



**SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
DECEMBER 6, 2016 ♦ 6:00 P.M.**

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1. CALL TO ORDER. Vice Chairman Abrams called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Vice Chairman Abrams and members Elliott, Gambino, Johnson, Lauer, Lowery, and Seibold. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

2. PLEDGE OF ALLEGIANCE. Chairman Abrams led the Pledge of Allegiance.

3. AGENDA APPROVAL. Ms. Lowery moved to approve the agenda as presented. Mr. Lauer second. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL. Mr. Lauer moved to approve the October 4, 2016 meeting minutes as submitted. Ms. Gambino second. Chairman Abrams noted a scrivener's error on line 99, "There were no public comments" should be omitted. All voted in favor. **MOTION CARRIED.**

5. PUBLIC COMMENTS- Agenda Items.

Mr. John Tellet, 14th Avenue South, said several years, I expounded at a Governor's Conference on the subject of Home Rule. To me this business of the tree ordinance gets down to the basic tenant of Home Rule, meaning Home Rule. I know that there are intelligent people here in the Town of Surfside Beach, because also a number of years ago about 50-percent of the people who voted, voted for me. So, anyway, thinking that there are intelligent people in the town, why would a homeowner have to pay an expensive arborist to look at a tree and say it is dead? Or, if there are dead limbs on a tree, to know that the tree is not healthy? Or, if the tree is endangering life and property of the homeowner? Then you have to pay the town besides having the tree removed. I think two of three could be eliminated. Why can a whole block of woods be removed, such as down at Poplar Drive South, and homes built and three palm trees planted on each lot, yet across the street it's forbidden? Why must a home builder leave trees around their building site that will definitely endanger lives and property in the future, when the problem could be eliminated in the first place? (*Time ended.*) Chairman Abrams explained that Mr. Tellet could speak again at the end of the meeting for five more minutes, if he would like to do so.

Mr. Allen Beck, 10th Avenue North, said I went to the council meeting when I heard they were going to talk about the tree ordinance. Getting ready for the council meeting, I drew up a copy of the ordinance and read it. When I read it, I was just shocked at the requirements that were in there. Mostly at the ones on the landscaping side. I understood the tree thing. Most of the people that were at that meeting came because thought it was just a tree meeting, too. When I tried to make some comments to council, I think I lost it. I don't even remember what I said. But I know I was upset, because I found out that it was a misdemeanor to not follow everything in the ordinance. I found out the ordinance required every homeowner to keep every piece of green on their property healthy. Disease free it said. I understand you're saying the word healthy now, it means the same thing. So if a shrub on the side of my yard is dying, because the dogs walking by all take care of that, and I periodically replace them, I can be convicted of a felony [sic] in Surfside immediately, with a \$500 per day fine, cumulative, because that's the words in our ordinance. You have to see that all of the green stuff on your property is disease free, and now to be healthy. Things die. Dandelions die on your yard. According to the ordinance, a dandelion is a piece of your landscaping. If it dies, you're guilty of a misdemeanor in Surfside Beach, which is a \$500 a day fine. We ought to take that landscaping thing out about the diseased tree thing. There's a part in there about debris that was the same thing, and I got worried, gee, if there's a cigarette butt or another Coke can on my yard in the morning, as I frequently pick up that if a policeman beats me there first, he can say Al Beck's got a misdemeanor. There's a piece of debris on his yard; \$500 today,

54 and if I find another one tomorrow, it's another \$500. This ordinance shouldn't put that kind of
55 responsibility on code enforcement; that kind of authority to the city, or that kind of pressure on the
56 homeowner to have us all guilty of misdemeanors if we happen to have a piece of plant anywhere on our
57 property that's not healthy. The ordinance says that all the plants are supposed to be in an orderly
58 manner. Does that mean that if they're not in a good straight line, it's the way the book defines orderly
59 that I could be convicted of a misdemeanor, because all my azaleas are not quite straight? We don't
60 need that kind of language in it, and I hope you can take that out. There's a bit on debris in there.
61 Anything on there that's mentioned, misdemeanor, \$500. We don't need anything on debris in this
62 ordinance. That's well covered under sanitation, and they have a due process that allows for some
63 discussion back and forth for Mr. Adair to talk to people, for them to send a letter to people, for there to
64 be a minimum waiting period. But this ordinance has no waiting period. No notice to the homeowner.
65 Just that they're immediately guilty. It is a misdemeanor on their record, and \$500 a day every time they
66 have a diseased tree, diseased plant, diseased flower, or anything in your yard that's dying. *(Time*
67 *ended.)* We've got to take that language out. Take out the debris language, and clear that up. I know
68 the tree stuff has a lot of different things on that, and I've tried to summarize what I thought might be a
69 position from what I heard said to the council. Whether that helps you or not, I hope it does, and I
70 thank you for all the work you all do to try to keep Surfside as we would all like to have it be. Please
71 don't have us all guilty all the time.
72

