

October 29, 2015

A Special Meeting of Town Council was held on the above date at 5:00 p.m. at Holy Cross Episcopal Church, all requirements of the Freedom of Information Act having been satisfied.

Present were: Patrick M. O'Neil, Mayor
Chauncey Clark, Mayor Pro-Tem
Sarah Church, Councilmember
Mark Howard, Councilmember
Rita Langley, Councilmember
Susan Middaugh, Councilmember
Bachman Smith, IV, Councilmember

Mayor O'Neil called the meeting to order and at 5:02 p.m., and stated the press and public had been duly notified. There were approximately 75 members in the audience, including two members of the media. The purpose of the meeting was to address development of the management plan for the protected land. This meeting will continue the process, and re-orient Council and the public with a review of the process to date.

Administrator Benke gave a brief timeline/overview of the history of the accreted land management plan, as well as the proposed principles for management of that land, and the proposed management plan (copies attached). The most current language of the unfinished plan is dated November 22, 2011. In May 2014, Council voted to establish various transition zones for each management unit.

Zoning Administrator Joe Henderson presented a protected land tree survey. In 2014, Thomas and Hutton performed a tree survey of the protected land, counting trees six inches and greater in diameter at breast-height. Invasive species listed in the Clemson Extension Service List of Invasive Species were not counted. The survey showed 2,160 trees; with 43 species.

Mayor O'Neil opened the floor for public comment.

Nathan Diaz – Executive Director of Cape Romaine Observatory, stated Sullivan's Island has a unique opportunity to have an expanding maritime forest, and to consult experts in the field to make decisions regarding the protected land.

Norman Khoury, 1728 I'on Avenue, believes there is a compromise to protect this land that does not encompass over-manipulating the ecosystem.

Sarah Diaz, 1325 Middle St., stated she is currently the project-lead in the bird banding program on Sullivan's Island, and emphasized the importance of preserving natural habitats to bird populations and other species of animals.

Jennifer Tyrrell, Vice President of Charleston Audubon Society, stated the habitat structure and quality of the maritime forest and shrublands have been very productive and heavily utilized by many species, and should be preserved.

Nancy Fortiere, 1761 Atlantic, stated the trees should be at least thinned and the undergrowth should be cleared. It can be made attractive and comfortable for residents to walk in the accreted land.

Annie Mithoefer, 407 O'Neil, stated she was grateful for the tree survey, and hoped the Council could work toward the transition zone and doing something with the accreted land.

Frances Johnson, 2402 Goldbug, hoped Council would consider keeping the 100 foot transition zone for everyone on the front beach. Also, consider transitioning back to the island as a beach island – with sand dunes and sea oats.

Luke Lewis, 2101 Pettigrew, stated the transition zone was 100 feet for all because everyone needs the same amount of protection. The land has been neglected for 25 years and the wax myrtles and forest are dangerous. The sand dunes are the only thing that will protect us from storm surge.

Kimberly Gilhuly, 2118 Pettigrew, stated there were coyotes in her well-maintained front yard; she could only imagine what it was like in the maritime forest. She asked Council to consider the coyotes, safety, dunes, and fire in the management plan.

Hannah Heyward, 1701 Middle, stated the accreted land is a beautiful ecosystem that needs to be maintained.

Carlin Timmons, 1413 Middle, believed there can be a compromise, and to maintain this incredible resource for other generations.

Clyde Timmons, 1413 Middle, stated because the land has accreted the beaches are a different ecosystem now. The proposal mentions trying to making grass areas out of shrub areas, which would be a fight against nature.

Larry Middaugh, 2420 Raven Drive, stated to consider the past management of the wax myrtles when determining the protected land management plan. He also commented on the fire index of wax myrtles.

Peter Budko, 2061 Pettigrew, stated the first draft of the Coastal Science and Engineering study says that the transformation from dune grasses to dense shrub and forest has unintended consequences, such as stabilizing low dunes before they can gain height in order to give protection from storms. It also states that nature vegetation build-up within areas make portions more susceptible to fire, and that this build-up of vegetation can lead to catastrophic results. The word "catastrophic" was apparently taken out for the final draft. Also, he stated that the deed restrictions stated that Town Council has a responsibility to main and control the growth of vegetation for the purpose of mosquito control, scenic vistas, public access, drainage, beach renourishment, erosion control, dunes, public safety and public health.

