



*The Lowcountry's Hometown*

PO Box 700 | Moncks Corner, SC 29461 | 843.719.7900 | [monckscornersc.gov](http://monckscornersc.gov)

## **AGENDA**

### **Planning Commission – Special Called Meeting 5:30 PM, September 18, 2017 Town Council Chambers**

- A. Call to Order**
- B. Roll Call**
- C. Approval of August 2017 Minutes**
- D. New Business**
  - 1. Tree Removal Appeal – Shelly Lane, TMS # 142-06-02-024
- E. Planner's comments**
- F. Move to Adjourn**



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## **PLANNING COMMISSION**

Minutes of Meeting  
August 28, 2017 • 5:30 p.m.

The Moncks Corner Planning Commission met in regular session on August 28, 2017 at 5:30 p.m. The meeting was open to the public and took place in the Town Council Chambers, Municipal Building, 118 Carolina Avenue, Moncks Corner, South Carolina.

### **A. Call to Order**

The meeting was called to order at 5:30 p.m.

### **B. Roll Call**

#### **Commission Members:**

Mattie Gethers

Chris Griffin

Karyn Grooms, Alternate

Roscoe Haynes

Robin McGhee-Frazier, Chair

Ryan Nelson

Connor Salisbury

#### **Staff:**

Douglas Polen, Community Dev. Director

#### **Additional Public Officials**

Charlotte Cruppenink

### **C. Adoption of June 26, 2017 Minutes**

Motion to adopt June 26, 2017 Planning Commission Minutes: motion made by Mr. Salisbury, seconded by Mr. Haynes. Motion passed 7-0.

### **D. New Business**

#### **1. Grand Tree Removal – 207 Carolina Avenue**

Staff presented the item and recommended approval of the request with appropriate mitigation. The applicant was not present to answer any questions.

The Commission had questions as to why the two trees in the rear of the property were to be removed, as they appeared healthy to Staff.

Mr. Nelson made a motion to approve the removal of the damaged tree in the front yard while tabling the decision on the trees to the rear until the applicant

brings in more information, seconded by Ms. Grooms. Motion passed 4-3, with Commissioners Grooms, Nelson, Gethers, and McGhee-Frazier in favor and Commissioners Salisbury, Haynes, and Griffin opposed.

**2. Consider an Ordinance to reclassify real property within the corporate limits of the Town of Moncks Corner from C-2, General Commercial to TD, Transitional District, and to amend the official zoning map of the Town to so reflect. The property, located south of 117 Carolina Avenue, is classified as TMS # 142-07-05-017.**

Staff presented the item. The applicants were in attendance to answer any questions.

Mr. Salisbury made a motion to recommend the rezoning to Town Council, seconded by Mr. Griffin. Motion passed 7-0.

**3. Proposed changes to the Zoning Ordinance, Article Six: District Descriptions, concerning chickens in residentially zoned areas.**

Mr. Polen presented the Staff Report. A question was asked concerning how Homeowners Association rules interact with the law, and Mr. Polen explained that HOA rules always have precedence. As such, if an HOA outlaws chickens, the Town has no power to allow them.

Mr. Nelson made a motion to recommend the changes to the Zoning Ordinance to Town Council, seconded by Mr. Salisbury.

Councilwoman Cruppenink asked the Planning Commission if they researched this issue, because she had and had some concerns. She explained that chicken coops need to be cleaned often and that if they are not chicken excrement can wash to neighbor's property during rain storms. She is also concerned about home values and the avian flu. She added that farm fresh eggs are available at the Farmers Market and that she would personally not want chickens next door to her.

Motion passed 5-2, with Commissioners Grooms, Nelson, Salisbury, Griffin, and Gethers in favor and Commissioners Haynes and McGhee-Frazier against.

**E. Planner Comments**

Mr. Polen explained that there is some question as to the role of the alternate member, currently Ms. Grooms. There have been times historically when the position has sat with the regular membership and voted whenever a member was absent, and there have been other times when the alternate only participated when four members were absent and the alternate was required to make a quorum. At the next meeting the Commission will need to make a recommendation to the Council as to her the alternate's role and duties.

**F. Motion to Adjourn**

Motion to adjourn: motion made by Mr. Haynes, seconded by Ms. Gethers. Motion passed 7-0.

Meeting adjourned at 6:05 p.m.



