons for removal of the Protected, Specimen or Historic tree (LOI).

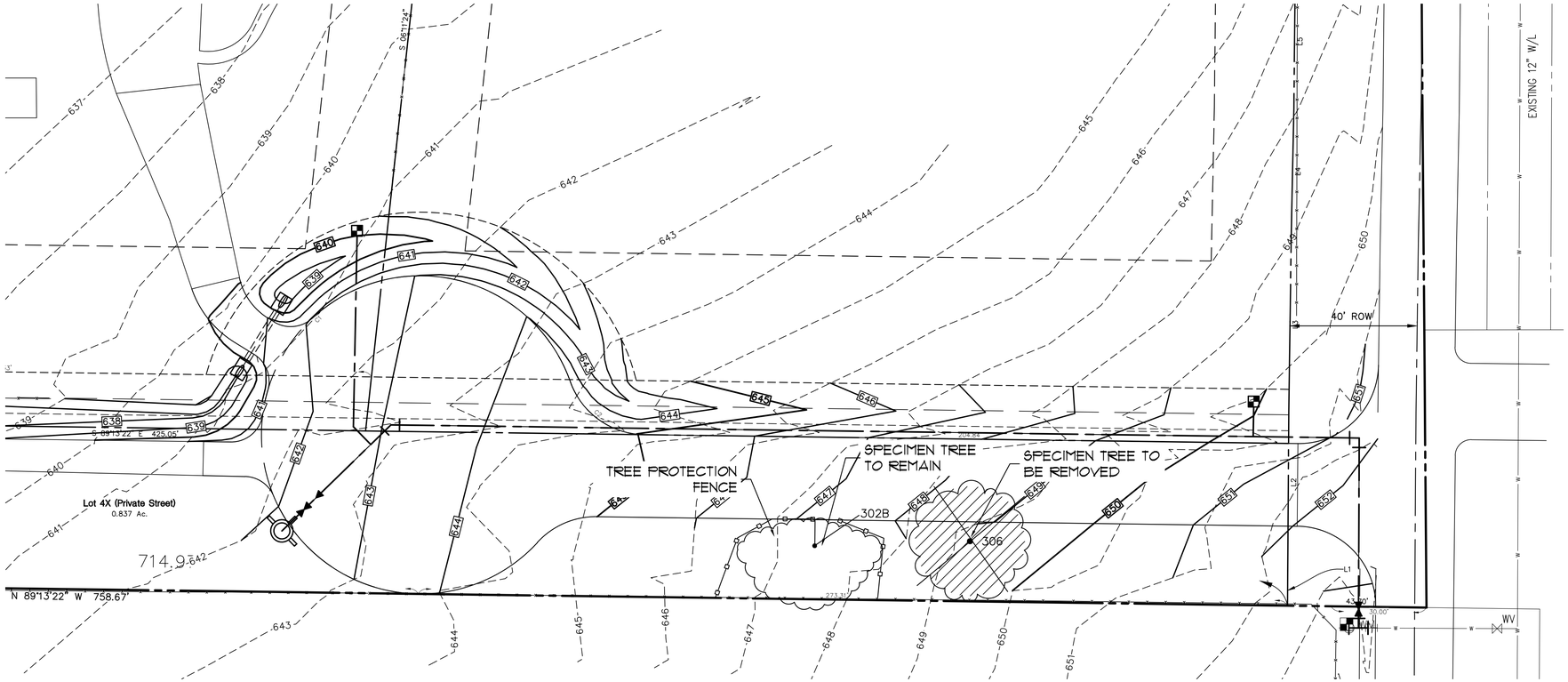
Roach Addition -
Specimen tree proposed for removal

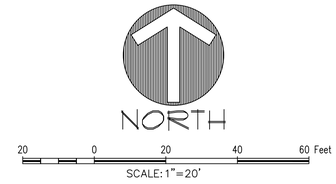
Tree #306 – 25” post oak



Tree Removal Request Signage

Along Lusk Lane





LEGEND

- SPECIMEN TREE TO BE REMOVED
- TREE PROTECTION FENCE
- SPECIMEN TREE TO BE PRESERVED

LIST #	TAG #	CALIPER (")	COMMON NAME	BOTANICAL NAME	SPECIMEN	REMARKS	REMOVED	HEALTH
1	302A	26	POST OAK	*Quercus stellata*	YES	MULTI-TRUNK	NO	GOOD
2	306	25	POST OAK	*Quercus stellata*	YES		YES	GOOD

TOTAL MITIGATION FOR THE (3) REMOVED SPECIMEN TREES IS 162 INCHES.