73 Mr. Terry Roop, 15th Avenue South, said thank you for the opportunity to speak. If you had the
74 opportunity to attend the council's work session on the tree ordinance... Chairman Abrams said six of
75 commission members were there. Mr. Roop, continued, you left there with a clear understanding of how
76 those in attendance felt. The vast majority wanted significant changes in the total ordinance or they
77 wanted it completely repealed. They wanted the opportunity to manage their property. To decide how
78 much risk they could accept regarding property damage or personal injury to themselves or their family.
79 A major responsibility of government is to provide for the health, safety and well-being of the citizens
80 they serve. This ordinance flies in the face of those responsibilities. It forces citizens to accept the risk
81 of damage to their home or other property. It forces citizens to accept the risk of personal injury to
82 themselves or to a family member by a fallen tree or tree limb. It places financial burden on the citizens.
83 In some cases you have to hire an arborist, or an architect, or an engineer to get a permit to trim a tree
84 or to have it removed. It places mandates; it mandates that trees be replaced. This is all in addition of
85 the expense of having the work done, if you're fortunate enough to get a permit. I was told recently by
86 one of the companies that does tree work that they get \$275 an hour with a minimum of three hours
87 work. That's \$825. These are burdens that can be very difficult, if not impossible, for a retired
88 household to meet. I respectfully request that this commission recommend to council that a very
89 thorough study involving a significant number of citizens of the city of Surfside be conducted to
90 determine if this ordinance is necessary or even needed. If it's determined that it's needed, then how
91 restrictive it has to be. Thank you.
92

93 6. DISCUSSION ITEMS.

94
95 a. **Draft Tree Ordinance.** Chairman Abrams believed that the commission members
96 understood the purpose of this discussion. On November 4th Town Council held a workshop to discuss
97 the chapter on Landscaping and Tree Protection, which was attended by most of the commission
98 members. Two motions were passed as a result of that workshop:
99

100 (1) to send the tree ordinance to the planning commission specifically to review the landscaping
101 clause, pruning, trees that are near foundations, the actual need for an arborist, vacant lots as it relates
102 to maintaining the lots, and in general to simplify the tree ordinance overall; and
103

104 (2) to send Section 17-740 Penalties to the planning commission for review.
105

106 Chairman Abrams said the residents presented their issues and concerns to Town Council, and
107 Town Council has directed this planning commission to review the ordinance. Tonight is the first
108 discussion of the ordinance; it is not a business item. The goal tonight should be to reach consensus
109 among the planning commission members on what we think are reasonable, significant changes to the
110 landscaping and tree protection. The draft can be revised to incorporate changes agreed to by the
111 members. A public hearing will be held once the commission arrives at its best effort of a revised
112 ordinance. After that hearing the ordinance will be a business item on the agenda. The draft being
113 considered at this meeting was Chairman Abrams's best effort at a starting place for discussion. She
114 asked if the members would agree to take each section individually and sequentially to keep from
115 "getting down in the weeds."
116

117 Chairman Abrams thought most of the laws relating to new development, redevelopment, and
118 major additions should remain in place. She said that Councilmember Stevens brought up at a recent
119 council meeting that we need to be very wary of all the potential tear-downs in town. We may be mostly
120 built out, but there are many potential tear-downs that need to be considered. She would like to lighten
121 up on how the laws apply to owners of existing homes. To establish how the commission feels about the
122 ordinance, she asked each member to comment.
123