## Staff Report

### Tree Removal Appeal - Shelly Lane Land Clearing

**DATE:** September 18, 2017

**TO:** Moncks Corner Planning Commission

**FROM:** Douglas Polen, Community Development Director

**SUBJECT:** Tree Removal Appeal

**SUBJECT PROPERTY:** Shelly Lane, TMS 142-06-02-024

**ACTION REQUESTED:** Consider an appeal by the applicant to the determination of Town Staff concerning the clearing of trees on the subject property

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#### Background:

The timeline of events is attached, but the summary is as follows. The applicant, Hugh Murchison, had spoken to Doug Polen, Community Development Director, in early 2017 about developing the subject property with thirty homes. On August 24 a logger came to Town Hall to obtain a permit and business license for timbering the property. The logger was informed that since Mr. Murchison had stated his desire to develop the property, we should hold off and make sure whether the property is being logged, which would require a two year moratorium on development, or developed, which would require site plans and approvals.

Mr. Polen spoke with Mr. Murchison on the 25<sup>th</sup> who stated that he wished to develop the property. Mr. Polen required a tree survey and site plan and stated that only trees less than 10" diameter at breast height could be removed. Later that day it was discovered that logging had begun and hundreds of inches of trees were cut down without a permit. One tree was 36" in diameter at the cut.

On August 29<sup>th</sup> Mr. Murchison presented staff with a tree survey and began cutting again, still without a permit. On the 30<sup>th</sup> staff shut down the operation and at that time Mr. Murchison claimed that he was logging the property under the State Right to Forestry Act. Staff shut the operation down again, stating

that they cannot cut without a permit. On August 31<sup>st</sup> staff discovered more cutting and the operation was shut down one final time.

## **Analysis:**

### *Staff Position*

The question at hand is whether this is a timber harvesting operation or the first step in developing the property for residential use. Staff contends the following:

1. The applicant discussed the development with staff
2. The applicant submitted a tree survey showing the proposed road and thirty residential lots.
3. The tree survey was submitted because that is required for a development project.

If this is a development, then the applicant must present a mitigation plan for all trees cut illegally, including all protected hardwoods and grand trees. All pines over 10" DBH were also cut without permit, but they have not all been measured and are not included in any ordered mitigation. If mitigation is required, Mr. Murchison would be required by law to plant 829 inches of trees on the subject property, or pay \$62,175 into the Town tree bank.

### State Law:

From the State Right to Forestry Act (abridged):

*(C) This section does not limit the authority of a municipality to regulate activities associated with development, provided that a municipality requires a deferral of consideration for development that if implemented would result in a change from forest land to non-forest or nonagricultural use, the deferral may not exceed a period of up to:*

*(a) one year after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance or subdivision plan; or*

*(b) five years after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance or subdivision plan, and the harvest was a willful violation of the county regulations;*

### *Applicant Position*

The applicant contends that, while he was considering a development on the property, at this time he is simply harvesting the timber on the property and may develop the land at a later time. Timber harvesting is governed by State law, and ordinances concerning buffers and grand trees are no longer valid. In this case, the applicant is free to clear-cut the entire tract with no mitigation

required as long as no attempt is made to turn the property from forest land to non-forest or non-agricultural use, including stump removal.

If this is a timber harvesting operation, then the Town reserves the right to defer any building permits, land disturbance permits, or subdivision plans for a period of no more than five years.

State Law:

From the State Right to Forestry Act

*(B) A county or municipality must not adopt or enforce any ordinance, rule, regulation, resolution, or permit related to forestry activities on forestland that is: (1) taxed on the basis of its present use value as forestland under Section 12-43-220(d);*

From the State Attorney General's Opinion of the Act:

*Local tree protection standards, including protection of trees by size, species or location, may not be applied to forestry activities on forest lands. S.C. Op.Atty.Gen. (June 12, 2012) 2012 WL 2364243.*

**Staff Findings and Recommendation:**

The question before the Planning Commission is whether this is a timbering operation or the first stage in a development process. If this is a development, then mitigation is required. If this is a timbering operation, than a moratorium on development of up to five years is permitted.

Staff will not make a recommendation on this decision, but we do recommend that if the Commission finds that this is a timbering operation that the full five year moratorium on any activity that converts the land from forest to non-forest or non-agricultural land, including development and stump removal, be required.

