

TOWN OF SULLIVAN'S ISLAND TREE COMMISSION

REGULAR MEETING MINUTES Monday, March 25, 2019

A regular meeting of the Town of Sullivan's Island Tree Commission was held on the above date at 5:00 p.m. at Town Hall, 2056 Middle Street. All requirements of the Freedom of Information Act have been satisfied. Present were Commissioners Members Mary English, Milton Langley, Nat Robb and Adele Tobin.

Members of the public present: Council Member Mark Howard

Staff members present: Joe Henderson, Director of Planning/Zoning Administrator and Jessica Gress, License and Permit Technician.

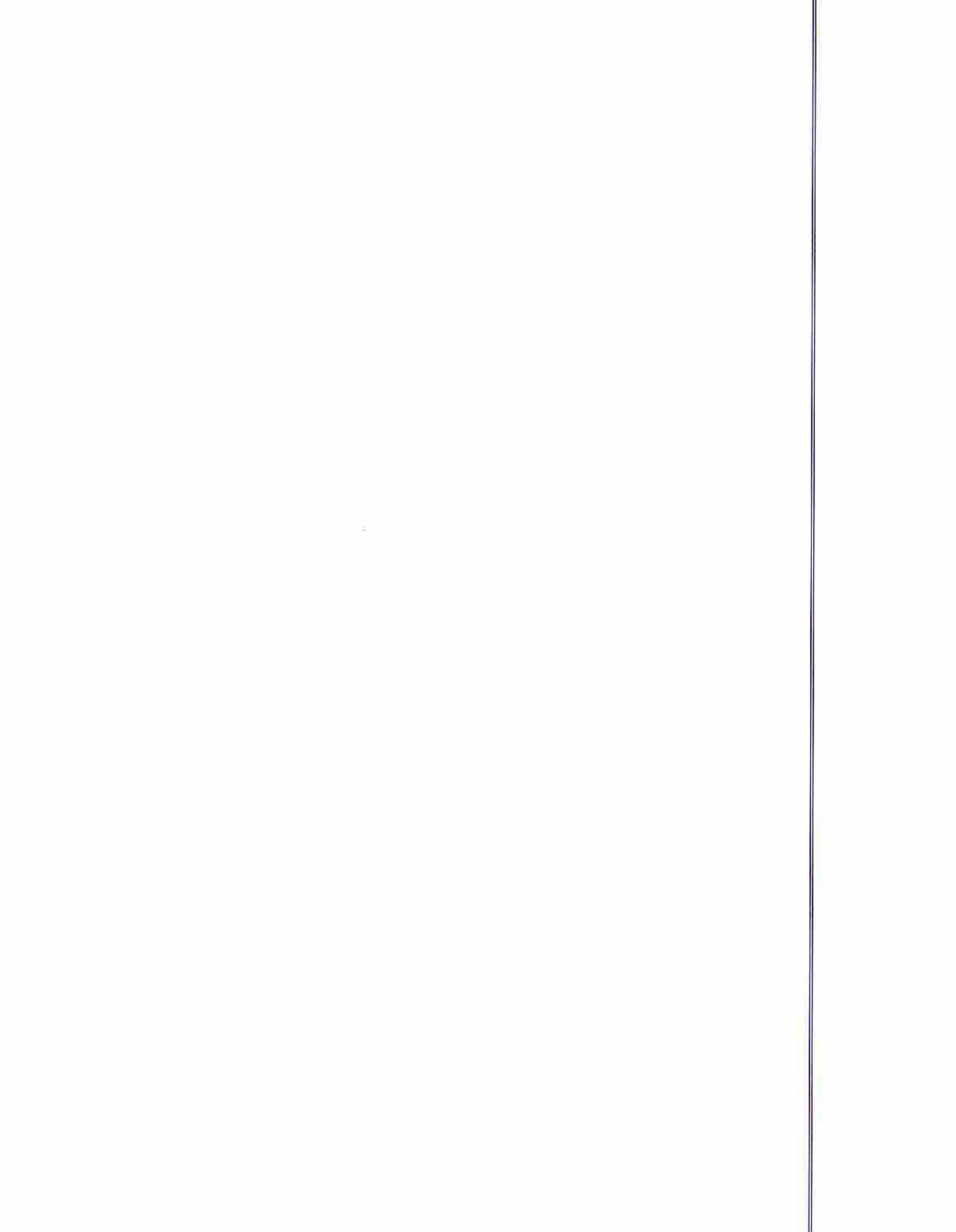
- I. **CALL TO ORDER:** Mr. Robb called the meeting to order and stated that the press and public were duly notified pursuant to State Law and a quorum of Board Members were present. There were no known members of media present.