124 Mr. Lauer believed the whole ordinance had to be simplified. A number of items need to be cut
125 out, because they are superfluous. They're confusing, and difficult for a commission member or the
126 public to read. It's just unwieldy. He believes changes are needed to make the landscaping code more
127 civil and reasonable. He asked if there was any code that prohibited having an arborist on staff. In his
128 opinion that would be helpful to the town and its residents. Ms. Morris said she called ISA (International
129 Society of Arboriculture) and was told that it takes up to four years to become a South Carolina Certified
130 Arborist, and proceeded to cite the requirements. There is a possibility the town could contract with an
131 arborist. Chairman Abrams asked if some additional research could be done. Mr. Seibold asked if an
132 arborist was on retainer. Ms. Morris said the public works department uses American Tree Climbers.
133 There are several arborists in the surround areas. The City of Conway actually has an arborist on staff.
134 Mr. Lauer said it seems that would solve many of the problems. Ms. Morris said absolutely.
135

136 Ms. Gambino said she had personal experience using an arborists, and she knew more about the
137 trees than he did. She had to tell him that the tree was less than ten feet from the addition being built.
138 She paid about \$250 to the arborist, and was not happy about it. Ms. Morris and she previously
139 discussed that Greenville County doesn't touch residents' property because of lawsuits. That had been
140 her concern. She thought a lawsuit was just waiting to happen, because residents own their property.
141 We pay at least six figures. We pay taxes, and on and on. She was not saying to do away with the code
142 totally, but we definitely need to take a close look and be mindful of the owners and what is being
143 required of them. Do the owners have any say? The answer is yes, they own the property. We
144 definitely need to lighten up. Landscaping is just laughable, as far as she is concerned. Some of the
145 other things we can lighten up on, without a doubt. In general, that is how she feels about it.
146

147 Ms. Lowery said her 9th grade civics class had a lesson on rights and responsibilities. We all have
148 rights, but in addition to those rights, we have responsibilities. We have a right to protect our property,
149 our families, our homes, and we should be able to do that. In doing that, we have the responsibility to
150 be sure that what we do doesn't make that difficult for our neighbors. We are not the only community
151 dealing with trees. In 2007, Miami-Dade decided to no longer allow palm and palmetto trees as allowed
152 trees, because the area was becoming a heat island. We're a coastal community. I agree, the
153 landscaping ordinance is a mess. I've served on this commission for six years, and we have looked at
154 this ordinance many times. Every time somebody wanted to look at something specific. It has become
155 such a mish-mash it's almost impossible to deal with. We need to be able to start at the beginning and
156 work our way through eliminating stuff that isn't required, and that has been repeated. Some of the
157 code in the landscaping and tree ordinance is actually in other sections. Some of it may not be necessary
158 anymore. The arborist code bothers me. I had a tree that was so close to my house it was considered a

159 dangerous tree. Both Ms. Morris and I knew it. Ms. Morris said a permit would be issued, but then said
160 the permit was on hold until an arborist could inspect the tree. It was explained to me that the costs was
161 so much because there would have to be pictures and a statement that would become a legal document
162 and all this stuff had to be done. The tree was four feet from my house. It turned out later that trees
163 endangering your house do not need an arborist's opinion. In some cases there is misinformation about
164 requirements necessary to get a permit. The arborist said if she did not already have someone, her
165 company could remove it for a discount. That bothered me. My husband was a CPA (certified public
166 accountant.) He cautioned his clients all the time about keepings arm's length transactions. That
167 relationship was entirely too close. Maybe you really wanted to save that tree. I like the idea of having
168 someone being able to and look at a tree and say well, I know you'd like to keep that tree. We can do it
169 this way, or you can have it done this way so you can save your tree and keep it healthy. The company
170 that worked on her oak tree told her it should have been trimmed back more some time ago. She did
171 not know about tree care. It would be nice to have someone who was willing to help without charging
172 exorbitant prices. She would like to see the code simplified, and back off requiring an arborist until we
173 find something more ethical, and maybe not so complicated. Everybody keeps talking about paying for a
174 permit and then paying the tree company. Her tree company pays for the permit. She asked if that was
175 uncommon. Ms. Morris said the contractors always pay for the permits.
176 Ms. Abrams said the company would add the permit cost to their bill. Ms. Lowery said the company
177 would charge the same amount whether the permit was included or not. That was uncomfortable for
178 her. She would like to see things simplified, clarified, made a little more rational, but under no
179 circumstances was she ready to say oh, well, it's my property, I can do anything I want with it. As she
180 said at the council meeting, if that was what she had wanted, she would not have moved into a
181 community. I would have moved out in the country where I could plant or cut whatever I wanted, build
182 whatever I wanted, and not worry about it. By moving into a community, I accept the responsibility of
183 knowing what I do may affect my neighbors. I will operate as a part of the community, not just an
184 individual. That was how I felt when I moved into Surfside, otherwise, I would be out in Socastee on a
185 farm. Ms. Lowery thanked Chairman Abrams for providing an edit for review. It will save the
186 commission a lot of time.