# Hugh Murchison Property Timeline

Prepared by Douglas Polen, AICP

## August 24, 2017

1. A representative of Tiger Logging came to Town Hall to get a business license and tree removal permit. Missie issued the license, and Bobbi Jo Seabrook told him to call Doug Polen for information on logging. Ms. Seabrook gave him the tree removal permit application and packet, which explains the procedure for getting the permit.
2. The representative (I believe his name is Mr. Moran, but I could be wrong) called me and informed me that he would be logging the Murchison property. I informed him that logging is fine under the following circumstances:
  - a. A 50' undisturbed buffer is required around the property
  - b. No trees over 24" were to be cut without Planning Commission approval
  - c. No development of the property could occur for 24 months following the logging.

Due to the 24 month wait, I urged Mr. Moran to speak to the property owner and ensure he wanted a permit for tree removal due to logging as opposed to development. I had been in contact with Mr. Murchison months previously and was aware that he wanted to develop the property.

## August 25, 2017

1. Mr. Murchison visited my office in the morning. He stated that he wanted to develop the property with 30 single family homes, as we had discussed in the spring. I informed him that he could not clear cut the property then. In order to grant the permit, he needed to supply a tree survey showing all grand trees, as well as a representative sample of the protected hardwoods on the property. I suggested surveying three acres for protected trees. I gave him a tree removal permit application and packet so that he would know what was required for his permit. I further informed him that he was free to immediately cut any trees less than 10" in diameter, as they are not protected.
2. Around 11:00 a.m. I received a call from Marshall West, who owns the lot adjacent to the subject property. He told me that trees were being cut down on the lot. I immediately called Mr. Murchison and asked him what was happening. He said that no trees over 10" were being cut. I asked him again, "no trees over 10"?" and he said "yes, no trees over 10" are being cut." I thanked him and told him that that was "exactly what I wanted to hear." I called Mr. West back and informed him that he was only taking out trees less than 10", so he was fine.
3. Around 2 or 3:00 p.m. I was called by Mr. West and was told that trees larger than 10" were being cut. I drove out to the job site and was met by Mr. West and Jeff Lord, Town Administrator. We found dozens of trees down, including a 36" grand hardwood. The loggers had already gone home for the day, but I placed "Stop Work" orders on the vehicles on site. I called Mr. Murchison and informed him that he was shut down and told him that all of the trees he had removed had been cut illegally. Mr. Lord and I took photos of the downed trees and began measuring, but decided to wait until Monday to continue as rain was threatening.

#### August 28, 2017

1. I went to the subject property with Chad Kelly, Town Building Official. We ran a tape measure across the cut portion of every tree on the ground, documenting and photographing all downed trees. All told, we measured 767" of trees on the ground, of which 352" were protected hardwoods and 97" were grand pines.
2. I spoke with Mr. Murchison later in the day and informed him that we had measured the downed trees. He asked to see me the next morning.

#### August 29, 2017

1. I spoke with Jeff Lord and John West, Town Attorney, about this issue and what I had calculated for mitigation. This conversation resulted in the letter "Survey and Mitigation Requirements."
2. Mr. Murchison and Mr. Moran came to visit me. I gave Mr. Murchison a copy of the Survey and Mitigation Requirements. This document clearly states "Once survey is complete and approved by the Community Development Department, trees less than 24" DBH may be removed." I repeatedly told Mr. Murchison and Mr. Moran that no trees could be removed until the tree survey was submitted and approved. Mr. Murchison told me that the survey would be in to around noon.
3. At 1:16 pm I received the tree survey. It did not have as many grand trees on it as I expected, so I asked Mr. Kelly to go out the site and do a quick survey looking for grand trees not on the survey.
4. At 3:57 pm I sent an e-mail to Mr. Murchison saying that I needed the survey to be stamped by the surveyor to make it official and to delineate the 3 representative sample areas that were surveyed for protected hardwoods.

#### August 30, 2017

1. Chad Kelly and Tim Shiner, building inspector went to the site to look for grand trees. There, they discovered that dozens of additional trees had been cut that day and the previous day. Mr. Kelly states that one of the loggers said that the afternoon of the 29<sup>th</sup> the property owner and Mr. Moran had come down to the site and told them they were good to begin cutting again.
2. I went to the site and met with Mr. Murchison and Mr. Moran and informed them that they were to not cut any more trees without a permit and that any protected hardwoods or grand trees cut that day were all illegal and would need to be mitigated. Mr. Murchison stated that the development was "off the table" and that he would clear cut now. He stated that Forestry rules pre-empted the Town's and that he would cut per their rules. I stated that the Town's rules were primary and that he could appeal my ruling but that no trees could be cut without a Town permit.
3. Mr. Kelly and Mr. Shiner calculated 190 additional inches of protected hardwoods and one grand pine tree downed on the 29<sup>th</sup> and 30<sup>th</sup>. Some trees were hauled off prior to our arrival, so it is possible that there were more.

