

**MINUTES**  
**CITY OF BEAUFORT PARK AND TREE ADVISORY COMMISSION**  
October 23, 2014 3:00 pm  
**Planning Conference Room, City Hall – 1911 Boundary Street**  
Beaufort, South Carolina

In accordance with South Carolina Code of laws, 1976, Section 30-480(d), as amended, local media were duly notified of the time, date, place and agenda of this meeting.

**Members present**

Chairman Barb Farrow  
Jim Arnett  
Michael Brock  
William Waskiewicz

**Staff present**

Eliza Hill, Planning Department  
Gail Westerfield, recorder

Chairman Farrow called the meeting to order at 3:15 PM.

**MINUTES**

**Mr. Waskiewicz made a motion, second by Mr. Brock, to accept the minutes of the July 10, 2014 meeting as submitted. The motion passed unanimously.**

**REVISIONS TO ORDINANCE SECTION 7.3**

Ms. Hill said the changes to the tree ordinance went through two Council workshops, a public hearing and one reading. Approval of revisions was tabled at second reading so staff could solicit input from the design community, which they did. Staff also suggested Commission should review the documents from the perspective of the transect as described in the Civic Master Plan.

Ms. Hill gave a brief overview of the Transect and described the parameters of the Boundary Street District and Ribaut Road, both of which are proposed as T5. She suggested the Commission might want to think about reviewing and ‘relaxing’ the wording as currently presented in regards to the definition of grand trees or the cost per caliper inch for replacement of grand trees. She asked the Commission if they wanted to consider a different definition for this “very urban core.” Ms. Hill said she personally wouldn't change T-1 through T-4. The current definition of grand trees works for those four zones, but she thinks they should consider that T-5 is different. The tree ordinance doesn't apply in places like an industrial park, where the only trees will be in the buffers. This is comparable to T-5 in that not every grand tree can be saved and “perhaps you do not want to penalize the developer (monetarily) for bringing us the development we want.”

Ms. Hill said a revised definition of grand trees would apply to a development like Beaufort Town Center which is considered T5. She described the parameters of the redevelopment district and where the T5 section would be and advised the Commission that this form of development would be occurring over a 50 year span of time. The tree ordinance will change over time, but still needs to be set, as was done with the Civic Master Plan. Ms. Hill then described the Ribaut Road area as a T5 zone. A discussion followed about development on Boundary in Mr. Stewart's PUD and the multi-family residential units that will be built.

Chairman Farris said the properties that are T1 through T4 "relate more to rural and residential. The revised grand tree definition applies to commercial, but what is being suggested is that the downtown/urban core might call for a grand tree re-definition. The definition might need to be revised to apply more to the urban setting." Chairman Farris said that they could "soften" the definition of grand trees for developers in these areas to make it easier for them to develop. Ms. Hill said reducing requirements for plant back on a site and/or amount of payment into reforestation fund may help promote development.

Mr. Brock stated development fees are expensive, depending on the area, and bigger pieces of property (than are available on Boundary Street) have bigger fees. He feels that a grand tree shouldn't be "re-labeled because of where it's located. A grand tree is a grand tree." He said grand trees will have to be removed in order for development to occur regardless of where the site is located. The focus should be the requirement for site sensitive design that preserves the best of the grand trees on a site regardless of the transect zone. He feels grand trees can't be redefined and the fees shouldn't be decreased. The developers know that they are going to have fewer trees; it's just part of doing business in Beaufort. They will have to pay the fees.

Mr. Waskiewicz said the fees to plant back on a development site or pay into the fund are "miniscule" compared to what developers pay in other expenses.

Ms. Hill suggested that trees, such as landmark Live oaks that exceed 36" caliper, that occur in a T5 zone, could be preserved in small pocket parks as part of site design. She suggested that the vision for the Boundary St. corridor, in 50 years, could be similar to downtown Greenville. Preservation of landmark oaks would enhance the attraction of the area.

Mr. Arnett asked about the City of Greenville tree ordinance. Ms. Hill was not aware of specifics regarding their ordinance, but did describe the quantity and size of the existing trees in the downtown core.

