



**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA  
LAND USE & NATURAL RESOURCES COMMITTEE OF COUNCIL**

Thursday, August 30, 2018

Committee met at 8:45AM, this date, at Town Hall (2056 Middle Street), all requirements of the Freedom of Information Act having been met. Present were Committee members Councilmember Rita Langley (Chair), Mayor Pat O'Neil and Councilmember Chauncey Clark; Staff: Administrator Benke; Director of Planning and Zoning Henderson; Asst. to Administrator Darrow, Fire Chief Stith; Building Official Robinson.

**1. Call to Order.** Chair Langley called the meeting to order, stated the press and public were duly notified pursuant to state law and all members were present; no media and thirty (30) audience members present (including Council members Clark, Howard and Reese). Jeff Jackson, Town arborist consultant for Protected Land, was also present.

**2. Meeting Agenda – approved as presented**

**3. Transition Zone Management: Discussion of Draft Plan (Continuation)**

Chair Langley noted the Committee continues discussion of the Transition Zone Management Plan from its August 10, 2018 meeting.

Background: Council has held repeated meetings about the Protected Land to include Transition Zone management. Town Council developed a Transition Zone Management Plan, after several public meetings, that was approved at its February 25, 2016 Special Council meeting.

Chair Langley noted the Committee made recommendations for Band I at its last meeting and will continue ongoing discussion of Band II and then Boardwalks in this meeting.

**Committee recommendations from August 10, 2018 meeting include:**

**Town Council modify the Transition Zone Directives for Bands I & II to read as follows:**

**1. Band I (0-40 feet):**

- a. All trees  $\geq 6$ " DBH shall be retained, except cedar, pine and non-native invasive species trees
- b. All understory, shrubs (including myrtles), cedar and pine species and small trees (defined as  $\leq 6$ " DBH) shall be removed.

**2. Band II (40-100 feet):**

- a. All trees shall be retained within this band except non-native invasive species. Minimum threshold for consideration of a tree shall be determined.
- b. All understory, shrubs and myrtles shall be removed.

## **Transition Zone Band II: Definition of Tree and Minimum Tree Size to Cut**

### **Committee Discussion**

Chair Langley:

- Consulted with Jeff Jackson, Town arborist consultant, on question of tree definition and size.
- Town Code §21-158 A. (7) defines a tree as, “Any living, self-supporting woody perennial plant that is evergreen or deciduous.”
- Recommends minimum tree size retained within Band II be 3” dbh.
- Noted Town consultant CSE for Protected Land study recommended a 32’ buffer for fire break.

Mayor O’Neil:

- Noted 3” dbh is a good starting point to discuss minimum tree size but suggested including a 12’ height minimum.
- Commented the Transition Zone serves as the Town’s effort to be good neighbors to property owners abutting the Protected Land by providing some active management accommodations for these residents’ benefit.
- Noted Town’s tree survey of the Protected Land was for trees of all species 6” dbh or larger, not 3” dbh.
- Questioned the use of word “remove” for trees/underbrush and whether this policy directive would be a problem for external agencies like OCRM.
- Mentioned sea oats are State-protected vegetation.

Councilmember Clark:

- Commented the intent for the Transition Zone was to establish a separation between residents and the forest area.
- Recommends Band II minimum tree size at 6” dbh. Noted he originally supported 9” dbh and believes 6” dbh is a significant compromise.
- Supports 6” dbh minimum tree size as a practical and reasonable management size, plus for safety and health reasons (fire break, mosquito abatement, etc.).
- Questioned if myrtles would die after years of repetitively trimming them down to the root system.
- It was his understanding that the Town would enhance the Transition Zone by planting vegetation such as sea oats, sweetgrass, etc.

Administrator Benke clarified for Committee that OCRM will not allow removal of root systems for area seaward of their jurisdictional line.

Jeff Jackson clarified myrtles will not die due to annually cutting them to the root system.