187
188 Mr. Seibold said basically he was in favor of the tree ordinance, but it certainly needs some
189 changes. He asked how many times fines were charged for violations of the tree ordinance over the past
190 five to eight years. Ms. Morris said the majority were for contractors clearing lots without a building
191 permit first. She recalled three different tree companies that got permits to trim limbs that were under
192 four inches in diameter, and when the inspection was done staff found there were several large limbs cut
193 off. In the last five years, a single property owner was charged who cleared a lot without a permit; but
194 once that owner began clearing she became a 'contractor.' Mr. Seibold asked if the police were involved.
195 Ms. Morris explained that the planning, building, and zoning staff issues the summonses for the
196 violations, and advised each recipient that an appeal could be made before the zoning board of appeals.
197 The property owner filed an appeal, but the zoning board upheld the summons, because the ordinance
198 was very clear. Mr. Seibold asked if the department inspected properties that were in poor condition.
199 Ms. Morris said since she has been director, no resident has ever been fined for landscaping violations.
200 Mr. Seibold said basically, it is almost useless in the ordinance. I certainly have some issues with the
201 arborists, and obviously some issues with the fines and how we use the code. It does have to be
202 tweaked, in my opinion. I am in favor of the tree ordinance. Ms. Morris said she could provide the
203 details for the summonses issued. Mr. Seibold said I think we need to distinguish between commercial
204 and residential property. Chairman Abrams said that was part of the second motion: to consider
205 separating fines for commercial and residential properties.

206
207 Ms. Johnson said she thought several changes could be made in the landscaping code. Even the
208 county requires a certain amount of landscaping. We definitely need to have something about
209 landscaping, but it needs to be cleaned up. I am for making some changes about requiring an arborist.
210 We are a Tree City, and have been a Tree City. Everybody that moved here should've found that out
211 before they moved here. If they didn't like trees, they should've moved somewhere else. When this

212 ordinance was written, we considered other Tree City codes. We took ideas from them, and put this
213 code together. It finally has teeth. For years the tree ordinance had no teeth, and people just took
214 down trees and paying the fine, because the fine was so small. I am not in favor of reducing the fines.
215 As far as the trees go, I hope this is not a knee-jerk reaction to Hurricane Matthew, because that was a
216 one-time occurrence in years, we hope. Hopefully, it will be many years before another hurricane hits
217 our town. It was mostly rain and the ground being saturated that caused the trees to come down. It
218 wasn't the wind, so much. Actually, trees shield against wind and noise. Trees are important; they
219 conserve energy. The town of Homestead, Florida was decimated during Hurricane Andrew; there were
220 no trees there. Every house in the town came down. I would rather have a limb on my roof than my
221 house blown away. The limbs overhung the roof on my house when I lived on 9th Avenue. There was a
222 pine tree between my lot and the neighbor's, but it was on the neighbor's land. During a storm a tree
223 limb that was not hanging over anybody's house came off their tree onto my roof and put a hole in it.
224 Many limbs came off my big oak tree, but none of them hit my roof even though they were hanging over.
225 It all depends on how the wind is blowing as to where the limb is going. I am in favor of cleaning up the
226 code; making it simple; looking at the arborists requirement, and certainly the landscaping code. I like
227 the teeth in the ordinance, and I am not for changing a whole lot about the ordinance, except for
228 simplifying it.

