

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
May 8, 2013

The Isle of Palms Planning Commission met in the City Hall Conference Room, 1207 Palm Boulevard on May 8, 2013 at 4:30 p.m. Members attending included Bev Ballow, Ron Denton, Richard Ferencz, Patrick Harrington, Penny Lewis, Noel Scott and Don Smith. The Director of Planning Douglas Kerr was present as well. The press had been notified of the meeting and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

Chairman Noel Scott called the meeting to order.

APPROVAL OF MINUTES

Mr. Scott explained that the first item on the agenda was the approval of the April 10, 2013 minutes. Ms. Ballow explained that the minutes state that she supported a change to protect pine trees larger than 16 inches and she does not believe that she stipulated a dimension. Penny Lewis made a motion to approve the minutes with the amendment and Mr. Ferencz seconded the motion. The vote was unanimous in favor of the motion.

DISCUSSION OF TREE ORDINANCE

Mr. Scott explained that at the last meeting the group held off on deliberating three issues, because three members were not present and he did not feel comfortable changing things that had been previously agreed to by the entire group. The three items were: should the protection of pine trees be applied to trees smaller than 24 inches in diameter, should a tree damaging accessory structures, including pools, be allowed to be removed and should trees that have the potential to damage a structures be allowed to be removed.

Mr. Scott asked for discussion of the first question, should the group recommend protecting pine trees smaller than 24 inches. Ms. Ballow stated that she had spent the last few months investigating pine trees on the island and she had measured many of the large pine trees on the island and she did not find one that was larger than 16 inches in diameter. Additionally, she had spent time researching pine trees and she feels that they provide a valuable benefit to the City in terms of providing a natural habitat to various species. Based on her research she proposed protecting pine trees 12 inches and larger.

Mr. Harrington explained that he was comfortable recommending that 24 inch pine trees be protected based on the input of the Clemson arborist who met with the Commission, but he was unsure about going smaller than what the arborist suggested. He asked if the group could consult with the arborist again on this issue.

Mr. Scott explained that he felt that this issue had been lingering with the Planning Commission for several months and he would prefer to come to some conclusions at this meeting.

Mr. Smith explained that he also had concerns about making a recommendation to protect smaller pine trees, but that it may be useful to consult an arborist on the issue.

Mr. Harrington suggested that the group delay a decision on this issue for one more month to give the group the opportunity to consult with an arborist at the next meeting. After some discussion, the group agreed to delay one month on this issue.

The next issue for discussion was whether or not to allow the removal of trees that are damaging accessory structures. Mr. Kerr explained that as the amendment is currently written, a tree causing damage to a pool or any other accessory structures could not be removed. Mr. Kerr explained that from previous discussions, he felt that the primary issue of concern was damage to pools. He explained that a compromise on the issue may be to amend the language to specify the amendment does not apply to damage to accessory structures other than pools, but allow trees damaging pools to be removed. After general discussion, the group agreed to amend the recommendation to allow a tree damaging a pool to be removed, but not trees damaging other accessory structures.

The final issue for discussion on the tree amendment was the trigger for when a tree could be removed. Mr. Kerr explained that as the amendment was currently drafted a house would have to sustain damage before a tree removal permit could be issued. He explained that the reason for this language was that if the trigger was "potential damage" that this created potential for abuse as it is prediction and less clear.

Mr. Denton stated that he felt that in situations where future damage to a home was clear and eminent, he supported an owner being able to remove the tree. Mr. Kerr explained that he was surprised to hear the arborist from Clemson explain that he was trained to make determinations of when a tree will cause damage. Ms. Ballow made a motion to amend the recommendation to allow trees to be removed when the tree is causing structural damage or in situations when a certified arborist determines that damage is eminent and the damage cannot be remedied without removing the tree. The motion to amend the recommendation was seconded and unanimously approved.

REVIEW OF THE COMPREHENSIVE PLAN- NATURAL RESOURCES ELEMENT

Mr. Scott explained that the next item on the agenda was the review of the Natural Resources element of the Comprehensive Plan. Mr. Kerr explained that he had distributed his proposed amendments to the section. He explained that he added a

statement to the initial characteristics section that summarized the issue of erosion and he added a strategy that stated that efforts to minimize the impact of erosion should be supported.

Mr. Scott explained that he believed it would be worthwhile to mention the City's by the Blue Wave certification as a clean beach. The group generally agreed that this would be a good addition.

The group discussed the wording of the statement regarding erosion on the island and agreed to reword the statement to read: "the beaches on the Isle of Palms are generally accreting, but the shoreline has cyclical erosional episodes."

Ms. Ballow explained that the statement that loggerhead sea turtle visits have declined over the years should be deleted and the sentence stating that turtles return to the same site every two years should be deleted. The group asked Ms. Ballow to edit the paragraph regarding loggerheads for the next meeting, which she agreed to do.

The group agreed to review Cultural Resources element at the next meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:00 p.m.

Respectfully submitted, Noel Scott, Chairman.