

MINUTES

Green Space Advisory Committee

June 3, 2024, 10:00 AM, Executive Conference Room, Beaufort County Administration Building

CALL TO ORDER:

Chair McShane called the meeting to order at 10:03 AM. Chair McShane stated that public notification of the meeting had been published, posted, and distributed in compliance with the SC Freedom of Information Act.

Chair McShane asked the guests present to introduce themselves.

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBERS ABSENT:

Laurel Rhoten

STAFF MEMBERS PRESENT:

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

GUESTS PRESENT:

Josh Gruber, Deputy Town Manager, Town of Hilton Head; Nate Jones, representing Broad Creek Marina Properties; Kate Schaefer, Director of Land Protection, Beaufort County Open Land Trust; and Elvio Tropeano.

APPROVAL OF AGENDA:

Peter Kristian made a motion to approve the agenda. Tim Evans seconded. The vote to approve the motion was unanimous.

Chair McShane reminded the Committee that the purpose of today's meeting is to determine if there is enough interest in the project to move forward to solicit approval for due diligence; it does not commit us to go forward beyond that.

APPROVAL OF MINUTES – APRIL 26, 2024:

Carmen Avon Manning made a motion to approve the minutes of the April 26 meeting. Peter Kristian seconded. The vote to approve the motion was unanimous.

FARMLAND PRESERVATION APPLICATION: ESSEX FARMS TRACTS, SEABROOK:

Mark Davis presented the initial staff summary evaluation using the computer screen. Mark showed aerial maps showing the property location. Mark said this is the first farmland preservation application. Mark said this is a working silviculture farm. The soils map shows that approximately 80% of the total acreage is considered soil of statewide importance for agricultural purposes.

Kate Schaefer (Beaufort County Open Land Trust, applicant), said the application is consistent with County land use policies. It adds 7,400 feet of protected frontage along Little Barnwell Creek. There are many protected lands nearby; this application adds to this investment. This is a highly leveraged project. We have applied to the state Conservation Bank and to the REPI (Readiness and Environmental Protection Integration) program. This is an approved REPI project.

Mark Davis noted this is a highly leveraged project; there are multiple partners involved. The request for Green Space funding is not that much, but as a participant in the funding, you have rights to the easement terms.

Senator Davis asked Kate Schaefer if in grant applications to other agencies, do you mention Green Space funds, showing local participation. Kate said absolutely local participation matters for Conservation Bank applications. For REPI, it is the value to the military installation that carries the day, and this has tremendous value based on the orientation of the runways at the Air Station.

For purposes of disclosure, Chair McShane said he serves as a trustee on the Nemours Wildlife Foundation as does Senator Davis's senior partner, Mr. Battey. This property is in the neighborhood. Chair McShane said this is not a conflict.

Senator Davis discussed how Green Space money at the local level factors into Conservation Bank applications. This is an important thing that people locally need to understand; not only

does it help toward the purchase, but it also helps you get grants from other entities. Chair McShane further explained how it does both. In the scoring system the state applies, there are bonus points for the fact there is local match, so it can push the application ahead of other counties that don't have that program. The value that is the donated portion and/or what the feds have put in, is banked to use as leverage for other grants that can be used in the same general vicinity. This keeps us competitive at the federal level.

Tim Evans made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence. Tim said any time REPI money is approved, it would be foolish not to follow it. The motion was seconded by Peter Kristian.

In discussion, Peter Kristian asked how many potential units will be taken off the market. Mark Davis said the majority of zoning on the property allows for one unit per three acres. Given the total size of the property, you are removing major residential development rights and most importantly, you are preserving soils of statewide importance for farmland.

Chair McShane asked for a vote on the motion. The vote to approve the motion was unanimous.

CONSERVATION EASEMENT APPLICATION: TROTTER'S LOOP TRACTS, BEAUFORT:

Mark Davis presented the initial staff summary evaluation using the computer screen. Mark showed aerial maps showing the property location. Mark said there is a significant landowner bargain sale value associated with this application; that's where the leveraging and matching funds are coming from for this application.

Chair McShane asked Kate Schaefer (Beaufort County Open Land Trust, applicant) where the property the Anglican Church is proposing for a camp is located. Kate pointed this out on the map.

Kate Schaefer said there are 18 individual parcels involved, totaling 55 acres owned by the same family. The family has carefully assembled land that had been in their family. This application fulfills the County's land use policies and is an important site for conservation to further rural land use in this area. There are large properties on this end of Lady's Island that are being protected. The lots would be consolidated, and the easement would apply to all 55 acres. The easement would allow no more than three parcels in the future.

Regarding funding, Kate said this is contemplated at 60 to 75% bargain sale from the landowner, with a modest cash investment from the Green Space program. Kate said that with conservation easements, there is typically landowner investment, and with this application, the landowner investment is significant.

Senator Davis made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence, seconded by Peter Kristian. The vote to approve the motion was unanimous.

CONSERVATION EASEMENT APPLICATION: VICTORIA BLUFF TRACTS, BLUFFTON:

Mark Davis presented the initial staff summary evaluation using the computer screen. Mark showed aerial maps showing the property location. Mark said this is a major piece of land that the current owners have owned for some time. Mark said there are tremendous partnerships involved in making this conservation easement work and while the property is not quite in the Southern District, it has tremendous benefit to Hilton Head Island and the Southern District with regard to taking potential development off US 278.

Chair McShane reminded the group that the state acquired the Victoria Bluff Heritage Preserve as a result of the BASF issue. Chair McShane said based on his time on the DNR board, he thinks the state has always had an interest in protecting property adjacent to the Victoria Bluff Heritage Preserve.

