

MINUTES
CITY OF BEAUFORT PARK AND TREE ADVISORY COMMISSION
April 23, 2015 3:00 pm
Planning Department 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

Barb Farris
Jim Arnett
Michael Brock
William Waskiewicz
Leah Palumbo

Staff present

Eliza Hill, Planning Department

Other attendees

CALL TO ORDER

Chairman Farris called the meeting to order at 3:00 p.m.

SECTION 7.3 ORDINANCE REVISIONS AND TREE FUND

This went to council, Ms. Hill said, but “the development community” had concerns. Mr. Arnett asked what those were. A “particular developer” had wanted to know if onsite mitigation could occur on adjacent property owned by the same developer within the city limits. PTAC had considered and said yes, Ms. Hill said. Another comment had been made that tree mitigation should follow on the lines of form-based code: that is, in T-zones. PTAC had also agreed with that.

For section 7.3, Ms. Hill asked the committee to take it home to read. She said the city manager has asked her to get this in front of council for second reading and adoption as soon as possible. There has been about a 4-month delay since this was tabled.

1. Redefine “grand trees” – no changes were requested.
2. Revise the definition of diameter at breast height (DBH) – Ms. Hill said the committee had before them what was in the UDO and what it should potentially be revised to. It was discovered with the new Wal-Mart development that the definition of DBH “precludes trees that have 3-4 trunks” each and “obviously sharing the same root ball.” So she suggested they should be considered grand trees at their total caliper inches (e.g., 4 trunks at 12 caliper inches each would not be defined as grand trees in the current ordinance definition, but the total, of 48 caliper inches, would be). Ms. Hill said, “This is working against us

currently, which is why I added it to what council looked at before.” She suggested that the committee should consider redefining DBH.

3. Add a definition of “landmark trees” – Nothing has changed with this, Ms. Hill said. There’s not currently a definition in Section 11, Ms. Hill said, so a developer could come with a 36” tree of any type, and PTAC could determine whether the tree could be removed, whether the remediation would be greater, etc.
4. Commercial and residential sites’ mitigation for removal of grand trees – Item 3 is all that has changed on this, Ms. Hill said, in regard to site size or other factors that do not allow plant-back; a reforestation fee is set at \$70 per caliper inch. Nothing PTAC said before included that price.
5. Existing commercial and residential sites – There are some wording changes in this one, Ms. Hill said. Chairman Farris asked if they hadn’t decided to “up the performance bond.” She asked if it had “always been \$437.50.” Chairman Farris thought it was less than that before, and they had increased it to this amount, but the amount seems “random.” Ms. Hill said it was based on a wholesale cost per caliper inch of a 2.5 caliper inch tree, times 2.5 to install it. Mr. Arnett suggested \$450.00 instead for simplicity.

Mayor Keyserling had asked Ms. Hill for “a simple, straightforward format,” Ms. Hill said, so she has tried to keep it that way with short bullet points. The committee can mark it up if they want changes and give it back to her if there’s anything they want changed, she said.

Chairman Farris suggested a time limit for replanting verification to take place. Ms. Hill said they could say, “Tree planting must occur within ____” and give a time frame. Chairman Farris agreed and said they shouldn’t be too general. Ms. Hill asked what time frame they would like. Chairman Farris said 90 days, and Mr. Arnett agreed. Ms. Hill suggested, “Within 90 days of the original request.” Chairman Farris suggested instead that it be “Within 90 days of the removal of the tree” because tree companies may not remove it for 2-3 months.

Chairman Farris said she thought they should also have a time limit for verification of replanting by the city. “If someone has \$1000 or \$2000 sitting out there,” Chairman Farris said, “they’re going to want it back.” Ms. Hill said that’s “already there in general terms in the UDO.” She said she’d write it out, though: “short and to the point”.

Chairman Farris said Mayor Keyserling had told her that, to the average person, “this (ordinance) was about as clear as mud.” She read a section that was confusing. Ms. Hill said they could take it home and work on it to simplify the language.

6. Certified arborist – “That’s pretty straightforward,” Ms. Hill said.
7. Maintenance guarantee for preserved grand trees – This is an important point, Ms. Hill said. If a developer says they’re going to save a grand tree on their site, then they develop that site, and two years later, when the maintenance guarantee is up, the tree has declined “significantly,” they must mitigate the caliper inches of that tree. Chairman Farris asked how the developer could be held to that, and Ms. Hill said if they don’t do it, they won’t get their maintenance guarantee back, “and it can be substantial.” Ms. Hill said, unfortunately,

a 24" Live Oak in decline might not decline so significantly in two years that the city would be able to say that the tree had to be removed and hold the maintenance guarantee until mitigation was complete. Chairman Farris asked how they could "add protection to this clause." Mr. Arnett suggested they could delete "significantly" and "just say 'declines'." Ms. Hill said they'd ask, "In whose opinion?" Mr. Arnett replied, "A certified arborist," though he said a developer "could fight that." Ms. Hill said it should be "left open-ended, but not too open-ended."

Chairman Farris said they could add "and shows a 50% or more loss of canopy." Mr. Arnett said a Live Oak "can lose 50% and still bounce back at some point in time." Mr. Brock said, "If you've lost 50% of the tree, and half of its dead, it's a hazard, anyway, so something has to happen." Mr. Arnett agreed: "It will become a hazard before it succumbs, even a Live Oak."

