

Town of Hilton Head Island
Design Review Board
Minutes of the Tuesday, May 22, 2012 Meeting **APPROVED**
1:15p.m – Benjamin M. Racusin Council Chambers

Board Members Present: Chairman Todd Theodore, Vice Chairman Scott Sodemann,
 Jake Gartner, Tom Parker, Galen Smith and Deborah Welch

Board Members Absent: Jennifer Moffett, *Excused*

Council Members Present: Bill Harkins

Town Staff Present: Mike Roan, Urban Design Administrator (outgoing effective 6/8/12)
 Jennifer Ray, Urban Design Administrator (incoming effective 5/21/12)
 Charles Cousins, Community Development Department Manager
 Teri Lewis, LMO Official
 Rocky Browder, Environmental Planner
 Kathleen Carlin, Administrative Assistant

1. CALL TO ORDER

Chairman Todd Theodore called the meeting to order at 1:15p.m.

2. ROLL CALL

3. FREEDOM OF INFORMATION ACT COMPLIANCE

4. APPROVAL OF THE AGENDA

The agenda was **approved** as presented by general consent.

5. APPROVAL OF THE MINUTES

Approval of the minutes of the March 27, 2012 meeting is deferred to June 12, 2012. The Board **approved** the minutes of the April 24, 2012 meeting as amended by general consent.

6. STAFF REPORT

Mr. Roan reported that his last day with the Town of Hilton Head Island will be June 8, 2012. Mr. Roan introduced Ms. Jennifer Ray, the Town's new Urban Design Administrator, to the Board. Chairman Theodore thanked Mr. Roan for providing eight years of excellent service to the DRB. The Board welcomed Ms. Jennifer Ray as the Town's new Urban Designer.

On a separate issue, Mr. Roan stated that the Board is due to nominate and elect officers (Chairman and Vice Chairman) for the July 1, 2012 - June 30, 2013 term. The nomination and election of officers is due to take place on June 12, 2012. In addition, Vice Chairman Scott Sodemann, Mr. Galen Smith, and Mr. Jake Gartner, are scheduled to be re-sworn in for a new three-year term on July 10, 2012. The new term begins July 1, 2012 and expires June 30, 2015.

7. BOARD BUSINESS

None

8. UNFINISHED BUSINESS

Airport Tree Mitigation – DR120014

Mr. Roan stated that the Board first reviewed the tree mitigation plan on March 27, 2012. At that time the Board provided the applicant with very specific conditions before the plan can move forward.

Mr. Roan presented an in-depth visual review of the site. The applicant was instructed to provide approximately 1,300 trees in the area based on the mitigation categories as outlined in the LMO to provide a buffer for tree removal and topping of trees along Beach City Road. Mr. Roan stated that the applicant has returned with four species of Category 1 trees. Mr. Roan reviewed the 75-foot buffer requirement along Beach City Road and the FAA safety zone.

The Board specified a three-year maintenance provision. The applicant has returned with a one-year warranty on all plant material with an additional two years of maintenance provided to ensure the survivability of trees. A fixed irrigation system is not specified in the plan. Irrigation will be provided by truck and tank on a specified schedule. The staff believes that the maintenance schedule and irrigation schedule for the native plants is appropriate. The applicant is specifying native grasses to go along the 15-foot easement. Native vegetation is an acceptable element in a perimeter buffer per the LMO.

Mr. Roan briefly reviewed the selection and location of Category 1 trees. The staff presented several representative drawings of species and sizes of trees. Mr. Roan reviewed the end of runway zone. The applicant has specified native grasses in the runway zone based on the Board's condition for approval. Mr. Roan presented several photos showing the general character of the area. Vegetation in the area is already starting to re-establish itself. Mr. Roan stated that the applicant's chain link fence will be black vinyl coated. At the completion of staff's presentation, Chairman Theodore requested that the applicant make his presentation.