- II. **APPROVAL OF MINUTES:** Ms. Tobin made a motion to approve the February 25, 2019 Tree Commission Meeting Minutes. Mr. Langley seconded this motion. All were in favor None opposed. Motion passed unanimously.

- III. **ITEMS FOR INFORMATION:**
 1. Arbor Day 2019: Staff requested review and approval of the planned Arbor Day celebration on April 25, 2019 from 4:00pm-7:00pm. Event to be held in the Stith Park during the Sullivan's Island Famers' Market.

Mr. Henderson stated that last year, 2018, two hundred (200) Eastern Red Cedars were ordered and handed out to the public at the Sullivan's Island Farmers' Market. The trees were ordered through a company called The Green World Project. When ordering one hundred and fifty to two hundred (150-200) Eastern Red Cedars the cost expense comes out to around \$2.35 per tree which is taken from the Town of Sullivan's Island Tree Fund. Mr. Henderson stated that a label will be created and placed on each tree with the Sullivan's Island logo and a message from the Tree Commission for a better presentation. He encouraged all of the Commissioners to attend the celebration to meet with members of the public.

2. Review procedure for Category 1 tree removal requests: Review of Article XVII of the Zoning Ordinance related to removal of Category 1 trees.



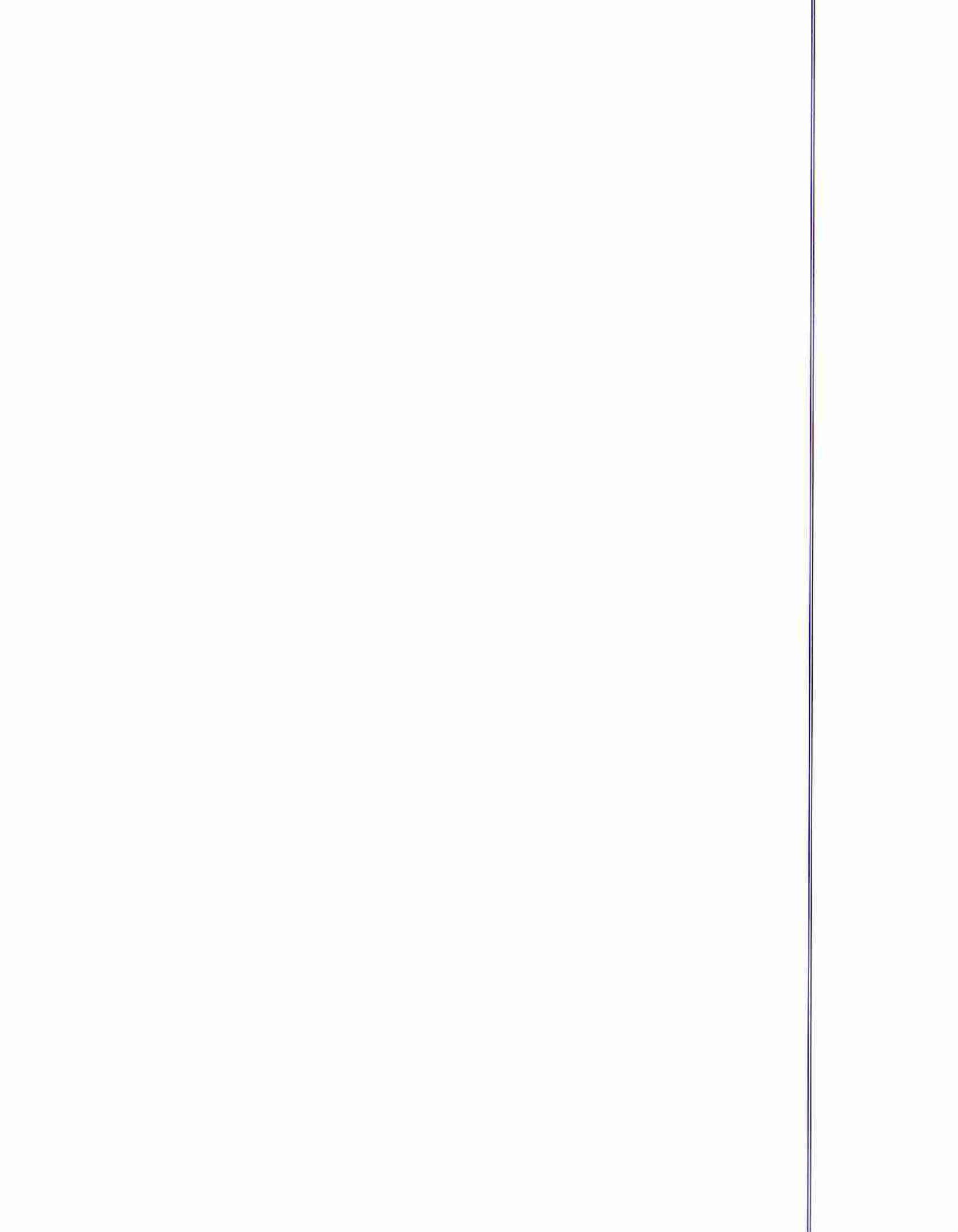
Mr. Robb provided an overview to the public and Commissioners. Before considering an Tree Removal Request, Tree Commissioners are given a staff report for review followed by the applicant's presentation of their application. The Commission Members then ask any questions they may have, followed by a motion. Mr. Robb believes that this system works and sees no reason to change it. Mr. Henderson reiterated that he had a chance to meet with the Chairman and discuss clarifying the criteria for authorizing tree removals.

