

A meeting of the Park and Tree Advisory Committee was held on **July 25, 2019 at 3:00 p.m.** in City Hall, 1911 Boundary Street. In attendance were Chairman Barb Farris, committee members Gordon Fritz, Liza Hill, and Joel Newman, and Heather Spade and David Prichard, city staff. Chuck Rushing was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

Chairman Farris called the meeting to order at 3:11 p.m.

WATERFRONT PARK PLANTINGS

Linda Roper said the Waterfront Park plants have been “revamped” because they were older and not growing much, even with fertilizer. A tree was taken out because it was dying, she said, and the planting behind “restaurant row” was redone with “some nice plantings,” which she described. There was also new planting behind Saltus. A rosemary shrub wasn’t growing well, Ms. Roper said, so they put in plantings that were similar to those in the rest of the park.

Ms. Roper said crepe myrtles were put in at the east end, and they put in some foxtail ferns “to bring it all together,” as well as knockout roses and ginger. Some rosemary at one corner that didn’t look good was taken out. Anything taken out was replaced with “many more [plants] than what was originally there,” Ms. Roper said.

Ms. Hill asked about the European fan palms on either side of the pavilion, which are supposed to be “clumping” palms. She has asked since back in 2007 that the pups at the bottom not to cut back, so the planters would be filled; when there are events at the pavilion, the plants would provide more privacy in some spots. They have been cutting them back for more than a decade. She offered to send Ms. Roper pictures of what the palms should look like if they weren’t cut back.

Ms. Hill offered to go through Waterfront Park to make recommendations. Ms. Roper said she could. The fan palms Ms. Hill had mentioned were “ready to fall over and fall out,” Ms. Roper said. They were “shored up and cleaned up,” and she doesn’t know if they’ve been cut back, but if they were, she would talk to those doing maintenance in the park about it.

Ms. Hill said if the palms are falling over, it might be because their support and root structure has been taken out. It might be too late, she said. Ms. Roper said she would definitely go over this with everyone.

Ms. Hill said ginger isn’t a good plant for Waterfront Park; she thinks it’s gorgeous, too, but it has been put in there and taken out more than once. It will be gone if there’s a tough winter, she said.

Ms. Hill said dwarf rosemary does better than regular rosemary, so she agrees with Ms. Roper about taking that out.

There was a discussion about the bottlebrush trees in Waterfront Park. Ms. Roper said they are coming back, and she wants them to thrive. She said they have been there for years, and they've looked terrible in the past, but they're looking better now, maybe because of the mild winter. A lot of plants that were behind restaurant row didn't do well, she said, including some of the ginger.

Ms. Hill said other communities have fencing and knee walls around plants, and she asked if there might be something like that in Waterfront Park. Ms. Roper said she has put it in the budget for the past 2 years, but it's been cut. Ms. Hill said she had put it in the budget before that, and it was cut. Ms. Roper said the city has done some brick work in the park; she described a spot near the pavilion where they put some in to keep the dirt and mulch in. Near Luther's, there was a brick knee wall on one side and on the other just "2 bricks," which has been raised because it was a safety hazard, she said.

Ms. Hill said the seat walls accommodate the public so much more for events and keep them out of the plants. Ms. Roper said there are fewer people walking through the plants now that they're thriving, and less trash.

Ms. Hill said she'd give up on the Little John bottlebrush. Ms. Roper said they're fuller than they have ever been, so she is going to leave them while they're doing better. She'll see how they do through the winter, she said.

WHITEHALL PARK

Stephanie Nagid said the city and county have signed a lease agreement for maintenance in Whitehall Park; the county will do basic maintenance for 2 years, because the developer's agreement fell through, and then the city will take it over in 2021. She discussed the county's plan to hire a conceptual planner for Whitehall Park.

The park is 9.72 acres, Ms. Nagid said.

Ms. Nagid said the city is the lead on the boardwalk/access to the causeway plan, but that's a separate project from Whitehall Park.

Ms. Nagid said the conceptual planner would probably take 9 months to develop the plan, and then it would need the city's approval. They aren't looking at bidding out construction until late 2020 or 2021, she said.