Councilmember Clark provided slide presentation, highlights being (**Exhibit A attached**):

1. Supports concept of a separation band between houses and forest area, not a transition within the transition zone.
2. Noted 44 lots/homes out of 900+ Island lots/homes would be directly impacted by the Transition Zone clearance.
3. Supports goal of opening up the space to allow for healthier growth of grand trees incorporating native beach vegetation such as sweetgrass and sea oats under the trees.

**Public Comments:**

*Michael Moreland (1607 Atlantic Avenue)* supports a compromise to thin out the trees for ease of walking and seeing through the Protected Land area, and, to provide for healthier tree growth. Submitted the accreted land mass is the main safety protection for the Island in severe storms/water surge events, not the trees. Commented that, if the maritime forest was left alone, the larger trees would naturally kill off the smaller species in a generation or two (approximately 50 years). Submitted the Town's action would only accelerate the natural process, and, provide an opportunity to cultivate growth of healthier, desirable trees.

*Susan Middaugh (2420 Raven Drive)* noted Council held a series of large, public meetings in 2014 with significant public input on the Protected Land and transition zones. Council voted 6-1 for the current Transition Zone Management Plan. Noted 40' transition zone buffer (Band I) was a compromise, as the Town consultant recommended a 32' fire control buffer zone. Further Band II included a balanced approach to manipulate the forest by retaining 25% of myrtles. Does not support removing younger trees as the Town may lose slower growing, desirable trees in lieu of faster growing trees.

*Greg Hammond (2115 Pettigrew)* urged Committee and Council to expeditiously move forward in approving and implementing transition zone management activity.

*Pete Budko (2061 Pettigrew)* stated he walked, this morning, the approximately 2000 feet from his home to the beach and noticed the pockets of dense vegetation along the area. Noted a small percentage of the Protected Land forest will be impacted with this Transition Zone. Expressed support for Councilmember Clark's recommendation for minimum 6" dbh tree size and vision for the transition zone.

*Allison Bourland (1607 Atlantic Avenue)* noted the number of dead trees and bushes in the Protected Land and their proximity to her house. Questioned if the Town no longer saw this vegetation as a fire hazard.

*Lynn (Needle) Lyst (2419 Atlantic Avenue)* submitted the Protected Land vegetation poses a significant fire risk close to her home. She is unwilling to support this fire safety risk to her family of four children and home. Asked for Staff to speak to the fire and safety risk the Protected Land poses to her and others.

Committee asked for Fire Chief Stith's input. Chief Stith reiterated his position that the Fire Department's primary function is to protect life and property. If a fire incident occurred in the Protected Land, his staff would deploy to protect residents and their homes, not the forest.

Chief Stith clarified for Mayor O'Neil that he recalls three (3) fires in the area (of significant size) during his 37 ½ year tenure.

*Nicky Bluestein (2513 Atlantic Avenue)* recounted Chief Stith previously stating in open meeting/session that he recommended a 100' fire break buffer as the best fire protection for homes. That being said, it only takes one fire to decimate the front beach area.

*Julia Khoury (1728 I'On Avenue)* expressed support for an ecological balance in this area. Noted fear tactics have been raised over the years on this matter, with fire hazards mentioned often. The forestry commission has supported a recommended 32' fire break between the homes and Protected Land. Urged for balanced Protected Land management relying only upon expert opinion.

*Tim Reese (305 Station 20)* expressed support for Councilmember Clark's vision and proposal. Town spent taxpayer funds in 2014 to survey 6" dbh trees already and the Town will pay for the initial cutting for the whole of the Transition Zone in the first year. Urged Council to consider cost and proceed with action that is economically feasible.

*Ethel Needle (2419 Atlantic Avenue)* noted she is a long-time resident who grew up on the Island. Recalled the Town agreed years ago to manage the Protected Land but it has not done so. Asked why the Station 24-25 area has been singled out with the most significant and dense growth after decades of no Town Protected Land management. Noted she pays front beach tax rates but is not beachfront. Stated it was time for a real compromise to help the residents in this area or for Town to get these property owners' taxes reduced.