Gary Visser, 2924 Middle Street, stated he supported Mr. Khoury's comments regarding the need for a compromise, and believed this was the beginning of a very strong plan. He and his wife contributed to fund and protect the land seaward of the existing beach front homes for the last 24 years. The conservation easement was intended to protect the island from both storms and future town governments who might seek to develop the land.

Matt Johnson, Summerville, with the National Audubon Society, stated to protect the land to continue to provide protection for thousands of birds.

Scott Parker, 1907 Thee St., stated Sullivan's Island is a community that has had a relationship with its natural environment, and the natural ecosystem and human ecology (community in which we live) should be respected moving forward. These ecosystems can be enhanced and there is a balance that can be achieved to make the island as special going forward as it is now.

Jessica Norris, President, Charleston Natural History Society, stated the ecology of barrier islands is that they are inherently changeable. With the increase in eastern coastal population, the maritime forest is a rapidly disappearing landscape that needs to be preserved.

Cyndy Ewing, 2514 I'on Ave, stated she believed there was misinformation communicated, and wanted to convey that during a previous accreted land management meeting, a representative from the S.C. Forestry stated that the maritime forest and wax myrtles are not a threat for fire. The fire in Myrtle Beach was not a wax myrtle fire. She asked Council to not let fear motivate its decisions. Also, maritime forests and beaches can exist together. She suggested to look at how the islands of Kiawah and Seabrook manage their maritime property.

Ed Fava, 2424 Myrtle Avenue, stated the maritime forest affects both front-beach homeowners and all other homeowners on Sullivan's Island. The coyotes also affect all areas of the island. There is room for balance or compromise, and it is not realistic to consider things to be as before Hugo. His main concern for the compromise or balance is that if the benefit is mainly for views, the cost should not be totally borne by the town and the tax payers.

Evelyn Needle, 2919 Atlantic Ave, stated there is not one person in the room tonight that has children or grandchildren who would allow them to go into the maritime forest because it is dangerous. She stated her view of the beach is all trees. She cuts the wax myrtles every year, but it does not help with the view. Front-beach owners pay high taxes for the location, a view, and the breezes, and it should not be asking too much to consider this either by compromise or balance.

Michael Bourland, 1607 Atlantic, stated there is a difference between the accreted land and the vegetation that grows on the accreted land. The accreted land has grown because of the jetties that were put in the harbor; and that is what protects the island. The trees and vegetation only do a small amount of erosion control, and he does not believe the original land trust was put in place to protect that vegetation. As stated earlier in the evening, the engineering study showed that this type of vegetation goes against the principles of dune formation, which is the greatest chance of protection from storms. He believes that a compromise can be reached to enhance the accreted land property.

Nolan Schillerstrom, James Island, stated he works for the Natural Audubon Society and is an advocate for a healthy beach. To have a healthy beach, you need a healthy maritime forest.

Madeleine McGee, 2211 I'on, stated the elimination of invasive species was the perfect first step in protecting the maritime forest. The wisteria is an invasive species in the forest, and is challenging the oaks in front of Battery Logan. She stated that Richard Porcher's belief that much of the area with dense wax myrtle growth was because of it being cut. He had suggested to thin and remove some wax myrtles in order to create hummocks (small cluster of trees within the dunes). Hummocks can protect wildlife and provide view corridors. She encouraged Council to test this idea. Also, she encouraged Council to observe the property between Station 22 and Station 22-1/2 because it is not part of the accreted land. It is not held in trust because the property owners own up to the mean high tide. She said it is a diversity of dune wildlife, wildflowers, and butterflies.

Steve Poletti, 1771 Atlantic Avenue, stated the accreted land is dangerous. The facts are that we have the highest number of coyote sightings and the lowest number of sea turtle hatchlings, of any island on the east coast. Also, the consultant originally presented four accreted land options. The plan the consultants recommended was to build a berm and cut down trees, and it would

decrease the risk of hurricane damage by 50%. It was decided to reject this option, but to look at combining portions of options 1, 2 and 3. The maritime forest is out of control and the right thing to do is to revisit the option that the consultants originally recommended.

Mayor O'Neil concluded public comment.

Councilmembers Langley and Middaugh suggested to have the local Chief of Forestry Commission address Council regarding fire issues/prevention in the accreted land. Councilmember Clark asked Fire Chief Stith for his opinion about the fire threat in the accreted land. Chief Stith stated he had not heard about inviting the forestry fire commissioner, but wanted everyone to know that if the accreted land catches on fire, the residents are safe. Our attention, and according to the NFPA, will be to fight for life and property. We have a good fire plan, and we have the equipment to fight the fire. There is a fire problem, and the NFPA says the setback for a fire line should be 100-200 feet. He stated that while he didn't mean to disagree with a public comment tonight, the fire in Myrtle Beach was a wax myrtle fire.