Chairman Farris said that according to the Civic Master Plan, the new hospital administration building should have been sited at the street, but it was "backed up to the marsh". She said the should have been in the rear with the building next to Ribaut

Rd. Ms. Hill said that siting was problematic due to the hospitals need to purchase the residential lot adjacent and negotiations for that purchase were unsuccessful.

Mr. Waskiewicz stated he is against amending the grand tree definition particularly for the section of Ribaut Road from North Street to the hospital. The current vision of tree cover for this section of Ribaut Road should be protected.

**Chairman Farior made a motion to retain the definition of grand trees as proposed currently for all sections of the transect including the T-5 areas of the Boundary Street and Ribaut Road districts. Mr. Arnett seconded the motion. The motion passed unanimously.**

Mr. Arnett asked if the city would find areas for trees to be planted if it cannot occur on the development site. Ms. Hill said the City would not find locations on public property for the developer to plant trees on, rather, the City would utilize funds paid into the reforestation fund for City personnel to purchase and plant trees on public property and rights of way. She also stated that **Libby Anderson** had added language to the proposed revised ordinance that allows developers to plant back trees, as may be required, on property adjacent to their development site, such as within the Towne Center PUD.

Ms. Hill said she had invited developers who had expressed concerns about fees and Chamber of Commerce representatives to today's PTAC meeting so the Commission could explain the requested ordinance changes and assuage their concerns about prohibitions to development. They were not present at the meeting, however.

Ms. Hill informed the Commission that she had received several questions regarding how the ordinance changes will affect residential development. She asked the Commission if they wanted to add wording that made it clearer about how these changes will affect residential development

Chairman Farior suggested payment into the reforestation fund is more costly than installing, for example, four 4" caliper trees as part of the landscape plan on a new residence. Mr. Brock said mitigation is cheaper than replanting. Ms. Hill gave the example of planting back 16 total caliper inches would equate to planting 7 – 2.5" caliper trees at an industry cost of \$2450. Payment into the reforestation fund for the 16 caliper inches, at the current proposed cost per caliper inch of \$70, would cost \$1120.

Ms. Hill reiterated that language for residential development has not been added to the ordinance revisions.

Mr. Arnett said expressed concern that requirements for planting back on a residential site may result in excessive tree coverage and overcrowding of trees on a residential lot. In 20 years' time, "you would have 20 times the trees you took out." He thinks it's fair

and sensible to maintain 30 to 40% canopy coverage. "We want to plant potential," he said. He feels mature replacement should come back to 40% of the canopy.

Ms. Hill said if this is the sort of wording the Commission would want to add to the ordinance re: residential development, then they need wording to help people understand what 40% tree coverage is. Mr. Arnett suggested development of a formula that prescribes plant back of a percentage of the inches removed. Mr. Brock said that if there are existing trees on site, you can't put new trees under the canopy of the couple of trees that are still there. They can utilize the total caliper inches of trees remaining that are 8"+ caliper as mitigation, Ms. Hill said, and have the additional benefit of maintaining tree diversity. She asked what 40% looks like and how that should be enforced. Mr. Arnett said if there are no residential requirements for planting back of trees when grand trees are removed, then there would be no monetary additions to the reforestation fund.

Mr. Arnett said planting back a third of the caliper inches removed on a lot would be appropriate and would be more acceptable to HOA's and residential developers than planting back inch for inch.

Mr. Waskiewicz expressed concern that a property owner or residential developer may choose to pay into the fund rather than plant back trees on site because it's cheaper to pay into the fund than it is to replant.

Mr. Brock asked if language regarding a requirement for a certified arborist's report should be added. Ms. Hill said that a certified arborist's report will be required for both residential and commercial. She said staff had developed a format for these reports based on visual tree assessments generated by **Michael Murphy** for current commercial developments such as Starbucks and Ashley Pointe. The format asks for grading of trees into four categories, A, B, C and D with A trees described as having minimal defects and low risk of failure to D category of trees described as imminent risk of failure. Trees in categories C and D would not require mitigation or payment into fund. A and B trees have to be saved or mitigated. Ms. Hill said she would craft some wording in regard to the residential component for Commission review.