Mr. Fritz asked if the plan would include restrooms. Ms. Nagid said the team that started the discussions about Whitehall Park want "clear access, clear parking, restrooms, and walking trails." Anything beyond that is "dependent upon the team and public input," she said. Ms. Nagid explained who would be on the team, which will

discuss initial ideas within the county's "passive recreation definition." They will bring draft ideas to the public, she said, within the passive park parameters. She said they are happy that the use of Whitehall Park is limited now because there is no staff to do anything beyond Public Works' mowing. A lot of people use the park, Ms. Nagid said, though they might not be using it "en masse."

DISCUSSION: RETINA CENTER, 1181 RIBAUT ROAD

Ms. Hill said **Ken Meola** sent her the landscape plan for the site, which **Michael Brock** did, as well as the tree survey and grading plan. She hasn't done a lot with it, she said, but she's looked at the existing trees that were on the site before it was clear-cut.

Chairman Farris said she was curious about what was planned for the site and asked who was responsible for approving plans now. Mr. Meola said he is assisting with that "staff effort." Ms. Spade and Mr. Prichard are also "all involved in reviewing plans" and making sure they meet codes, he said.

Chairman Farris said a certified arborist to supervise tree removal has been a requirement for new construction. Mr. Meola said the city requires certified arborist's reports for tree removals, prunings, etc. Chairman Farris asked if that was done for the Retina Center project. Mr. Meola said he didn't know, because the project was "underway, and a lot of the work had been done, and we picked it up at a certain point in time to ensure that the things that were asked to be mitigated and that were to be addressed on landscaping plans – those are the things we picked up on and started looking at." All the issues that were "left unresolved . . . we looked at," he said. Though he's not sure the city got a certified arborist's report, he knows it got a tree removal plan.

Ms. Hill said, if there's not a certified arborist or a landscape architect on staff, the project's certified arborist needs to provide a tree retention and tree removal report, which is what Mr. Brock, the certified arborist on the Retina Center project, did. This "catches" things for the site designer, and shows whether there are specimen and landmark trees on the site. Ms. Hill said there are live oak trees on the Retina Center site, but she doesn't know the size. The caliper requirement for a tree to qualify as a specimen tree was greatly reduced in the new Beaufort Code, she said.

There were a lot of pines, laurel oaks, and sago palms on the Retina Center site, Ms. Hill said, which are not protected, but there were also some live oaks. She said it would be nice if the drawings were reviewed so they could "save the significant trees." The live oaks that were taken out might not have been in good condition, Ms. Hill said, but no one knows.

Mr. Prichard said if it's in the ordinance, "we're going to do it." He added that he has interviews tomorrow with 3 landscape architects, one of whom could potentially join city staff.

A specimen live oak is 12" or more, and 24" for a landmark tree, Mr. Prichard said. The city has hired a certified arborist when a certified arborist's report is required by code; this requirement occurs when the site has specimen trees on it. "If we missed specimen trees" on the Retina Center site, "it was a mistake," he said. Ms. Hill said she's not saying a mistake was made; it was hard to read the report, "but it didn't look like there was anything significant there" before the clear-cutting.

Mr. Fritz asked if PTAC should receive notification "for transparency" when there was a project like this one. Mr. Prichard said he asked if the ordinance was followed, and it's his understanding that it was. People hate to see trees taken out, he said, but "it might have been perfectly legal" for the developer to do that. He worries about the city getting involved in trying to get people to do things that are "above and beyond what's required by the law," he said.

Mr. Newman said he was on a committee that went through the Beaufort Code for more than a year, and he doesn't recall anything about PTAC having any authority over this matter, so it would be "meaningless" to get the committee's input if it's not in the code. Mr. Fritz said he isn't talking about "authority" but about "transparency."

Mr. Prichard said it sounds like Planning is not being transparent, but they are. Mr. Fritz said he'd gotten phone calls about the clear-cutting, and Mr. Meola said the city has, too. Mr. Prichard said he could give the information about such projects to PTAC, but what they need to be careful about what they do with it.

