



The Lowcountry's Hometown

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STAFF REPORT

TO: Planning Commission

FROM: Justin Westbrook, Community Development Director

SUBJECT: Tree Removal Request (TR-23-01) – 521 Division Street

DATE: August 22, 2023

Background: The applicant, Daniel Causey, has applied for a Tree Removal Request (TR-23-01) for a **Grand Tree** located at 521 Division Street. **Grand Trees** are defined as,

“any tree having a diameter at breast height (DBH) of twenty-four (24) inches or larger”.

The applicant stated that the tree is threatening the house and several adjacent homes during rain and high wind conditions.

Procedural Issues: Per the Town’s Code of Ordinance (Article III, Chapter 16), grand trees may be removed without mitigation under the following circumstances:

- A. Tree(s) is/are dead.
- B. Tree(s) which pose(s) an imminent safety hazard to nearby buildings, persons, utility lines or vehicular traffic.
- C. Trees which are located in the footprint of a proposed building or drive which cannot be reasonably relocated.
- D. Trees which are being cut as a commercial timber operation in accordance with the South Carolina Right to Practice Forestry Act. The Town requests but does not require that a 50-foot wide perimeter buffer of all existing trees be maintained in an undisturbed manner. Trees grown specifically for sale by commercial nurseries are exempt from the provisions of this article with respect to their removal from the commercial site upon which they are grown.
- E. Protected trees required to be removed to carry out a permitted wetland alteration and/or mitigation plan approved by the Army Corps of Engineers or South Carolina Office of Coastal Resource Management are exempt from the provisions of this article.
- F. Removal because of density or interference with the development of other trees.
- G. Removal of pine trees, unless permit is for multiple trees in which removal would constitute clear-cutting.
- H. Trees identified by the South Carolina Exotic Pest Plant Council Non-Native Plant Species List.

Staff Analysis: Per visual inspection of the tree by Staff, the tree did not appear to be dead, in the footprint of a proposed building or drive, being cut for commercial timbering, interfering with development of other trees, is a pine tree or identifiable as a non-native plant species.

While the applicant has expressed the tree does pose an imminent safety hazard, Staff has found no evidence to currently support this. The tree does appear to be in a small swale along the side property line, which *may* compromise the root system, specifically stability.

Staff Recommendation: Absent further clarification or explanation by the applicant, Staff recommends denial of the request to remove the tree, as we do not believe it meets the criteria to allow removal.

Upon further explanation by the applicant, should the Planning Commission grant the removal of the subject tree, Staff recommends the applicant mitigate the **Grand Tree** within the regulations of the Town's Code of Ordinance.

This should include a minimum amount of approved species of **Grand Trees** at least 50% of the DBH (diameter at breast height) of the subject tree, to be planted on the subject parcel. To qualify for mitigation, each **Grand Tree** must have a minimum 3-inch DBH. The applicant may also contribute to the Town's Tree Fund, in the amount equal to \$75.00 per inch of tree to be removed.

Attachments: SIGNED - Application (Daniel Causey)(20230721)
Pictures