Mr. Charlie Stearns, with CDM Smith, presented statements in support of the application. The applicant discussed their plans for planting the open field area and the buffer area. The Board stated that these are two separate planting situations. The applicant discussed the spacing of plant material and Chairman Theodore stated that the spacing of 15-feet on center is not acceptable. The Board agreed with staff that the spacing should be a maximum of 48" on center. Planting of the easement area is more important than the field area due to visibility. The applicant and the Board discussed the maintenance schedule and the FAA's concerns relative to native vegetation and birds. The applicant stated that they would prefer to plant Bermuda grass in the open area.

Ms. Teri Lewis presented statements regarding the intent of the LMO relative to native grasses. Ms. Lewis reminded the Board that the LMO specifies native grasses only. The LMO would need to be amended in order to allow Bermuda grass in the open area.

Chairman Theodore and several Board members commented that they have visited the site and they are pleased to see how nicely the vegetation is re-establishing itself. Following this discussion, Chairman Theodore requested that a motion be made.

Vice Chairman Sodemann made a **motion to approve** the airport's proposed mitigation plan contingent upon the applicant adjusting the spacing of the grasses to a maximum of 48" inches on center. Mr. Smith **seconded** the motion. Prior to taking a vote on the motion, Chairman Theodore invited comments from the public.

Chester C. Williams, Esq., appearing on behalf of St. James Baptist Church and Palmetto Hall Property Owners Association, presented statements in opposition to approval. Mr. Williams stated that the mitigation plan does not comply with LMO requirements. The plant schedule in the buffer area is inadequate. The sewer line down the middle does not comply with the Code's buffer requirements. The buffer should be expanded to make up the difference (at least a 90-foot wide buffer). The mitigation plan shall provide dense planting in all buffer areas; grasses should not be considered dense vegetation. Lastly, Bermuda grass is in violation of the Code and should not be allowed.

Joshua Gruber, Beaufort County Staff Attorney, presented comments on behalf of Beaufort County. Mr. Gruber stated that the FAA urges concern with the planting of native grasses in the airport's open area due to problems with birds. Mr. Gruber stated that the County has made a stringent effort to plant a dense buffer. The mitigation plan before the Board's review is an either/or scenario.

Chairman Theodore stated that if the LMO is amended at some point to allow Bermuda grass in the open area, it should not be permitted in the buffer area. Only native grasses should be permitted in the buffer area. Mr. Bob Richardson, member of Palmetto Hall POA, presented statements in opposition to approval of the plan. This completed all public comments.

Ms. Welch stated that she believes it would be better for the Board to error on the side of safety. The FAA is concerned about native vegetation and potential problems with bird strikes. If the LMO is amended to permit Bermuda grass in the open area, the Board should approve it based on safety concerns. The Board agreed that Bermuda grass should not be allowed in the buffer area.

The Board discussed the need for a site visit following the installation of plant material. The Board will verify that there are no gaps in the vegetation. The applicant will be responsible for filling in any gaps that are found by the Board. At the completion of the discussion, Chairman Theodore requested that Vice Chairman Sodemann amend his original motion.

Vice Chairman Sodemann made a **motion to approve** the airport's tree mitigation plan based on the following conditions: (1) the spacing of all native grasses shall be limited to a maximum of 48" on center; (2) approval of the plan is contingent upon the resolution of the native grasses vs. Bermuda grass issue; (3) and, regardless of the outcome of the native grasses vs. Bermuda grass issue, all plantings in the 15-ft. sewer line area shall be native grasses; (4) The Design Review Board shall visit the site at the completion of installation to determine if any voids remain there. Any voids that

are found shall be filled in with additional plant material as required. Mr. Smith, as second to the motion, accepted these amendments to the motion. The motion **passed** with a vote of 7-0-0.

9. NEW BUSINESS

None

10. APPEARANCE BY CITIZENS

None

11. ADJOURNMENT

The meeting was adjourned at 1:35p.m.

Submitted By:

Approved By:

June 12, 2012

Kathleen Carlin
Administrative Assistant

Todd Theodore
Chairman