Mr. Prichard said PTAC could provide its expertise if the applicant knows the role of PTAC and "what the law allows them to do." They need to know that helpful advice is just that, "if they're allowed to do things by right," he said.

Mr. Fritz said many in the community were upset about the clear-cutting in Oyster Bluff, which led to the formation of the Sea Island Coalition, and its many members were able to get Beaufort County to change the code. The Town of Port Royal is "behind the curve" on trees, he said. Mr. Fritz would like PTAC to assist the city in what it's doing; if the committee knew what was in the planning stages, and they could be helpful, they would like to be.

Chairman Fariior said a developer who had read the code and submitted plans from a project's landscape architect would move along with what they had planned "because they've already paid for it," so PTAC's advice wouldn't be helpful. Mr. Newman said they could offer helpful suggestions, but the committee has no authority, and the developer would see PTAC as "just another hurdle."

Mr. Prichard said the ordinance says something about not removing trees "unless necessary." He said the city tries "to encourage them" to "leave as many trees as possible," and "not to remove trees that aren't necessary to remove."

Mr. Prichard said the code is about two years old, and there's been one update. If there are things that PTAC members would like to see changed or added to the code, they should bring those forward, he said.

Ms. Hill said PTAC exists because it's one of the requirements to be a Tree City, USA. Mr. Prichard said that might have been one of the reasons for its original genesis, but now it has a larger role in the city.

Mr. Prichard said the law would have to be changed if PTAC wants more responsibilities. He read from the Beaufort Code about what the committee's current responsibilities are.

Mr. Newman discussed how **Lauren Kelly** had in the past gotten recommendations from him in an advisory role about historic projects, for example, but he noted that it's not mandated to do so. Mr. Prichard said some judgments about historic properties are "subjective," which is a little different than what can and can't be done about the removal of trees.

Ms. Hill asked if the DRB is still looking at commercial projects, and Mr. Prichard said that's correct. She said when a project first comes in, PTAC would look at it from a horticultural standpoint, which is different from how the DRB looks at it. It might be beneficial for both committees to work on some projects, and PTAC members could come to the DRB meetings that they are alerted to, if they wanted to. Mr. Prichard said that sounds like a good idea, and it doesn't need to be codified to do that.

Ms. Hill said the way the grading is done in the plan, it looks like it could have been changed somewhat, which would have allowed more trees to remain. Mr. Prichard said the buffering requirements were stronger where he came from. In this case, the buffer was clear-cut, so then the developer will have to plant a buffer when they already had one. These kinds of things are easily avoidable, he said.

Ms. Hill asked if someone is inspecting the tree protection fencing, and Mr. Meola said yes. He inspects it to make sure the fencing is up correctly, and then the building inspectors make sure it stays up. Mr. Prichard said if crews don't do that, they should be fined. Ms. Hill said **Libby Anderson** used to give her stop work signs to put up until the crews put the fencing back up.

Chairman Farrow said the Retina Center is a "done deal." She asked if there are any other projects that are in the conceptual phase.

Deborah Johnson said they need to be really clear about what PTAC's "charge" is, because right now, it is public trees, parks, and walkways, not commercial projects. If they are doing anything else, they should formally "change your charge," she said, because if a developer is at a DRB meeting and getting advice from Ms. Hill, for example,

the developer would wonder why she has any authority.

There was a discussion of the advisory capacity of PTAC. Mr. Newman said they are discussing essentially changing the definition of “public.” The ordinances often hobble someone who is a caring and careful designer, and those who are “careless designers use them as a knife,” doing the minimum or going “right up to the line.” He finds the ordinances frustrating because they can’t cover every eventuality.

Mr. Prichard said the building code is used to do the bare minimum to create a safe building, and most ordinances are the same.

Mr. Prichard read from the code about the public being heard at DRB meetings. Not a lot of people from the public come to DRB meetings, he said. If you’re not materially involved in the project, you don’t have the right to speak, Mr. Newman clarified. The public list of DRB projects could be monitored, and someone from PTAC could show up and decide as a citizen if they would like to stand up and say something, he said.