Ms. Hill said the idea of this is to look at the initial site design – pre-application – to get adequate room for these trees during construction, if they're going to remain on site. There's very little in the UDO, she said, to keep water, sewer, stormwater drains, etc., away from these trees' roots.

Ms. Hill said any committee comments she receives will be given to **Ivette Burgess**, who will give them to council to review, and this should be an agenda item for council three council meetings from now. Mr. Waskiewicz said if a tree's deteriorating, and it's "going to be bad," signs of that will show up "within two years." Mr. Waskiewicz said she could put "something specific in there for live oaks – 4 years." Chairman Farris said that would mean the city would have to hold the maintenance guarantee for that long. Two years for everything might be best, Ms. Hill said.

SOUTHSIDE PARK FARM

Ms. Hill said there had been another meeting about this farm, and she had received an invitation to meet the executive director and board of directors of Beaufort City Roots Community Agro-Education Center on May 21st. "The council, the mayor, and everyone is looking to PTAC . . . (for its) thoughts and recommendations" on this. **Barbara Chemsak** said she had heard that the location for the meeting had been changed from TCL "to Plums or something." Ms. Hill said she'd see what she could find out about changes.

Ms. Hill said a City Roots budget was requested, and she thought they should review it and come back for a meeting later. She asked what information the committee would like "in order to make a recommendation." Ms. Chemsak said City Roots' 501c3 not-for-profit status had been obtained March 23rd.

Ms. Hill said there had been a meeting at which "possible consolidation of elements of Phase 1" was discussed. **Paul Brody** had explained why that's not possible to do from an agricultural standpoint, she said, but he'd have to explain why that's the case.

Chairman Farris said she wanted to know who was providing “the seed money for all this.” Obtaining 501c3 status costs “thousands of dollars,” she said, and she wants to know “who’s paying for all this?” Ms. Chemsak said she wanted to know the same thing. Ms. Hill said in the City Roots budget, for fundraising “he has a figure of \$151,000.” She asked if Chairman Farris wanted her to ask about how the organization will do fundraising, and Chairman Farris said yes, and about grants, which *are* out there, but “he would need some serious grants in place before he even got started.” Ms. Hill said Mr. Brody has said he hadn’t applied for any grants until the City of Beaufort agrees to let him use the Southside Park property. Ms. Chemsak asked how much “(Mr. Brody) is being paid in this not-for-profit status.” She said Mr. Brody had not defined what “a working wage” was. Mr. Brock said, according to the budget, “Payroll is \$105,000.”

Mr. Arnett said \$105,000 a year for wages on a year-round farm “isn’t much.” Mr. Arnett asked Ms. Hill to find out how many employees the farm will have initially, and what their hourly wage would be. Ms. Chemsak said to also ask what Mr. Brody “is paying himself.” Mr. Arnett said he believes Mr. Brody “will show that he isn’t getting paid.”

Ms. Chemsak said she doesn’t think Mr. Brody has an agricultural background. Ms. Hill said Mr. Brody has said that he and his family had done farming “for a number of years,” though it wasn’t his sole occupation.

Ms. Chemsak said the City Roots in Columbia is listed as a corporation, not a 501c3, on the secretary of state’s website. Mr. Brock said he’d check into the City Roots in Charleston.

Chairman Farris asked if it would be helpful to have Mr. Brody “come to a workshop and have him answer these questions.” Ms. Hill said she advised the committee to ask “very specific questions” and to “ask for very specific answers in writing.”

Ms. Chemsak said they should ask, “What is Phase 1? How many buildings are you talking about? How many people are included in Phase 1?” and do the same for the other phases as well. Ms. Hill said that information is on Mr. Brody’s drawing. Ms. Chemsak said it’s not clear from that “if all of the buildings appear at once.”

Ms. Hill said she finds the proposal interesting, “but it’s not specific to Southside Park.” Ms. Chemsak said, “It’s super, super generalized.”

PARK RESERVATION PROCESS – SOUTHSIDE PARK AND PIGEON POINT PARK

Ms. Hill said there are definite guidelines, deposits, and fees if you want to rent Waterfront Park. A year and a half to two years ago, it was requested that Pigeon Point Park and Southside Park be under the same guidelines, but council had said no because city parks are for the public: they’re first come, first serve and open to everyone, so council wanted no fee structure or deposit. Now groups want to use these parks for events, so council wants PTAC to determine if these same guidelines should apply for large events at Southside Park and Pigeon Point Park, and if so, what size. Chairman Farris asked if Bridges could be charged a fee for their upcoming

use of Southside Park. She added that she was under the impression it was “very expensive to rent Waterfront Park.” Ms. Hill said that rental fees for WFP are reasonable.

Chairman Farrior said she feels the Depot Building on the Spanish Moss Trail should be made available for rent. Ms. Chemsak agreed with her.

There being no further business, **Mr. Arnett made a motion, seconded by Mr. Brock, to adjourn the meeting. The motion passed unanimously, and the meeting adjourned at 3:42 p.m. so the committee could go on a site visit to 1001 Bay Street for a magnolia tree evaluation.**