Mr. Henderson stated the Zoning Ordinance requires an applicant to present a tree mitigation plan when Category 1 trees are requested for removal. It is up to the Commission Members to grant approval of the tree removal and to either accept or modify the mitigation plan being presented. Mr. Henderson suggested the following procedure continue going forward: first, allow Town Staff present the application, second, allow the applicant's presentation, finally, the Commission members deliberate and make a motion. Mr. Henderson also suggested that Jessi Gress make an outline or "cheat sheet" to give to the Commission members step-by-step instructions on how to proceed during a meeting. Henderson stated this process is also followed by the DRB, BZA and Planning Commission.

Mr. Robb read Section 21-157 of the Zoning Ordinance, which states the overarching goal of the Commission is "to preserve the natural landscape of Sullivan's Island through the protection of trees and palmettos, maintaining, and enhancing the tree mass, and mandating and encouraging the replanting of trees lost to development, destruction and natural causes." Ms. English stated that the applicant should not have the option of making a payment to the Tree Fund instead of mitigating for the number of inches removed.

Mr. Henderson presented a list of other local jurisdictions' and their ordinances requirements for tree removal. Mr. Robb believes that the Tree Commission has a duty to recognize the property rights of the homeowner, however, the homeowner should make every reasonable effort to accommodate the tree instead of removing it. Ms. Tobin understands property rights but she believes that when a homeowner purchases a property, they should recognize the trees located on the property, understand Sullivan's Island is a barrier island with major drainage issues, and to be aware of their neighborhood before purchasing a home. Ms. Tobin stated that the whole nature of Sullivan's Island has changed drastically in a way that takes away from what Sullivan's Island truly used to be.

Mr. Langley wondered if there is a way for the future home buyers and realtors to be informed of Sullivan's Island policies and procedures before purchasing a home. Mr. Henderson encouraged the Commission members to discuss a set of general guidelines that will allow the board to make consistent decisions when considering tree removals. Mr. Henderson read Section 21-161, subsection (2), which states that the Tree Commission should develop policies and administrative standards related to tree removal, replacement and relocation. Mr. Henderson stated that he does encourage the homeowner or applicant to go before the Tree Commission as a first step before presenting to the DRB or getting approval of the construction plans. Mr. Henderson informed the Commission Members that there is no way for Town Staff



to penalize the homeowner or applicant if they fail to come to the Tree Commission before getting approval of the construction plans. Often times staff discovers a Category 1 tree after the fact, that has not been reported or shown on the plans.