Ms. Hill said if she were coming to a meeting to speak, if she didn't have anything to look at in order to make suggestions, there wouldn't be any point to it. Mr. Newman said if someone stands up and says, “Rethink that tree thing,” the developer is not going to listen. Mr. Prichard said staff could send notice of the DRB meetings to the PTAC members, who could speak to the landscaping as private citizens.

PTAC has no authority to weigh in on projects on commercial or private property, Mr. Prichard said. Mr. Meola said only commercial projects that had over a 10,000 square foot footprint go to the DRB, and the Retina Center had only a 7,000 square foot footprint, so staff did the approvals.

Mr. Prichard said he’d love to have a landscape architect and a historic preservationist on staff. A landscape architect isn’t the only person in the planning department who would be concerned about trees and buffering, he said; if the city doesn’t hire a landscape architect, it doesn’t mean it isn’t serious about trees.

Mr. Prichard said, “Everything is logged now,” and when a development request comes in, staff could let PTAC know about it as soon as possible. Mr. Newman asked if a log like that is private. Mr. Prichard said it is; staff tries to be sensitive to confidentiality until someone submits an application, and then it is a matter of public record.

Mr. Fritz said the action needs to be taken before the bulldozer blade goes down. Chairman Fariior said PTAC wants to be notified before there is approval for clear-cutting. They have to see a preliminary plan, Mr. Newman said, or further review is pointless. They have to have authority to look at a project “in its infant stage,” or this discussion is a waste of time, he said. If the city hires a landscape architect, that person would look at the code and “hopefully steer” the developer, Mr. Newman said.

Ms. Hill said, as a member of the public, if a project is up for preliminary approval by the DRB, Planning could invite PTAC members to that meeting. Staff agreed to that. Mr. Prichard said the goal is to have staff reports out a week in advance, and they could send those to PTAC members, as well as to those on the DRB. The information is also posted online for the public, he said.

Ms. Hill made a motion to request that the Planning Department inform members of PTAC when projects go to the DRB for preliminary review. Mr. Fritz seconded. The motion passed unanimously.

DISCUSSION: BOUNDARY STREET LANDSCAPING

Ms. Hill said PTAC wants to understand the changes to the original set of contract documents. She has drawings for review. PTAC is charged with this, she said, and they needed the drawings and further information to do as they'd been charged. Mr. Meola said that "information is managed by Public Works," so "only they can comment on this."

Chairman Farior said PTAC representatives had requested that **Robbie Anderson** come to this PTAC meeting to discuss the Boundary Street plants, but she is not present, so PTAC is requesting again that Ms. R. Anderson attend the next PTAC meeting for that purpose.

Ms. Hill said she wants to understand why the changes are being made, why the money that was spent on the original plants is being ignored, and why "solutions that were part of the whole process when this was being done" are being ignored. Even though they've been made aware of the problems, Ms. Hill said she sees "absolutely no changes whatsoever" to what Public Works is doing on Boundary Street when she comes back to town every two or three weeks, and she is "very upset" about it. Hundreds of thousands of dollars were spent on landscaping, she said, "and it's being ignored."

When Ms. Hill was with the city, she said, **Neal Pugliese** and Ms. L. Anderson requested a report, so she authored a 3-page report about Boundary Street planting costs, including maintenance. She recommended putting in trees and establishing them, *then* implementing the landscaping part of the plan, but the Planning Department's advice was ignored. Ms. Hill said that when she has asked questions, she's been told that they never should have done it all; she reiterated that what's been done is not what Planning requested.

Ms. Hill said Mr. Meola had looked for the unit pricing that would have been supplied by the awarded contractor to determine how much plant material has been discarded by the City of Beaufort. Ms. Hill said she would put a report together for Mr. Prichard, **Neil Desai**, and possibly city council about what plants were put in, which were removed, and what replaced them.