50 / 3 = 17 MITIGATION DEBITS

17 X $600 = $10,200 IN MITIGATION FEES

FINAL DEBITS/CREDITS TO BE CALCULATED WITH THE RECORD PLAT

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. JOB CONDITIONS
1) Coordination: Coordinate and cooperate with other contractors to enable the work to proceed as rapidly and efficiently as possible.
2) In order to minimize conflict, secure from the Construction Manager copies of layout drawings showing the location of all underground utility lines and other structures

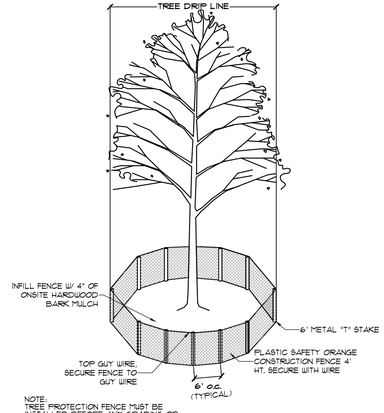
C. PRODUCTS
1) MULCH: Double shredded hardwood mulch free of sticks, dirt and other debris and derived from the site clearing.

D. DEFINITIONS
1) CRZ: Critical Root Zone: The soil space directly under the canopy of any tree, extending out at least 7 feet from the trunk or 2/3 the distance to the dripline, whichever is greater.
2) TPZ: Tree Protection Zone: The entire soil space located directly under the dripline of any tree (the entire dripline).
3) CRS: Complete Root System: The soil space directly under the dripline of any tree and an additional 7 feet beyond said dripline.
4) TPF: Tree Protection Fence: The orange safety barrier netting that shall extend around the entire circumfrence of the tree at the TPZ.

E. PRE-CONSTRUCTION TREE PRUNING
1) Personnel Qualifications: All 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:
(i) Clear the crown of diseased, crossing, weak and dead wood to a minimum of 1 ½ inches in diameter
(ii) Provide 14 feet of vertical clearance over streets and 8 feet over sidewalks.
(iii) Remove stubs, cutting outside the woundwood tissue that has formed around the branch.
(iv) Reduce end weight on heavy, horizontal branches by selectively removeing small diameter branches, no greater than 2 to 3 inches, near the ends of the scaffolds.
3) Pruning cuts shall be made in accordance with ANSI 300 Pruning Standard and work shall be performed in accordance with ANSI Z133.1 Safety Standards. Pruning shall be in accordance with ISA's Best Management Practices: Tree Pruning
4) No more than 20 percent of live foliage shall be removed from any tree.
5) Brush 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.

F. TREE REMOVAL
1) Trees preservation requires a commitment to preserving and maintaining retained trees, as well as removal of any unsuited trees within the Project Area.
2) All wood debris from all tree removals at the Project Site is to be chipped and stored on site for use in the tree preservation efforts at the discretion of the Landscape Architect.
3) The limits of all tree protection zones shall be staked in the field and observed by all contractors,
4) Any brush clearing required within the tree protection zone shall be accomplished with hand operated equipment.
5) Trees to be removed from within the tree protection zone shall be removed under the supervision of a Certified Arborist. The trees shall be cut near ground level and the stump ground out.