The Commission members stated that the Town should have rules in the ordinance with specific tree pruning standards. Mr. Robb pointed out that a proposal for tree pruning rules was presented to the Town Council and they chose to reject the idea. Mr. Henderson informed the Commission Members that as a general policy the ANSI 300A pruning standards are followed. Mr. Henderson informed the Commission members of a set of standards from the Town of Summerville, Isle of Palms, and North Charleston. Their ordinance's authorize removals under the following conditions:

City of Summerville:

- Diseased, dead, dying
- Pose a safety hazards to nearby buildings (within 10 feet), utility lines or pedestrian or vehicular traffic
- Located in the building footprint and up to ten feet around the perimeter of the construction site of an approved building and related driveway parking area when every measure has been explored to preserve existing tress has failed.

Isle of Palms:

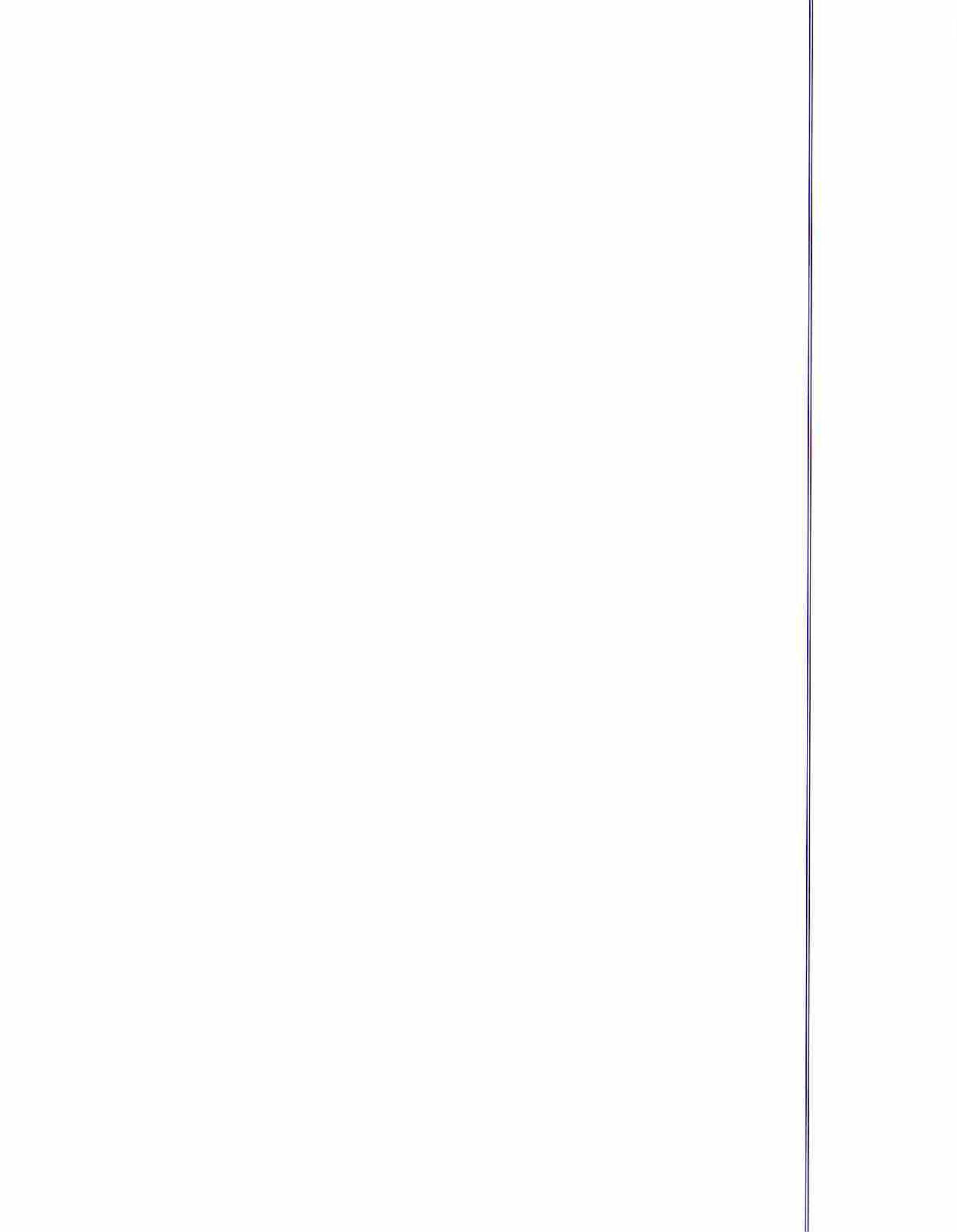
- upon the owner proving to the Zoning Administrator that cutting or removing a tree is necessary to make reasonable use of the property, including the siting of primary or accessory buildings the tree removal will be allowed.