229
230 Ms. Elliott said I am in favor, also, of a tree ordinance. But looking at our tree ordinance it does
231 need some work. To be honest with you, since this is my fifth year on planning, I'm tired of tweaking
232 ordinances. I'd rather see us repeal and adopt a new one, but take the heart or the good parts out of
233 what we have into a whole new one, instead of having cross outs and making it difficult for people to
234 read. I don't know if it's legal, but I'd like the tree ordinance to have categories for residential improved
235 property; vacant undeveloped lots, and commercial property. The code should have charts for protected
236 trees, and approved replacement trees. Make it simple so the people can follow. I also think we do have
237 to have an arborist. She asked if the town appointed companies to tow vehicles that were in accidents.
238 Chairman Abrams said there was some kind of rotation. Ms. Elliott said at least the town could have a list
239 of two or three companies that could be called. There was no way during Hurricane Matthew that some
240 trees would stand. God has a way of taking care of his nature. They had heart rot, and of course, they
241 came down. Prior to that we had the 1,000 year flood. An oak tree is great for keeping us cool in the
242 summer, and an oak tree absorbs 1,500 gallons of water. I'd rather have that oak tree absorbing water
243 than taking my roof in a hurricane. We need to work on this.

244
245 Ms. Lowery said the Clemson University Extension agents sometimes will answer questions about
246 gardening. She wondered if the agents would assist residents with questions about their trees. Ms.
247 Morris said at one time the South Carolina Forestry Commission had an agent that would provide
248 assistance, but she has semi-retired and the commission no longer has funding to staff that position. She
249 would check with the Clemson Extension office. Ms. Lowery said that might be an option that wouldn't
250 be so expensive.

251
252 Chairman Abrams said regarding the arborist that at the last meeting we asked to take a closer
253 look at the board of zoning appeals (BZA) allowing a special exception authority for trees. People don't
254 necessarily need an arborist. I think when it's coming down to an issue of whether what they want to do
255 is reasonable or not, and when we're talking about specimen and landmark trees, not just (***) little
256 trees, instead of an arborist, the question is, is it reasonable? Is it really threatening this house? We
257 need to look into whether the special exception authority of BZA might be a way to avoid an arborist
258 entirely. The BZA would provide a jury of their peers, residents using common sense. In a lot of cases,
259 common sense is all that's required. Ms. Morris said she has contacted other municipalities and they do
260 use that route. We would have to amend our ordinance to add that authority. BZA has several
261 exceptions it can make now, but the trees can certainly be added. By law, anytime you have a BZA
262 meeting, you must advertise for a certain number of days. Once the owner is advised to appear before
263 BZA, the process is started immediately, so it is not a huge delay. Chairman Abrams said she was not
264 particularly interested in making it easier for developers that want to pave paradise and put up a parking

265 lot. My interest is streamlining the process for the citizens who really like their trees. I want the town to
266 use a little bit of common sense, and allow the residents to have a little more say about their own yards.
267 Chairman Abrams said I also think that when we get into the number of required trees on a property that
268 we do need to require some. I've had experience with a few neighbors that would have paved their
269 whole yard, given the right to do so. That's not why she moved here either.

270
271 Chairman Abrams asked Ms. Morris if she had any additional comments. Ms. Morris said no, the
272 members have addressed everything.

273
274 Ms. Lowery said a comment was made about a citizens committee to review possibilities.
275 Chairman Abrams said that is what the planning commission is. Ms. Lowery said the comment sounded
276 like an additional committee should be formed, but she did not support that. It would just create another
277 hoop that people would have to jump through. Chairman Abrams said that was not in the motion. The
278 planning commission is the citizens' committee.

279
280 Chairman Abrams said most residents don't own a caliper (*Note: an instrument used to measure*
281 *trees.*) She asked what would happen if the code stated circumference instead of diameter. It would be
282 easy to use a tape measure and wrap it around the limb to find the measurement. Ms. Elliott showed
283 plastic lids that represented the current 4 inch diameter, a 5½ inch diameter lid that is 17½ inches
284 circumference, and a 7 inch diameter lid that is 22 inches circumference. Ms. Lowery thought that both
285 diameter and circumference could be stated in the ordinance. A discussion ensued regarding the pros
286 and cons of diameter versus circumference, and the ability of residents to measure their trees.