Mr. Newman and Chairman Farris discussed an Ad Hoc meeting that included Mr. Desai, **Matt Sinclair**, and **Bill Prokop**, the city manager, in which staff said they would stop what they were doing to the Boundary Street landscaping, but since then, they haven't done anything to clean the beds up. Ms. Hill said they have used a weed eater on the weeds in the Asiatic jasmine. Mr. Newman said they aren't doing what they said they'd do and what they are "charged with taking care of."

Ms. Hill said there is a simple solution to the weed problem, and it would cost about \$250. Mr. Newman said Public Works has already spent that much paying someone to do weed-eating.

Ms. Hill asked if a volunteer citizens group could go in and adopt a planter behind the sidewalk. Chairman Farris said yes; that had been discussed at the last PTAC meeting. Ms. Hill said she would write a letter from PTAC for the city manager and give it to Chairman Farris. PTAC could track the labor and chemicals they use on that section, and then use that information as an example for Public Works "to make a point" about what could be done throughout Boundary Street, Ms. Hill said.

Chairman Farris said PTAC is again requesting that someone from Public Works attend next month's PTAC meeting, and that PTAC be allowed to adopt a flowerbed on Boundary Street. The Boundary Street beds are a mess and an embarrassment to the city right now, Chairman Farris said, and Mr. Fritz said that's especially true because of how much the city spent on plants for those beds.

Chairman Farris said PTAC is pushing to clean up Boundary Street, but then they aren't meeting for another month. They've been talking about this for months, she said, but there's been "no movement" on "cleaning up the medians." They haven't been mulched, even if they were hit with Roundup. Chairman Farris asked what else could be done now. Mr. Prichard said it's "key to have a discussion with the person doing the work," so he would see what he could do. Chairman Farris said at the Ad Hoc meeting, they had discussed training the workers on how to maintain the Boundary Street beds (e.g., not weed-eating over jasmine).

Mr. Newman said city staff at the Ad Hoc meeting was defensive about what they're doing, rather than asking how they could fix the problem. They have made no effort to say, "Here are the specific chemicals to use," he said. Chairman Farris said, "They were told which chemicals to use." Ms. Hill said she had made a list that Chairman Farris gave to staff.

Ms. Hill requested that Mr. Desai, Mr. Sinclair, and Ms. R. Anderson come to the next meeting. A letter about PTAC adopting a bed will have gone to the city manager by then. She will make a list again of what to buy, including prices and where to put it. She thinks that information has not gone to the right set of hands, so at the next meeting it will. Ms. Hill said they'll ask for one plant bed and see if it works.

Mr. Newman said the argument that what's being done on Boundary Street is saving time/money is not a good one, because if Public Works is sending someone to weed whack, they are "already implementing that person's time, just not to do the right thing."

Ms. Hill said Public Works is pulling up drought-tolerant plants and replacing them with grass that needs to be mowed and is dying for lack of water, which "makes no sense."

Mr. Prichard said he would get copies of all of the landscaping sheets that are needed to Ms. Hill.

OTHER BUSINESS

Mr. Fritz asked about getting more people on PTAC. Ms. Hill said that in the past she had pushed for 7 people on it instead of 5, but Ms. L. Anderson had said the city "boards are maintained at 5." Mr. Fritz said at the last meeting, they discussed drawing from the master gardener group; they have a requirement to serve as part of being a master gardener. Ms. Hill said Chairman Farris is filling in one of the designated roles on PTAC, which is for a citizen volunteer/master gardener, but there could be more.

MINUTES

Ms. Hill made a motion, second by Mr. Fritz, to approve the minutes of the May 23, 2019 PTAC meeting. Mr. Newman abstained from voting because he was not present at the meeting. **The motion to approve the minutes as submitted passed 3-0.**

Chairman Farris made a motion, second by Mr. Fritz, to approve the minutes of the June 27, 2019 meeting. Mr. Newman and Ms. Hill abstained from voting because they were not present at the meeting; only Chairman Farris and Mr. Fritz were. **The motion to approve the minutes as submitted passed 2-0.**

There being no further business to come before the committee, Chairman Farris adjourned the meeting was adjourned at 5:05 p.m.