

MINUTES

Green Space Advisory Committee

November 15, 2024, 10:30 AM, Executive Conference Room, Beaufort County Administration Building

CALL TO ORDER:

Chair McShane called the meeting to order at 10:30 AM. Public notification of the meeting has been published, posted, and distributed in compliance with the SC Freedom of Information Act.

COMMITTEE MEMBERS PRESENT:

Senator Tom Davis
Timothy Evans
Alice Howard, Vice-Chair
T. Peter Kristian
Carmen Avon Manning
Michael McShane, Chair
Laurel Rhoten

COMMITTEE MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Chuck Atkinson, Assistant County Administrator, Development/Recreation
Mark Davis, Deputy Director, Beaufort County Planning and Zoning Department
Juliana Smith, Long-Range Planner, Beaufort County Planning and Zoning Department
Rob Merchant, Director, Beaufort County Planning and Zoning Department
Graeme Philp, Attorney, Graybill, Lansche & Vinzani (virtual)
Jeff Vinzani, Attorney, Graybill, Lansche & Vinzani (virtual)

GUESTS PRESENT:

Mary Ryan Krieger, Deputy Community Plans and Liaison Officer, MCAS
Lawrence McElynn, Council Member, District 10
Kate Schaefer, Director of Land Protection, Beaufort County Open Land Trust

ROLL CALL:

Chair McShane asked for a roll call of the committee members. All members were present except for Vice Chair Howard who arrived shortly after the meeting started.

APPROVAL OF AGENDA:

Peter Kristian made a motion to approve the agenda. Laurel Rhoten seconded. The vote to approve the motion was unanimous.

APPROVAL OF MINUTES – JULY 26, 2024:

Senator Davis made a motion to approve the minutes of the July 26 meeting. Peter Kristian seconded. The vote to approve the motion was unanimous.

APPROVAL OF MINUTES – AUGUST 16, 2024:

Peter Kristian made a motion to approve the minutes of the August 16 meeting. Tim Evans seconded. The vote to approve the motion was unanimous.

APPROVAL OF MINUTES – SEPTEMBER 6, 2024:

Tim Evans spoke of the minutes being well done, as there was a lot of discussion that day (motion to approve). Laurel Rhoten said the detail is excellent (motion is seconded). The vote to approve the minutes was unanimous.

Vice Chair Howard arrives at the meeting.

UPDATE ON SUBMITTED CONSERVATION EASEMENT APPLICATIONS:

Mark Davis said there will be a committee meeting in December to review new applications, but prior to that meeting, staff wanted to give the Committee an update on current applications. Mark said Kate Schaefer is here to give an update on Open Land Trust conservation easement applications.

Kate Schaefer used the computer screen to give a PowerPoint presentation. Kate said conservation easement applications can take longer to process than fee simple applications. The projects that she will discuss have all been approved for due diligence but haven't come back to the Committee for recommendation. Today's review could provide guidance on where funding could go should you recommend final approval.

Essex Farms. This is 950 acres in the Dale/Lobeco area. This project is in partnership with the Department of Defense (DOD) and came in as a Farmland Preservation application type. Kate showed a map of protected land in the area. Kate noted this is the last remaining large, unprotected parcel. This will mitigate a much larger threat to the Marine Corps than mitigating 20 acres at a time. Kate showed a Land Cover map. The property is mostly in forestry which is why a Farmland Preservation application was submitted. In response to a question by Senator Davis, Kate said the property is just outside the AICUZ but is in the "Area of Interest." Tim Evans asked about a small County-owned parcel on Wimbee Landing Road. After some GIS parcel research, Chuck said the parcel was most likely acquired by the County in 1980 and as a part of the ROW for the road.

Kate said the property has been resurveyed and the title work on this project has been

completed. This is very important to the military—they are most concerned about title issues and any easements such as roads that might run across the property. Kate showed the financial structure outlining funding sources—Green Space Penny, State Conservation Bank, Federal Readiness and Environmental Protection Integration Program (REPI) and Private Landowner donation. Kate said when you are thinking about the efficiency of Green Space dollars, 15% of the cost of this project is coming from the Green Space Program; the rest is being matched by other sources of funds. We are going through the final due diligence with all the approval entities. State Conservation Bank funding has been approved. Federal REPI is approved subject to final due diligence. Chair McShane confirmed with Kate that the application still needs to go back to the Community Services and Land Use Committee for final funding recommendation.

Kate presented a Due Diligence tracker on the project. Kate said she hopes for a January/February closing on the property. Kate said the Navy approval tends to be the slowest, so she likes to secure approvals from other agencies first. This helps give more urgency to the request for approval from the military. In response to a question from Vice Chair Howard, Kate said the Navy has approved the easement terms. Because of successful projects in the past, particularly Gregorie Neck, the Navy lawyers are comfortable with the easement template we have.

Regarding the easement condition for burn notices to be shared with the Navy, Chair McShane suggested we approach the State Forester and suggest that all burn permit information in the area be transferred automatically to the Navy, not just permits on a specific project. Tim Evans said it may simply be a GIS exercise, as the Forestry Commission already operates a publicly accessible map for burn permits. Chair McShane asked Tim to coordinate with Mary Ryan Krieger on this issue.

Chair McShane said this is a nice summary of the terms of the easement.

Tim Evans noted that on the south end of the site, there is currently active development up at the property boundary.