287
288 Chairman Abrams said the code needed to be approached line by line from the beginning. It will
289 take a lot of discussion. After a discussion about extra meetings, the commission **CONCURRED** to have
290 its regular meeting on January 3rd at 6:00 p.m., and also to have a workshop on January 17th at 6:00
291 p.m.

292
293 **B. Zoning Ordinance (General.)** Ms. Morris explained that by majority, Town Council wants
294 the planning commission to review the entire ordinance, simplify it, and make changes that reflect recent
295 State Laws.

296
297 Ms. Lowery asked if that included changes to the overlay district. Ms. Morris said the commission
298 will review it, but it was a fairly new ordinance. Chairman Abrams said the direction was to review the
299 whole ordinance.

300
301 **c. Any topic the board wishes to discuss.** There was no other discussion.

302
303 Chairman Abrams called recess at 6:55 p.m. The meeting was called to order at 7:02 p.m.
304 Chairman Abrams said public comments would be heard first, and then discussion would begin on the
305 landscaping ordinance revisions.

306
307 **7. PUBLIC COMMENTS – General Comments.**

308
309 Mr. Tellet: There was a number of things here that I wrote down just listening here. It was
310 mentioned about if you didn't want to live here. I was living here before the ordinance. Ms. Gambino:
311 There you go. Mr. Tellet: I mean, right? Kind of a bad statement there, I thought. And also, we had
312 most of our damage from the wind, not water. Across the street from me, the town came down,
313 because I complained about a pine tree hanging down on the sidewalk. The came down and they cut a
314 four inch, they went back as far as the four inch. Now, anybody in their right mind knows that a pine
315 tree does not sprout anywhere from a cut. So, they left an 18 foot snag back to the tree. Now you know
316 what's going to happen to that snag? (**) It'll die. But, the town had to obey the four inch rule. Kind
317 of a stupid, stupid thing. We talk about Clemson Extension, I had a Zelkova tree. I'm sure that might

318 not even be in the tree ordinance. Some of you might remember; I'm kind of old, I'm 90. But, up in the
319 north they had Dutch elm disease. It cleared out elm trees. Elm Street was lost. They planted Zelkova
320 trees which have the same basic shape as an elm tree. I wanted a Zelkova in my front yard. It died
321 right quickly. Like in a week's time, boom! I took a branch to Clemson Extension, and he told me that it
322 had a virus. I should not under any circumstances plant anything within five feet of the root zone of that
323 tree for five years, because it wouldn't live. Clemson Extension, I don't know how that would affect my
324 property with a tree, when I'm not allowed to, I can't plant to a tree. Now, the other part that I didn't
325 get to was that I should like to suggest that the town rescind the tree ordinance for one or two years,
326 just to see as a test, to see if the town is harmed in any way. In five to ten years, barring a natural
327 occurrence, and I hope I'm still here to see it, Surfside Beach will still be a nice place to live. But, also a
328 place that will not endanger lives and property and pocket books of the homeowner. I should like to, in
329 fact, I'm betting that overall nothing will be different in the Town of Surfside Beach, except for the better.
330 *(Time ended)*

331
332 Mr. Roop: I'm a little concerned about some of the comments I heard tonight. [Mr. Tellet] is not
333 the only old man here. I'm old, too, and sometimes I have trouble hearing. But, I think I heard Ms.
334 Johnson make a comment. I'm sorry she's not here. [Her comment was] that you need to know where
335 you're moving and if you don't like the ordinances, go somewhere else. I'll just say that I think that was
336 very inappropriate. I've realized that we're not in control of this earth, but God is, and the wind is going
337 to blow in a way that it wants to blow that God sends it. But that doesn't mean that we shouldn't take
338 every effort we can to make our property safe or house or our family. I know that a limb could blow off
339 of a tree next door and hit my house. I know that many other things can happen. Surfside is a
340 wonderful place; a great place to live. I love it here. We've been here ten years. You have wonderful
341 services. The town employees are great. They're friendly, helpful. But, we can always make it better
342 and make it easier for folks to live here. I expect that a lot of people living here are retired people.
343 They're not able to do a lot of the yard work, particularly pertaining to trees. They have to hire that. I
344 came from Virginia. My pension plan is probably not as great as you've got here in South Carolina. You
345 need to think about those things, and I hope we will. The arborist or the engineer, I really hope you'll
346 look hard at that. I like Ms. Elliott's comments that it seems to be in order just to rewrite the whole
347 ordinance and ask council to repeal what we have now. Set it out in sections, as Ms. Elliott said, so that
348 folks can understand it. When sections of it are repealed and still in the ordinance it is a little difficult
349 sometimes to figure out what we've done. Thank you again. Thank you for your work. Appreciate it.