G. TREE PROTECTION
1) Before beginning work, the Project Manager, Landscape Architect and/or Owner of 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 inside the TPZ shall be clearly outlines.
2) Fences shall be erected to protect trees to be preserved prior ro construction equipment arriving on the Project Site. Fences will define the specific protection zone for each tree or group trees.
3) Fences are to be maintained and remain until all site work has been completed and final landscape operations begin. Fences may not be relocated or removed without written perission from the Landscape Architect. Fences may be constructed from 6 "T" stakes and orange web fence material
4) All trees to be preserved shall have 4 inches of hardwood mulch applied inside the tree protection zone. This hardwood mulch shall be replenished as necessary to maintain a 4 inch depth.
5) Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
6) Tree roots extend out in a straight, radial direction from the tree much like spokes on a wheel (to a depth generally not exceeding 24"). All underground utilities and drain or irrigation lines shall be routed outside the tree protection zone. If lines must traverse the protection area, they shall be tunneled or bored under the tree. Trenches "airdug" with Air Spade (registered trademark) or similar technology are the exceptions. Irrigation line may routed in any direction outside the dripline of retained trees. Irrigation lines inside the dripline must be in a straight, radial direction towards the tree trunk and terminate in a dead end sprinkler head no grater than 7 feet from a tree trunk (irrigation lines shall not in any way bisect and therefore damage the "spoke-like" root system).
7) No materials, equipment, spoil, or waste or washout water may be deposited, stored, or parked within the tree protection zone.
8) If unintentional injury should occur to any tree during construction, it shall be reported to the Landscape Architect within six hours so that remedial action can be taken, Timeliness is critical to tree health. The cost of any remedial treatments will become the burden of the offending contracting company.
9) Any grading, construction, demolition, or other work that in expected to encounter tree roots must be monitored by the Landscape Architect. Specific locations or tree tag numbers should be identified



1. TREE PROTECTION FENCING
NTS

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERIM REVIEW PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. LANDSCAPE ARCHITECT JAMESON N. PINSON LA # 2826 DATED 11/30/2022

REGISTERED LANDSCAPE ARCHITECT
JAMESON N. PINSON
2826
STATE OF TEXAS

OWNER/DEVELOPER
JOE ROACH
4993 LUSK LANE
FLOWER MOUND, TX 75028
Ph. 469-951-9078

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(DBA: G&A | McAdams)
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940. 240. 1012

TBPE: 19762 TBPLS: 10194440
www.mcadamsco.com

ROACH ADDITION

ROACH ADDITION
Lot 1-3, Block A
12.476 Acres
in the
T&P SURVEY, ABSTRACT NO. 1298
TOWN OF FLOWER MOUND
DENTON COUNTY, TEXAS

TREE SURVEY

Drawn By: LH
Date: ####
Scale: 1"=20'
Revisions:

2021310062

L1.0

File: M:\Projects\1DFC\1DFC- 2021\2021310062 Roach Property Pat\04-Production\Engineering\SHEETS\2021310062-TS Model: 11/30/2022 4:38 PM, by Luke Hall Sheet: 11/30/2022 2:10 PM, by Hall

ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 1

WORK SESSION ITEM

DATE: December 6, 2022

FROM: Clay Riggs, Director of Public Works

ITEM: **Provide an overview of the Town's drainage and floodplain regulations.**

BACKGROUND INFORMATION: This work session item provides ECC the opportunity to receive information on the Town's drainage, stormwater, and floodplain regulations.

The Town has established floodplain and drainage regulations to address potential impacts associated with new development. The Town became a member of National Flood Insurance Program (NFIP) Community Rating System (CRS) on October 1, 2019. By participating in the program residents and property owners receive flood insurance premium reductions. Policies within the Special Flood Hazard Area (SFHA) receive a 10% premium reduction. Policies outside of the SFHA receive a 5% premium discount.

The Town is also covered by the Texas Pollutant Discharge Elimination System (TPDES) MS4 General Permit which covers all large and small municipal separate storm sewer systems (MS4). The permit provides guidelines to MS4s on how to properly regulate and control stormwater runoff and provides a framework for the Town's Stormwater Management Program.

ALTERNATIVES/OPTIONS:

N/A

ATTACHMENTS:

N/A

RECOMMENDATION: This item is for discussion purposes; therefore, no formal action is required.