Kate Schaefer (Beaufort County Open Land Trust, applicant), said this is a 400-acre beautiful undeveloped property that leads into the Colleton River. The family has owned it for multiple generations, and they would like to see it protected for family use. Kate said with family approval, we will be applying for additional grant funds, but this is the first application for funding. We would like to complete the conservation easement appraisal which is required for a Conservation Bank application. This is likely to be an expensive easement, so we will seek as many partners as possible. Regarding the easement terms, it will remain in family use, with perhaps an additional farm building and perhaps two additional family homes.

Senator Davis asked if DNR is one of the partners. Kate Schaefer said the family would like to retain ownership, so this is not a fee simple transaction, but if there is state money available to apply to a conservation easement, the family would be interested in applying.

Chair McShane said DNR will become a partner with the Conservation Bank on several federal programs. As an example, the Coastal Wetlands Grants program from USFW which allows coastal counties to apply for dollars, and we would seek their support in terms of the connectivity and adjacency to the Heritage Preserve. This would make it a very competitive grant at the federal grant, particularly if Green Space and the state Conservation Bank put some money into it.

Tim Evans asked about the ownership of the property adjacent to the west. Juliana Smith said the property is owned by Joseph McCulloch and is zoned PUD. Kate Schaefer said the property may be designated as open space associated with the PUD. Chair McShane asked for some due diligence to find out what currently is entitled to happen there and get that information back to the Committee.

Chair McShane asked who would have thought that when Victoria Bluff came into existence, that you would see what you are seeing in Bluffton today.

Senator Davis said recently there had been a ceremony on Hilton Head to recognize the Gullah shrimpers who got on a boat and sailed it up to Washington, DC with a petition against the BASF development. They just honored the last remaining member of that Gullah fishing cooperative, Thomas Barnwell. It was a nice remembrance of what was done 50 years ago.

Carmen Avon Manning made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence, seconded by Tim Evans. The vote to approve the motion was unanimous.

Senator Davis observed that we are doing a good job geographically of spreading out the applications.

FEE SIMPLE APPLICATION: BROAD CREEK MARINA TRACTS, HILTON HEAD ISLAND:

Mark Davis presented the initial staff summary evaluation using the computer screen. Mark said this is a fee simple application and the property would be government owned. Mark showed aerial maps describing where the property is located on the island and the adjacent Town-owned property. Mark stated there is currently development on the front portion of the subject property--a go-cart tract and a ropes course. There are a lot of existing easements that encumber the property. The application was submitted by the Town, which has three other applications in process. The property is currently on the market and will continue to be marketed while it is being evaluated by the Committee.

Josh Gruber (Town of Hilton Head, applicant) said waterfront parcels of this size just don't exist on Hilton Head Island anymore. This is a unique piece of property whose potential for development is quite significant. There could potentially be several hundred hotel rooms and a wide variety of commercial purposes which drives the price of this property. Given the property location and the ability to take this property off the market, removing the development potential, this is the second highest priority of Town Council behind the Mitchelville property. There is significant desire to see this preserved given it is located adjacent to land the Town previously acquired and the ability to turn it into some form of public use in the future, possibly water access. Opportunities like this simply don't exist, and if we miss on this opportunity and someone builds a 300-room hotel, that chance will be gone forever.

Mark Davis and Josh Gruber discussed the current zoning of the area. Josh said the Cross Island Parkway was over 20 years ago. The thought about development was much different than it is today. Now we are trying to scale back that level of development.

Chair McShane asked about the anticipated future use of the property if it is acquired. Josh Gruber said the adjacent Town-owned property is intended to be used for government

institutions or recreation development. For this property, Josh said he thought the Town would look at water access—but not a boat ramp.

Nate Jones, the property owner's representative, said there is an Army Corps of Engineers permit for a dock on the property.

Josh Gruber mentioned the Shelter Cove linear trail along the water. Something similar might be done with this property.

Mark Davis reminded the group that there is a "Corridor" application type where you don't have to buy the whole property.

Chair McShane noted there are some federal programs for water access funds that are not necessarily tied into a boat ramp as water access.

Mark Davis noted that much of the already developed Island drains into Broad Creek.

Chair McShane asked if parts of the surrounding area would be considered underserved. Josh Gruber said you certainly could make that argument.

Peter Kristian asked what happens to the existing recreational amenities on the tract. Chair McShane said these would disappear. Nate Jones said the property owner also owns the operations company. It is an internal lease agreement. Nate said the facilities are currently operating.

Vice-Chair Howard made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence, seconded by Senator Davis.

In discussion, Josh Gruber said the Town is not interested in running a business. The Town would like to see the property used to provide recreational amenities to the public, but not from a commercial standpoint.

Nate Jones said the business has gone well, but the owner is ready to sell. Nate said they have had plans drawn for 120 units.

Peter Kristian mentioned having knowledge of when the go-cart and ropes course were approved, and now, five years later, we are going to make them go away. Josh Gruber said when you have privately owned land, you get to decide how you want to use that land. Peter said he understood, but he just wanted to get an understanding what is going on from an economic point of view. Josh said the highest and best use, which is driving the asking price, as a redevelopment site.

Chuck Atkinson said the Community Services and Land Use Committee will meet on June 10. There will be no July meeting. They will meet again on August 12.

Chair McShane asked for a vote on the motion. The vote to approve the motion was unanimous.

EXECUTIVE SESSION:

Tim Evans 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 fee simple application, Ulmer Road. Carmen Avon Manning seconded. The vote to approve the motion was unanimous.

The Committee was in Executive Session from 10:57 AM to 11:23 AM.

MATTERS ARISING OUT OF EXECUTIVE SESSION:

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

OTHER BUSINESS:

There was no other business discussed.

ADJOURNMENT:

The meeting was adjourned at 11:24 AM.

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