### **Committee Discussion:**

Mayor O'Neil: Asked Staff to comment on the practicality of implementing cutting should Council approve Band II as follows: all trees at minimum size of 3" dbh and 12' height, removing non-native invasive vegetation and removing understory, shrub and myrtles.

Administrator Benke submitted Town staff and/or contractors should be able to implement cutting of the Transition Zone under these terms, but stressed Staff cannot guarantee a few smaller trees might not be accidentally cut.

Jeff Jackson, in response to Mayor O'Neil's inquiry, concurred with Administrator Benke, noting trees of 3" dbh can be reasonably identified.

Administrator Benke, in response to Chair Langley's question, noted the Transition Zone work can be bid out for the whole area or bid out to cut station/station.

**MOTION: Mayor O’Neil moved to recommend to Town Council modification of the Transition Zone Directives for Band II to read as follows:**

**Band II (40-100 feet):**

- a. All trees shall be retained within this band except non-native invasive species. Minimum threshold for consideration of a tree shall be 3” dbh and 12’ in height.**
- b. All understory, shrubs and myrtles shall be removed.**

**Seconded by Chair Langley**

**DISCUSSION:** Councilmember Clark reiterated support for cutting all trees under 6” dbh throughout the Transition Zone (Bands I and II).

**CALL FOR QUESTION: MOTION PASSED 2-1 (Councilmember Clark dissenting)**

**Transition Zone: Clearing Near Boardwalks**

**Active Transition Management Zone Directives (Item #3) states:**

**Boardwalks (10 feet on either side of the outer edge of town-owned boardwalks for such distance seaward as permitted by relevant government authorities).**

- a. All non-native invasive species of flora shall be eliminated**
- b. All trees  $\geq 6$ ” dbh shall be retained, except cedar and pine species**
- c. All understory, shrubs (including myrtles), cedar and pine species and small trees (defined as  $< 6$ ” dbh) shall be removed**

**Committee Discussion**

Chief Stith reviewed the boardwalk maintenance work performed by Staff, both routine work and replacement of some/all portions of boardwalks on a rotating basis. Maintenance access for boardwalks is needed, plus access on either side of boardwalks for those paths that provide for emergency vehicle access to the beach. Clarified there could be a total vegetative break of 26’ wide for the boardwalks, incorporating a 6’ boardwalk and 10’ clearance on each side.

Councilmember Clark expressed support for clearing around boardwalks, not only for maintenance but for safety reasons (fire break, mosquito control, etc.).

Mayor O’Neil noted that this directive would provide permissive, not mandatory, cutting authority to Town Staff, to be executed at Staff discretion. Submitted Staff might not always require 10’ clearance for each side of every boardwalk.

**MOTION: Councilmember Clark moved to recommend to Town Council modification of the Transition Zone Directives for Boardwalks to read as follows:**

**Boardwalks (At Town Staff discretion, for safety and maintenance, 10 feet on either side of the outer edge of town-owned boardwalks for such distance seaward as permitted by relevant government authorities).**

- a. All non-native invasive species of flora shall be eliminated**
- b. All trees  $\geq 6$ " dbh shall be retained, except cedar and pine species**
- c. All understory, shrubs (including myrtles), cedar and pine species and small trees (defined as  $< 6$ " dbh) shall be removed**

**Seconded by Mayor O'Neil. No Discussion**

**CALL FOR QUESTION: MOTION PASSED 2-1 (Chair Langley dissenting)**

Committee opened floor for any questions/comments regarding boardwalks.

*Julia Khoury (1728 I'On Avenue)* asked for clarification whether beach paths, not containing boardwalks, would remain at 6' width maximum.

Committee clarified that it is only recommending vegetative cutting around beach paths with boardwalks; natural/dirt footpath would remain 6' width maximum.

