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Meeting ID: 868 9866 8206 Passcode: 868266

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## AGENDA

City of Bloomington Board of Park Commissioners  
Special Meeting: Wednesday, October 13, 2021 4:00p.m.–5:00 p.m.

Zoom

### CALL TO ORDER - ROLL CALL

#### A. OTHER BUSINESS

- A-1. Hear an appeal of proposed tree removal at 301 West 15<sup>th</sup> Street, Bloomington, IN. (Erin Hatch)  
A-2. Review of encroachment on B-Line Trail at 2605 South Kendall Drive, Bloomington, IN. (Tim Street)

### ADJOURNMENT

*Statement on public meetings during public health emergency: As a result of Executive Orders issued by the Governor, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:*

- *allowing members of the Council or its committees to participate in meetings electronically;*
- *posting notices and agendas for meetings solely by electronic means;*
- *using electronic meeting platforms to allow for remote public attendance and participation (when possible);*
- *encouraging the public to watch meetings via Community Access Television Services broadcast and encouraging remote submissions of public comment (via email, to [mcdevitp@bloomington.in.gov](mailto:mcdevitp@bloomington.in.gov)).*



## STAFF REPORT

Agenda Item: A-1  
Date: 9/27/2021

Administrator  
Review\Approval  
PM

**TO:** Board of Park Commissioners  
**FROM:** Erin Hatch  
**DATE:** October 13, 2021  
**SUBJECT:** RESPONSE TO APPEAL OF TREE REMOVAL AT 301 E 15<sup>TH</sup> ST.

### **Recommendation**

Staff recommends denial of Ms. Sarah Coletti's appeal and continuation of the removal of a tree at 301 E 15<sup>th</sup> St.

### **Background**

Ms. Sarah Coletti is appealing the posted tree removal located at 301 E 15<sup>th</sup> St, along the N. Lincoln St side of the property. The tree is a 33 inch diameter Silver Maple, located in a narrow tree lawn that is less than 6 feet wide. The tree has been posted for removal in order to address significant sidewalk lifting that is occurring adjacent to this tree. If left as is, the sidewalk poses a potential trip hazard to pedestrians. In order to conduct the sidewalk repairs as needed, significant damage is likely to occur to the tree's root system, which would likely lead to the tree's decline and likely stability issues with the tree. The extent of the sidewalk damage would not allow less invasive fixes, such as simply grinding down the ends of the lifted sidewalk to create a level surface. The tree while relatively healthy has outgrown the space allotted within the tree lawn. If the tree removal proceeds, the site would be re-evaluated for a replacement tree, but will have to be a much smaller statue tree to avoid future sidewalk and root conflict.

**RESPECTFULLY SUBMITTED,**

Erin Hatch, Urban Forester

2021-January



## STAFF REPORT

Agenda Item: A-2  
Date: 9/27/2021

Administrator  
Review\Approval  
PM

**TO:** Board of Park Commissioners  
**FROM:** Tim Street, Operations and Development Division Director  
**DATE:** **October X, 2021**  
**SUBJECT:** **Encroachment on B-Line Trail at 2605 S Kendall Dr**

### **Recommendation**

Staff recommends post facto approval of an encroachment agreement with Nikota Braun, property owner at 2605 S Kendall Dr., for a set of stairs that was built to connect to the B-Line Trail “bypass” on the west side of the trail north of Country Club Dr.

### **Background**

In May 2021, Parks staff were notified that a new set of wooden stairs had been built onto city property, connecting 2605 S Kendall Dr. with the B-Line “Bypass” trail just south of Switchyard Park. The City of Bloomington has standard encroachment agreements used for a variety of encroachments, and there is precedent for encroachments to the B-Line trail: many downtown businesses and hotels have approved agreements for encroachments (connections) to the trail. These agreements assign liability and responsibility for the encroachments and reserve rights for the City to change or remove encroachments if warranted. Encroachment connections to trails should consider the environment, user experience, access & safety, past and future precedent, and alternatives.

After the stairs were discovered, Parks staff sent a notice of violation letter to the property owners letting them know an encroachment agreement would need to be approved by the Board of Park Commissioners for the stairs to remain. The property owners responded indicating they were unaware of the encroachment process and property line issues, and provided a photo of a dilapidated staircase that already existed in this location (likely from before the trail was established) that they improved.

Parks staff do not wish to create a precedent that every property along the B-Line is allowed to create individual encroachments, but in this case recommend approval based on the presence of the pre-existing staircase that was improved. If approved by the Board, the property owners will sign the encroachment agreement and it will be recorded with the property through the County Recorder's office.

**RESPECTFULLY SUBMITTED,**

A handwritten signature in black ink that reads "Tim Street". The signature is written in a cursive, flowing style.

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Tim Street, Operations and Development Division Director





CITY OF BLOOMINGTON  
Parks and Recreation

## **B-Line Encroachment - 2605 S. Kendall Dr.**

*For Board of Park Commissioners consideration, October 2021*



Left: The pre-existing remains of stairs on site. Right: the improved stairs constructed by homeowners, May 2021. Note: the property line runs approximately along the top of the stairs/small hill.



Location of property and encroachment.