Chairman Farris asked about instances where a property owner requests removal of a grand Live oak due to concerns of damage in the event of a hurricane. She asked if something like that would be allowed. Ms. Hill said the Commission could deny it. There was some discussion as to when removal of a healthy grand tree might be approved. Ms. Hill suggested an addition to a home could require grand tree removal and did the Commission feel it would be appropriate in this instance to require plant back. Chairman Farris said if the tree approved for removal has little or no defects and homeowner wants to do an addition to their house, they should be allowed to take the tree down, but they have to plant a tree back on the lot. If they do not have the room on the lot to plant a tree back, then they would have to pay \$175.00 into the

reforestation fund (\$70/caliper inch x 2.5"). She said the homeowner should have to pay the bond when it's "a decent tree that has to come down anyway."

There was general discussion about timing of tree plant back, when required, should occur. Ms. Hill suggested that on existing developed residential lots, that the property owner be required to plant a 2.5" caliper tree on site as replacement prior to removal of an approved grand tree or when it's the last tree on the lot. Staff would then have to inspect to ensure planting was done prior to approval of tree removal application. Mr. Waskiewicz said, "From a tree guy's standpoint," he would have the burden placed on the homeowner to plant that tree. Ms. Hill said in the past, she has requested home owner's plant back but had no instances where this was done.

Mr. Brock suggested rather than require planting of a tree prior to removal of requested existing tree, that property owner could place a performance bond of some amount. Tree could be removed and upon verification by staff of tree planting, bond would be returned. Either way, the tree planting requirement would require an increase in the number of site visits by staff to two versus the current single visit to determine status of tree requested for removal.

Chairman Farior suggested that the bond be \$350 which is current industry cost for planting of 2.5" tree.

**Mr. Waskiewicz made a motion to require property owner to plant one, 2.5" caliper tree or place performance bond prior to approval of tree removal application, for each healthy grand tree requested for removal and/or when it is the last tree on the lot. Mr. Brock seconded.**

#### **PUBLIC ART REVIEW – LITTLE FREE LIBRARY & EAGLE SCOUT MONUMENT**

Mr. Waskiewicz brought in an example of a Little Free Library and explained the usage. There is a request by his family for placement of one at Logan Park or in Magnolia Line Park on the Spanish Moss Trail as memorial for his father and brother. Library is mounted on a post and artwork can be painted on it. The family is making a request for location of library in Logan Park. Mr. Waskiewicz said his mother was a Logan and has an attachment to that park.

Ms. Hill explained to the Commission that they are now the approving body for requests for display of public art in City parks and open spaces. She further explained that the previous arts committee, made up of City staff, was concerned about too many art additions in parks.

Mr. Brock asked about specific location in Logan Park. Ms. Hill suggested a location next to the bench on Bay St. Mr. Waskiewicz said it would blend in in that area. The arts committee, Ms. Hill said, was concerned that the library wouldn't get the attention it needs. Someone would have to keep it up, so that "it's not a burden on the parks department." Mr. Brock said trash cans and park benches need to be maintained, too.

Chairman Farris said she has a good feeling about it because it means something to the family and feels it will be maintained well by the family. She agrees it should go near a park bench.

**Mr. Arnett made a motion to approve the placement of a Little Free Library in Logan Park near the Bay St. bench. Chairman Farris seconded.**

Ms. Hill said that permanent installations of art or monuments in public parks become the property of the City of Beaufort and the City has the right to move or remove the piece at any time per the wording on the current application.

Mr. Arnett suggested language addition that requires applicant to repair or remove art that may have been damaged or vandalized. Mr. Brock suggested they add language, in the particular instance of the Little Free Library, that the applicant will be notified that removal must occur if the library isn't taken care of or no longer meets its intent.

Ms. Hill told Commission that current application has a disclaimer that City is not liable for any damage that may occur while art is on display. She stated it is also necessary to require applicant to notify City staff of desire or necessity to remove art from its location prior to actual removal. Without notification, Parks department will consider item as stolen and will notify City police.

Ms. Hill stated she would incorporate this language into application.