There being no further business, the meeting was adjourned at approximately 9:55AM (Mayor O'Neil motioned; Councilmember Clark seconded; unanimously passed)

Respectfully submitted,  
Rita Langley, Chair  
Land Use & Natural Resources Committee

Approved at the September 4, 2018 Council Workshop

Exhibit A  
August 30, 2018 Land Use & Natural Resources Committee



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August 30, 2018 Land Use & Natural Resources Committee



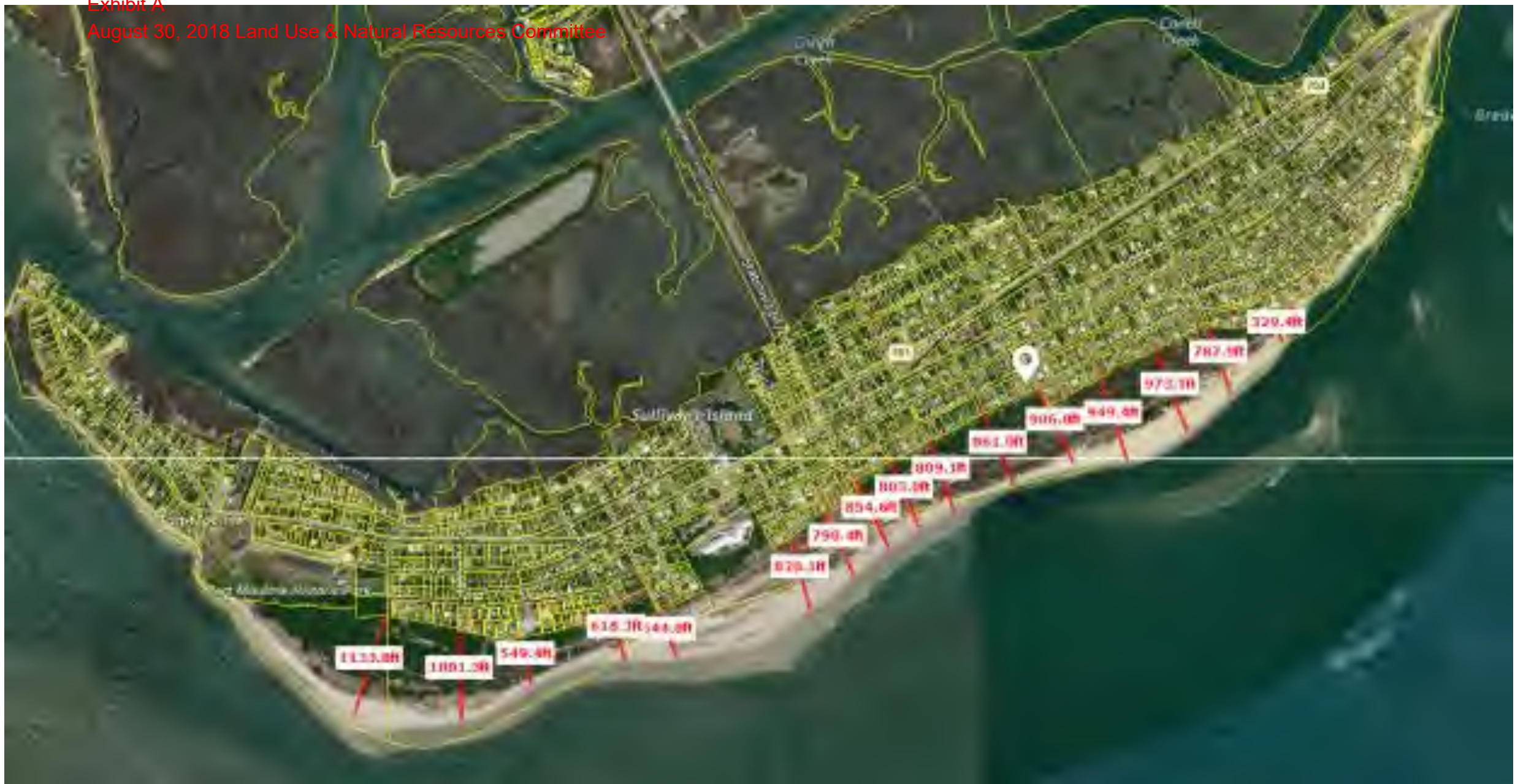


Exhibit A  