Half Moon Island. Kate said this is also a DOD project. The application is in a holding pattern right now. The property is off Whitsell Road which is a large conservation corridor in the AICUZ, immediately across the river from the Air Station. The island is 120 acres total; we are proposing an easement on 85 acres. This was a Conservation Easement application with two scenarios: Scenario A – an easement on the entire island; or Scenario B - a restrictive easement on the farming piece of the island (85 acres)--which is where we have ended up. REPI money has been allocated. There are 27 landowners with 5 majority owners. We hope to have a family meeting this month where they decide whether we are moving forward with the application or not. The property was timbered. The property is being actively farmed for truck crops. Tim Evans noted that as part of the timbering, the buffers were cut. Chair McShane noted that the cutting of the buffers will be reflected in the value and appraisal. Tim Evans

noted the timber harvest was “fairly complete.” Kate said the appraisal was done after the timber harvest. Kate reviewed the terms of the proposed easement.

Mary Ryan Krieger said we are not at risk of losing any funding; we are good until 2027. REPI money does expire in 5 years, but the money all goes in one pot; it is not project specific.

Chair McShane said we do not want to slow down the process. In response to a question from Peter Kristian, Kate said Green Space is being asked to contribute \$500,000. REPI would put in \$500,000.

Trotters Loop. Kate said this is 55 acres on Lady’s Island. This is a conservation easement application. This project preserves 55 acres in the rural area of rapidly growing Lady’s Island and combines 18 existing parcels.

Chair McShane asked staff if there are possible unintended consequences of combining lots-- such as increasing the valuation. Chuck said no, not on vacant property. Mark Davis said you can’t create a nonconforming parcel with a lot consolidation; for example, you would not combine 6 houses to one lot. Chair McShane said with the lot consolidation, the owner may be able to qualify for an exemption.

Laurel Rhoten stated the landowner said they were willing to take on the expense of combining the lots.

Kate said the property is not in the AICUZ but is in the “Area of Interest.” We are not seeking DOD money for this.

Rob Merchant noted this is in the part of Lady’s Island we are trying to keep rural. Chair McShane said this is an example of where urban and rural areas can work together. You can find this in other places, for example, John’s Island.

Kate said Council Member Bartholomew is familiar with the site.

Kate stated the landowner is willing to do a bargain sale at 60% donated value. Kate reviewed the easement terms—no more than 3 parcels and 4 residential units total, with one existing.

In response to a question from Tim Evans, Kate said the program is being asked to fund 40% of the easement value which is probably around \$350,000.

In response to a question from Chair McShane, Kate said the application will have to come back for final recommendation for approval, but because there is no outside partner funding, we hope your approval will be fairly straightforward; however, we don’t want to start that before the easement has been finalized.

Mark Davis said that once Kate provides the due diligence to staff, we will review with our attorneys and bring you a full package of due diligence so you can review and make a recommendation to Vice Chair Howard's committee (Community Services and Land Use).

Derst Property. Kate said this property is 406 acres proximate to Victoria Bluff Wildlife Management Area. This is a conservation easement application. The property is not a PUD, but it is in a growing area, surrounded by PUDs, so the opportunity to proactively protect this property prevents development rights, the roads and rooftops that proliferate from it. The location speaks the loudest for this property. The appraisal is now underway. That will be the biggest piece of due diligence. Because of the location, this is likely to be a very expensive easement. The appraisal will determine whether additional funding sources will be needed. In response to a question from Chair McShane, Kate said the landowner is coordinating the appraisal. Mark Davis noted that the committee can recommend for the attorneys to review the appraisal. Kate said the appraiser is a (state) Conservation Bank approved appraiser.

In response to a question from Vice Chair Howard, Kate said the property is mostly upland. The property is on a high bluff. Mark Davis noted there may be existing access issues to the parcel.

Tim Evans said given the size and location, I don't think there will be sticker shock; I fully expect this to be an expensive piece of property.

Kate reviewed the proposed easement terms. There would be no more than 3 parcels with a total of no more than 3 residential units.

There was discussion about the history and management of the Victoria Bluff Heritage Preserve. Kate mentioned it is important to bolster areas around DNR landholdings; it helps both the private landowner and the public user.

Upcoming Applications. Kate said they have two applications, North Widgeon Point and Buckfield.

The Committee said they liked the format Kate used to summarize the applications and thanked her.

Tim Evans noted that we have received applications from all geographical areas as established in the Green Space Program Ordinance.

Tim Evans said Victoria Bluff is not Half Moon Island; there is a real difference in trying to do conservation in Bluffton verses trying to do conservation north of Lobeco.

Council Member, McElynn thanked everyone for their work and involvement in the program and left the meeting.

EXECUTIVE SESSION:

Carmen Avon Manning made a motion to go into Executive Session pursuant to S.C. Code Section 30-4-70 (A) (2): discussion of negotiations incident to proposed contractual arrangements for the following proposed Green Space applications: fee simple application, Jonesville Road; fee simple application, William Hilton Parkway; fee simple application, Broad Creek Marina; fee simple application, Mitchelville Road. Senator Davis seconded. The vote to approve the motion was unanimous.

The Committee was in Executive Session from 11:16 AM to 1:06 PM.

MATTERS ARISING OUT OF EXECUTIVE SESSION:

There were no matters arising out of Executive Session to report.

OTHER BUSINESS:

The next meeting will be Friday, December 6 at 10:00 AM.

Chair McShane said December 8 will be the 35th anniversary celebration of the ACE Basin Initiative.

Mark Davis said the Green Space Program website should be completed soon. Mark showed a proposed logo for the Green Space Program that was designed and developed in-house by staff (Juliana Smith). The Committee thought the logo was very nice. Mark also showed a video that was developed for the website to assist in explaining and promoting the Green Space Program.

ADJOURNMENT:

The meeting was adjourned at 1:10 PM.

Minutes compiled by Libby Anderson, Beaufort County Planning and Zoning Department