Logan McFee, for his Eagle Scout project, has requested placement of a granite obelisk monument as tribute to police officers killed in the line of duty on the police station grounds. Ms. Hill said final location has not been decided. An application has been submitted and it's in the works. There's no need to vote on this application at this time, she added.

### **SOUTHSIDE PARK REPORT**

Ms. Hill described work accomplished to date:

- Selective clearing of Waddell buffer area and clearing of pathway for connection with Bft. Cty. tennis courts has been started by City Public Works;
- Relocation of asphalt millings from front of park to rear area behind buildings is ongoing;
- Debris pile generated by clear cutting of right of way for future connection to Waddell Rd. will be burned by the City fire department;
- Dog park fence boundary has been located and staked; staff to generate grading plan and contact Bft. Cty. Public Works to request their assistance with possibly grading of area;
- Turnover documents are 99% complete with expectation that remaining 3.9 acres which remain the property of BJWSA will become City property before years end;
- BJWSA continues to fulfill in kind obligations on the weekends as time allows and staff and equipment are available.

### **WILSON PARK**

Ms. Hill reported that the owner of this park is unknown. It is supposedly held in trust but no documents to this end have been found. City is considering de-acquisition of this property. If held in trust, trustee needs to be identified and property returned to them.

**Mr. Brock made a motion, seconded by Mr. Arnett, to request City Attorney perform title search for Wilson Park. The motion passed unanimously.**

**Mr. Brock made a motion, seconded by Mr. Arnett, that for any properties maintained by the City for which the City does not hold proof of title or deed, that the City Attorney be requested to perform appropriate title searches, as needed, to identify property owner. The motion passed unanimously.**

### **DISCUSSION: PIGEON POINT PARK RESERVATIONS**

Ms. Hill said rules and regulations for park usage are in place in the park and organizers are contacting her several times a week on average for park 'reservations' for parties and events. There's no cost involved and Council has said park usage should be on a first come, first serve basis. It is not an actual reservation but rather notification. Events are increasing in quantity and size; clean up after an event is sometimes a problem for the Parks Department. She suggested that PTAC may want to consider advising Council in the future that a maintenance deposit should be required for events of a certain size, similar to process used currently by the Town of Port Royal.

General discussion of park usage ensued. Chairman Farris said someone she knew had wanted to have a wedding in the Depot building on the Spanish Moss Trail but it was not allowed. They were not requesting permission to serve alcohol. She feels sure that others would like to lease this building for events and it could be a source of revenue for the City. Ms. Hill said she has previously requested usage on behalf of event organizers but has been told it is not available for events. Chairman Farris said it has water and electricity but no restroom; however organizers can rent port-a-johns as is done with large events at Waterfront Park. She suggested that they should make a motion to the effect that the Depot building be considered for use by the public.

Ms. Hill said Bridges Preparatory wants to have an event at Pigeon Point Park with 1500 people. Mr. Brock said for large, private events, the City should have the option to collect revenue. Fees for public spaces are OK.

Mr. Arnett asked about limits on numbers of people in Waterfront Park and if they were the same at Pigeon Point Park. Ms. Hill said occupation limit depends on whether the event requires an entry fee and is therefore fenced. She said **Fire Chief Negron** could answer that question. Mr. Arnett said, "1500 people are a lot of people" in Pigeon Point Park. Ms. Hill reported that her contact with Bridges stated that parking would be at the school and on city streets and a shuttle would be provided to bring people to the park. There are only 38 parking spaces at Pigeon Point Park. She further stated for an event of this size, there would be an organization meeting with City staff from all departments.

Mr. Arnett asked what happens if people, not associated with the event, come to the park that day. Ms. Hill said this is covered with the event organizers at the planning meeting.

**Chairman Farrior made a motion to recommend a review of the use of the old depot building in Magnolia Line Park as a public venue. Mr. Waskiewicz seconded. The motion passed unanimously.**

There being no further business to come before the Commission, **Mr. Arnett made a motion, second by Mr. Waskiewicz, to adjourn. The motion passed unanimously,** and the meeting was adjourned at 4:50 p.m.