Councilmember Clark, as chair of the Public Safety Committee, stated all fire protection documents need to be reviewed and make determination on the facts. The NFPA document recommends a 100-200 foot setback for neighborhoods adjacent to wild land or forestry land. We can invite the local forestry representative to speak, but first we need to review the appropriate documentation.

Mayor O'Neil stated that the next accreted land management meeting is scheduled for November 30, 2015 at 5:00 p.m. at Holy Cross Church, and will be dedicated to the transition zones issue. The depth of the transition zone, as well as the method of manipulating and clearing to create these zones, must be discussed together. This meeting will be a Council meeting and there may not be time for public comment at that meeting, or at least until Council can complete its agenda items. Before that time, Council will try to set up time with the Fire Chief, and perhaps the Chief of Forestry Commission, regarding fire in the accreted land.

Mayor O'Neil thanked the Town Hall staff and Holy Cross staff for their work and preparation in organizing this meeting.

Motion was made by Councilmember Smith, seconded by Councilmember Church, to adjourn at 7:20 p.m., carried unanimously.

Respectfully submitted,


Ellen Miller

ACCRETED LAND MANAGEMENT PLAN

Abbreviated Timeline – Early History

- **February 1991 – Town receives deed restricted title to property from the LOLT**
- **February 1995 – Town initiates ordinance amendment to allow cutting to seven (7') feet**
- **December 2003 – Town initiates ordinance amendment to allow cutting to five (5') feet**

ACCREDITED LAND MANAGEMENT PLAN Consultant

- **May 2007 – RFQ published**
- **August 2007 – RFQ deadline; seven (7) proposals received**
- **December 2007 – Coastal Science and Engineering selected**
- **June 2008 – Contract executed with Coastal Science and Engineering for project**

ACCRETED LAND MANAGEMENT PLAN

Draft to Final Document

- **August 2009 – Presentation of draft deliverable by CSE at Holy Cross to Council and residents**
- **December 2009 – Council approves Principles and Directions for crafting management plan**
- **August 2010 – Final draft ALMP presented to Town by CSE**

ACCRETED LAND MANAGEMENT PLAN Council Develops a Management Plan

- **October 2010 – Initial discussion of ALMP by Real Estate Committee**
- **March through May 2011 – Council walking tours of accreted land**
- **May through November 2011 – Work on management plan, implementation strategies, and expenses and funding**
- **November 2011 to May 2012 – Review and discuss version 3A ALMP**

ACCREDITED LAND MANAGEMENT PLAN ALMP – Most Recent Activity

- **April 2014 - LUNR Committee discusses accreted land projects and transition zones**
- **May 12, 2014 – Council Workshop with general discussion of ALMP and transition zones**
- **May 20, 2014 – Council Meeting with motion to establish transition zones (width of zones and species not defined)**
- **October 29 and November 30, 2015 – Reinitiate work on ALMP by full Council**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

**Council approval of Principles for the Management of the Accreted Land
occurred at the December 2009 meeting**

**The document created a broad framework for how to manage the Accreted
Land**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

**Five Broad Principles that guide the management language for the deed
restricted property**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle One

- **The Town owns the land with deed restrictions placed on it by LOLT**
- **Every resident and property owner of the Island has a stake in the property**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Two

- **Deed restrictions and Town Code of Ordinances stipulate that the land shall be protected**
- **Protection of the land is accorded for aesthetic, scientific, educational, ecological and safety benefit and value of all residents on the Island**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Three

- **The Town has the responsibility to be a good steward of the land and good neighbor to the owners of properties that abut the land**
- **The plan shall benefit the long term maritime eco-system and its impact on wildlife and vegetation**
- **The Town shall recognize that scenic views and breezes inside and outside the accreted land are valuable natural resources**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Four

Steward Responsibilities of the Town

- **Town as owner is responsible to manage the land**
- **Town is responsible to craft and implement a management plan**
- **Management plan should be based on impact on the land as an environmental, educational and recreational resource**
- **Management plan must recognize the land is part of a bio-diverse process, consider natural succession of vegetation, its value to shoreline protection**
- **The Town shall be responsible to fund management of the land**
- **Management decisions shall be independent of funding sources**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Four

Steward Responsibilities of the Town

- **Management or modification of the accreted land shall be at the sole discretion and direction of the Town**
- **Town shall receive input from all Town citizens, property owners, credentialed experts, regulatory agencies and LOLT**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Four