North Charleston:

- Where removal of a protected tree is necessitated by emergencies or death and disease due to natural causes as determined by the Zoning Administrator, or his designee, replacement will not be required.

Mr. Henderson reported that all tree removal reviews should consider the location of the tree as well as its size. As an example, a tree located in the center of the lot, obstructing the footprint of a future home, might hold less protection value as the same size tree located on the periphery of the property's setback area. The Board must exercise flexibility and judge when to allow a tree to be removed, when to require replanting onsite and when it's better to allow the Town to replant tree via the Tree Fund.

Mr. Robb proposed that we should have guidelines that state that trees that are 25 inches or more in DBH would be more difficult to remove in the judgement of the Tree Commission. Mr. Henderson stated that 16" is the specimen size that requires Commission review and approval. He believes that the Commission should be looking at the property from an overall site

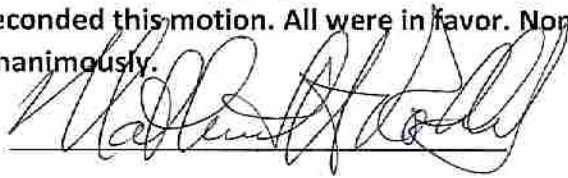


perspective when determining if mitigation is required or a payment to the tree fund should be made. This can be done by evaluating aerial photographs and street view pictures of the lot.

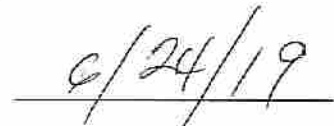
Mr. Robb asked how staff ensures the number and size of mitigation trees are planted on site once a tree removal request is approved by the Commission. Mr. Henderson responded by stating that before a Certificate of Occupancy or a Certificate of Completion is given, a final inspection is scheduled with Town Staff. If the owner or contractor does not mitigate according to the approved plan, the applicant is denied their certificate until the planting is completed.

Mr. Henderson reminded the Commission that a denial for removal of a tree should be based upon the conditions of the site, size, shape and topography of the property and the location, size and species of the tree. Mr. Henderson suggested that the Commission Members create a set of standards or guidelines to determine the best justification for removal with no mitigation, reasonable justification for removal with less mitigation, and less reasonable justification of removal with the most mitigation. The Commission agreed that this would be a valuable process to follow during their deliberations.

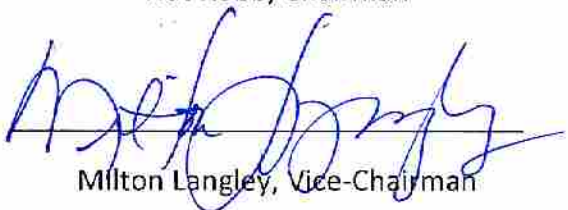
IV. ADJOURN: Mr. Langley made a motion to adjourn at 6:15 p.m. Ms. Tobin seconded this motion. All were in favor. None opposed. Motion passed unanimously.




Nat Robb, Chairman



Date



Milton Langley, Vice-Chairman



Date