350
351 Mr. Mike Holt, Yaupon Drive North: I'm like a lot of people in town. This tree ordinance is pretty
352 interesting. I was counting; there's 25 protected trees. Some of them are protected and specimen.
353 There's a few that's landmark, specimen and protected. Is there anybody in here or anybody in Surfside
354 that can name off; do we have these 25 trees in town? Can anybody identify them? We don't even
355 know what we're talking about. If it ain't a pine tree, most people say, well, it's a pine tree. It must not
356 be protected. We need to simplify this thing. Maybe not worry so much about what type and just
357 concentrate on, if I want to cut my oak tree down, which I don't, but if I want to, it's my tree. It's my
358 lot. I paid a fortune for it. I should be able to replace it with another oak tree. It's mine. It's me. It's
359 not you. It's not your tree. You may not like it, because I want to cut my oak tree down. It's my tree.
360 It's true this is a tree town. But, I didn't know that when I moved here. I thought it was a beach town,
361 and 99-percent of the people that live here move here, because they want to live close to the beach.
362 We've always wanted to do it. We finally got a place at the beach. I didn't move here because it was a
363 tree town. I don't know if that would've made any difference. Why not redo this whole thing, especially
364 for homeowners. Nail these contractors who want to come in and just cut it all down and put an extra
365 house in. Okay, I can agree with that. We've got teeth in that. But we don't have to have the same
366 rules for a homeowner; somebody that's been there five, ten, 20 years. If he wants to cut down his bald
367 cypress and replace it with an oak post or whatever that should be his decision. If I want to cut a limb
368 off and that thing's nine inches or whatever, I should be able to cut my limb off. It's really that simple.
369 It's more of an individual thing and less of a control issue. I get the feeling that you try to control me.
370 Don't control what I can do and can't do. I know there's laws, and we all follow them. But don't tell me

371 your bald oak tree [sic] you cut four and a half inches off, but it's only four so we're going to fine the
372 daylight's out of you. If I'm a contractor and I come in there and I push them all over, then you just
373 need to nail me to the wall. But, if I'm a homeowner, I need to be treated differently. I certainly
374 appreciate you listening to me. Thank you.
375

376 Ms. Carol Holt, Yaupon Drive North: I agree [with Mr. Roop] about the comment about if you
377 didn't want to move to a Tree City, you shouldn't have moved to Surfside. There are a lot of people that
378 were here before it was a Tree City, and does anyone know what the ordinances are for Murrells Inlet?
379 Are they a Tree City? Ms. Morris: No, but they do have some very stringent guide lines. Ms. Holt: The
380 reason I ask, after the storm I drove through Murrell s Inlet thinking that they probably didn't have a lot
381 of ordinances. I wasn't sure. But, anyway, there were a lot of trees down, and a lot of trees that people
382 I thought maybe had the opportunity to cut, but they didn't. They love the trees. As long as it's not
383 harming their property or their neighbor's property. But, I agree with this gentleman, I don't remember
384 his name, I think it would be a good idea for a year just to do away with it and see what happens. The
385 only problem I see would be the developers. But, this is a Catch 22. The city wants their revenue. So
386 they allow developers in R3 zoning to come in on 60 foot frontage and build two houses back to back or
387 whatever. If you're going to allow that to happen, what do you think they're going to do with the trees
388 that are there? You can't put two houses on that small of a property. But you want the revenue from
389 that R3. So, it's kind of a Catch 22 here, I feel. I agree. I think for a trial, just do away with the code
390 and say we're having a year when we're not going to follow the ordinances with a fine or anything of that
391 sort. As Ms. Morris knows, when we first moved here we were just trying to trim and make our lot look a
392 little better. We didn't know. We were fined, and it was a lot. But, Ms. Morris realized there was an
393 issue there and we worked it out. I'm glad and I appreciate all of you, your willingness, because this is
394 going to be quite a task. I appreciate your willingness to listen to the property owners, and try to come
395 up with something that works for everybody. Thank you.
396