Steward Responsibilities of the Town

- **Due to area diversity which changes over time Town shall define management units based upon specific characteristics and long term development**
- **Current laws governing the accreted land shall remain in effect until the Town adopts, funds and implements the management plan**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Five – Neighbor Responsibilities

- **Town should respect the neighbors to the accreted land while meeting the stewardship responsibilities**
- **The management plan may include a transition or edge band that abuts privately held properties which would be managed differently from and more aggressively than the seaward balance of the property**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Five – Neighbor Responsibilities

- **Objectives of the transition band include: buffer from unwanted wildlife; minimization of fire hazard; enhancement of breezes; enhancement of possible sight lines**
- **Achievement of these objectives in the transition zone will be accomplished via different means depending upon characteristics of the accreted land seaward of the band**

PROPOSED PRINCIPLES FOR MANAGEMENT OF THE TOWN'S ACCRETED LAND

Management Principle Five – Neighbor Responsibilities

**Public beach paths should be maintained based on the nature of the
land they traverse**

PROPOSED MANAGEMENT PLAN

- **Council began working on the management plan October 2010**
- **Most current language of the unfinished plan is dated November 22, 2011**
- **The draft language incorporates the principles for management adopted by Council in December 2009**
- **In May 2014 Council voted to establish various transition zones for each management unit**

PROPOSED MANAGEMENT PLAN

Intent, Scope and Limitations of the Plan

The document purpose is to describe the background, intent, objectives and goals of the Town in managing, directing and preserving for the purposes of conservation, protection and environmental education the land placed under protection with LOLT

PROPOSED MANAGEMENT PLAN

Management Practices for All Zones – Beach Paths

- **Town beach paths – emergency paths cleared to a width of 20-25 feet with additional 10 feet each side for pedestrians; non emergency paths up to 10 feet wide with understory cleared to an additional 5 feet in height**
- **Non-Town beach paths – Home owner maintained paths remain available for public use; subject to regulation by other jurisdictions; previous paths that have not been maintained may be restored; and, new paths may be created subject to Town and other agency regulations**
- **Nature paths may be established**

PROPOSED MANAGEMENT PLAN

Management Practices for All Zones – Beach Paths

- **Punctuated vistas – where possible and consistent with the management objectives and plans for the particular unit, the possibility of creating or maintaining punctuated vistas should be considered**
- **Transition zones - Each unit may include a transition zone that abuts privately held properties that would be managed differently and more aggressively than the seaward balance of the accreted land**

PROPOSED MANAGEMENT PLAN

Recommended Planning Units – Unit 1 West

- **Approximate boundary from Palmetto Street to Sand Dunes Club path**
- **Includes maritime forest, shrub land and foredune grassland**
- **Strategy – promote progression to maritime forest**
- **Protect grassland areas**

PROPOSED MANAGEMENT PLAN

Recommended Planning Units – Unit 2 West Central

- **Approximate boundary from Sand Dunes Club path to National Park Service Property at 1815 I'On Avenue**
- **Strategy – maintain existing priority hardwoods; convert manipulated shrubland to grassland with hummocks of shrubs; strengthen dunes when clearing shrubs; reduce pests**

PROPOSED MANAGEMENT PLAN

Recommended Planning Units – Unit 3 East Central

- **Unit 3 includes maritime forest, grassland and foredune grassland seaward of the established shrub line**
- **Unit 3 sub-units include:**
- **Unit 3A – extending from beach path at Station 18.5 to western boundary of SIES**
- **Unit 3B – seaward of any property leased by SIES**
- **Unit 3C – extending from eastern boundary of property leased to SIES to Station 22 Street**

PROPOSED MANAGEMENT PLAN

Recommended Planning Units – Unit 3 East Central

- **Preferred strategy – conserve existing vegetation and allow natural successional processes to drive the development over time. Manipulation should be limited to exotic species control and beach access pathway maintenance; promote progression to maritime forest**
- **Transition zone – site specific strategies; depth 10-40 feet**

PROPOSED MANAGEMENT PLAN

Recommended Planning Units – Unit 4 East

- **Unit extends from the beach path of Station 22.5 Street to beach path at Station 29 Street**
- **Preferred strategy – maintain existing priority hardwoods; convert manipulated shrubland to maritime grasslands with island hummocks of shrubs**
- **Management to reduce pests**
- **Transition zones – 50 feet seaward of Bayonne Avenue and 100 feet between Stations 26 to 29 Streets**