August 30, 2018 Land Use & Natural Resources Committee



# Sta 24







# Sta 18-19





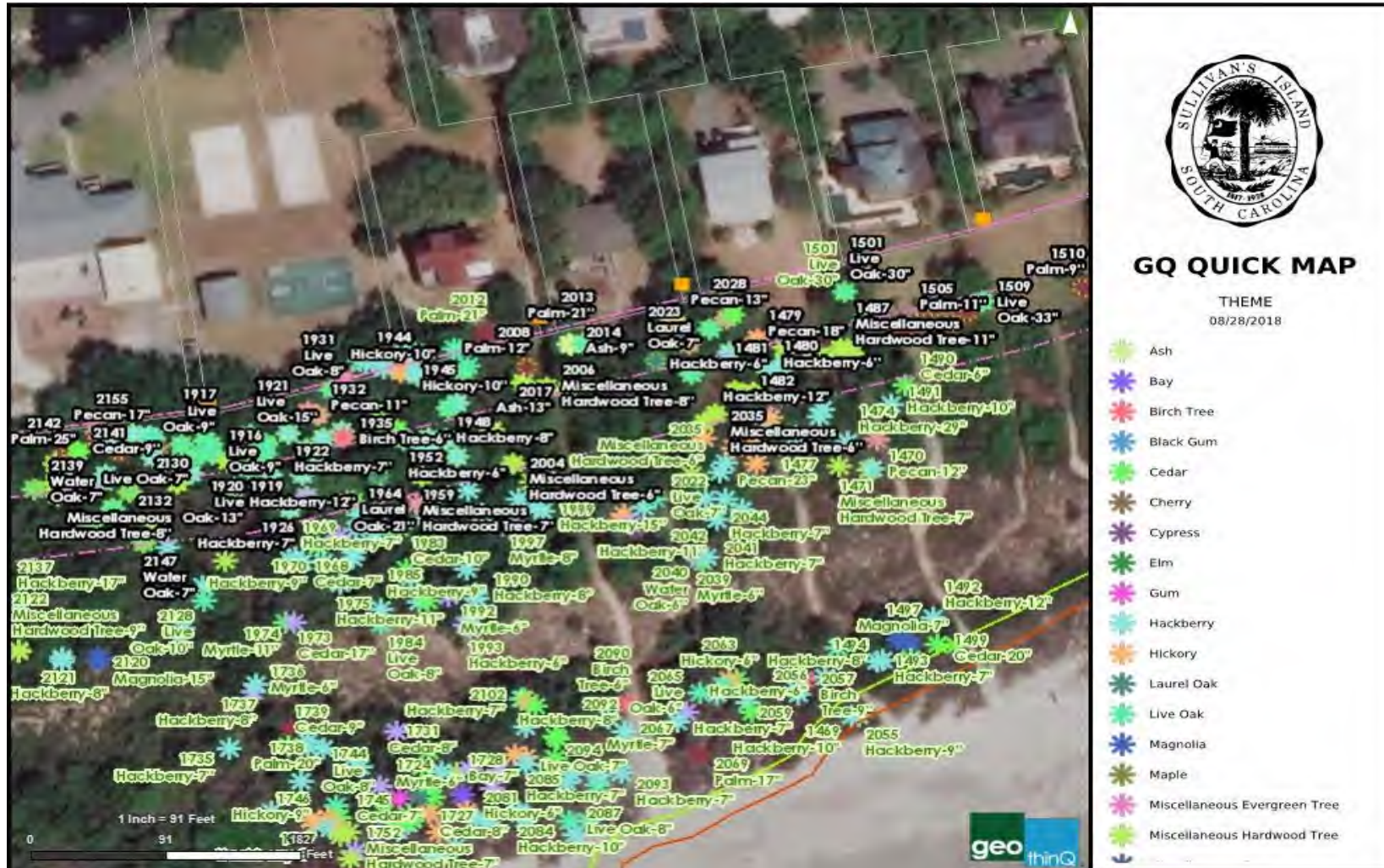
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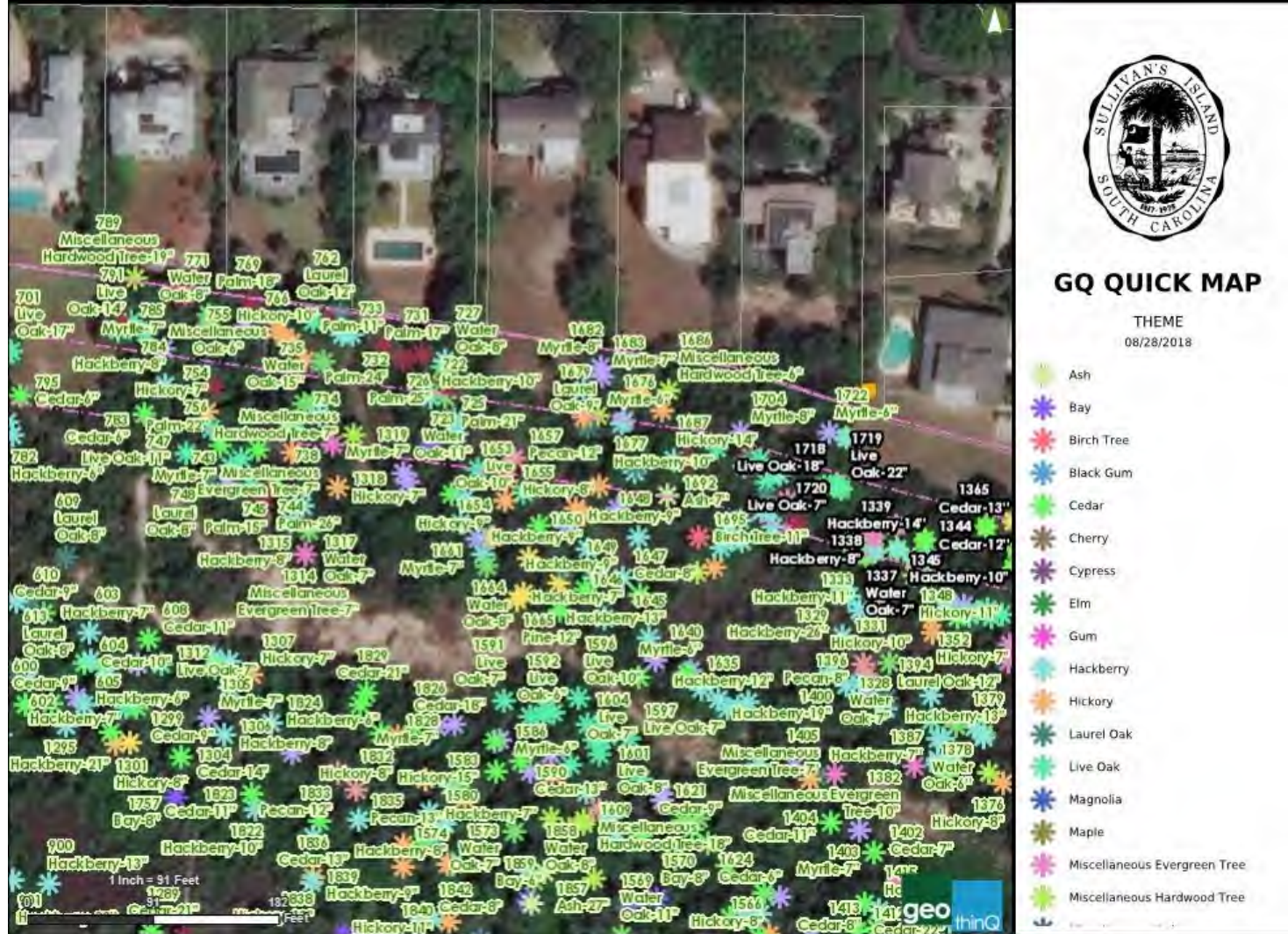




# Sand Dunes Club



# 16 East



# Sta 24 Pecans