397 Mr. Roop: Since it was mentioned about the frequency of the storms, as I said, I've been here
398 ten years, Matthew is the first hurricane I've experienced. But, I don't want us to forget about the ice
399 storm that we had a few years ago. There was significant damage to property during that ice storm. I
400 had damage to my house during the hurricane and also during the ice storm. I don't think we ought to
401 say well we may not have another one. We may have another one next year. So, that's two storms
402 within ten years that's created some problems. Thank you.
403

404 Mr. Ron Ott, 7th Avenue North: It was said about the ordinances, and once the ordinances are
405 enacted, we never look back. We should always look back. Somebody should be saying here's a report
406 on how this has affected the town after six months; after a year on every ordinance that's enacted. I've
407 had the privilege to sit over here for six, seven months now. We haven't enacted any ordinances. We
408 had a couple of amendments, but we haven't given you guys any. I think we have too many already.
409 There's a (***) town in North Carolina that looks just like Surfside Beach, except it doesn't have any trees.
410 You need to take a look at that. It doesn't have any trees on it. I think maybe a hundred throughout the
411 whole town. I have a tree that I have a love-hate relationship with. It's a hickory tree that drops down
412 these nuts every year by the tens of thousands. They are an inch-plus in diameter, two inches long. You
413 need a hard hat. I've been hit in the head. It'll give you a dent. I mean, they're coming down from 80
414 to 90 feet up. They're coming down at a pretty good speed. I tried to put them in bags, and I'll have 50
415 or 60 bags out there at a time, because they'll just rip through. They're heavy, so I use my Moby, and
416 I'm on eight full Moby carts now. It's been going on since October, every year. I like the tree. I love the
417 tree, but then it makes up things to drop. In the spring it drops a flower; then it drops some spaghetti;
418 and right now, it's season's end. It's going to drop more leaves than you can imagine. The tree
419 ordinance; yes, we had a workshop, and we need to look at it. But, we need trees, but we need to be
420 able to look at them logically, too. Would I like to get rid of that hickory tree? Sure. But, no, I won't do
421 it. I won't do it, because I do like it a couple of months out of the year. Thank you.
422

423 Chairman Abrams opened discussion on the landscaping and tree ordinances. Sections 17-700
424 through 17-705 were discussed at length and the commission members **CONCURRED to the changes**
425 **as noted on the attached pages titled Draft Revision 11-7-2016, Chapter 17, Article VII,**
426 **Landscaping and Tree Protection, pages 2, 3, and 4.**
427

428 The commission will resume with page 5 at the next meeting and subsequent meetings until the
429 ordinance has been reviewed in its entirety.
430

431 **8. COMMISSION COMMENTS.**
432

433 Ms. Gambino: I think we've done a great job.
434

435 Chairman Abrams reminded everyone that the next meeting is January 3, 2017 at 6:00 p.m.
436

437 **9. ADJOURNMENT.** Ms. Lowery moved to adjourn at 8:02 p.m. Ms. Gambino second. All
438 voted in favor. **MOTION CARRIED.**
439

440 Prepared and submitted by,
441

442 _____
443 Debra E. Herrmann, CMC, Town Clerk

444 Approved: January 3, 2017
445

446 _____
447 Mary Ellen Abrams, Vice Chairman
448

449 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,
450 and not intended to be a complete transcript. Appointments to hear recordings may be made with the
451 town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance
452 with FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and interested
453 parties via the town's email subscription list. The agenda was posted on the entry door at Town Council
454 Chambers. Meeting notice was also posted on the town website at and the marquee.