#### August 31, 2017

1. At 11:25 am, Mr. Murchison e-mailed the following to Jeff Lord and myself:



*Just to clarify. At this point you have all the information you need for me to continue our logging operation?*

*We will stay out of the 50' buffer until I get clarification on the state statute and you and I speak about any additional cutting of the Pines in the buffer area.*

2. Mr. Lord and I met after receiving this e-mail and were appalled. I informed Mr. Lord that I wanted to take a tougher stance, and he agreed. The e-mail that I sent to Mr. Murchison and the logger at 11:38 am is as follows

*Just to clarify.*

*NO*

*YOU MAY NOT CUT ANY TREES ON THAT PROPERTY. AT ALL. NO PINES. NO HARDWOODS. NO TREES UNTIL YOU HAVE A PERMIT.*

*YOU WILL NOT RECEIVE A PERMIT UNTIL YOU HAVE SUBMITTED A MITIGATION PLAN.*

*If ANY more trees are cut there, you are subject to arrest, and your logger's license will be suspended for 3 months, per the code below.*

*Is this clear enough?*

3. During the lunch hour, I received a call from Police Chief Rick Ollic. He informed me that loggers were on the site and that cutting was taking place. Chad Kelly and I went to the site and shut them down, telling them to stop all cutting, hauling, and tree removal.
4. That afternoon, Mr. Lord and I met with Mr. Murchison, Mr. Moran, and Mr. Murchison's lawyer, Steve Biering. We stated our position that this was a development operation and that all logging needed to cease.
5. Chad and I went out to the site and took additional pictures and measurements of the downed trees.
6. The logger was informed that he could remove the trees that were on the ground, but that no additional cutting was to take place. Stop work orders were posted on the site.

September 1, 2017

1. I sent a letter of determination to Mr. Murchison, outlining the Town's position on this situation.

# Right To Practice Forestry

South Carolina General Assembly  
118th Session, 2009-2010

## A48, R109, H3651

### STATUS INFORMATION

General Bill

Sponsors: Reps. Duncan, Umphlett, Anthony, Knight, Forrester and Hayes

Introduced in the House on March 3, 2009

Introduced in the Senate on May 5, 2009

Last Amended on May 19, 2009

Passed by the General Assembly on May 21, 2009

**Governor's Action: June 2, 2009, Signed**

Summary: Forestry

### HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
3/3/2009	House	Introduced and read first time HJ-6
3/3/2009	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-6
4/21/2009	House	Member(s) request name added as sponsor: Hayes
4/22/2009	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-54
4/28/2009	House	Debate adjourned until Wednesday, April 29, 2009 HJ-36
4/29/2009	House	Requests for debate-Rep(s). Gullick, Littlejohn, Loftis, Kennedy, Crawford, Daning, Sellers, Duncan, Hart, Hiott, Vick, Parker, and King HJ-203
4/30/2009	House	Requests for debate removed-Rep(s). Vick, Kennedy, Hiott, Loftis, Gullick, King, Daning, Duncan, Sellers, Hart, and Crawford HJ-49
4/30/2009	House	Amended HJ-59
4/30/2009	House	Read second time HJ-67
4/30/2009	House	Unanimous consent for third reading on next legislative day HJ-67
5/1/2009	House	Read third time and sent to Senate HJ-3
5/5/2009	Senate	Introduced and read first time SJ-8
5/5/2009	Senate	Referred to Committee on Fish, Game and Forestry SJ-8
5/6/2009	Senate	Committee report: Favorable Fish, Game and Forestry SJ-15
5/13/2009	Senate	Read second time SJ-81
5/19/2009	Senate	Amended SJ-21
5/19/2009	Senate	Read third time and returned to House with amendments SJ-21
5/21/2009	House	Concurred in Senate amendment and enrolled HJ-32
5/21/2009	House	Roll call Yeas-95 Nays-2 HJ-32

5/27/2009  
6/2/2009  
6/11/2009  
6/12/2009

Ratified R 109  
**Signed By Governor**  
**Effective date 06/02/09**  
**Act No. 48**

VERSIONS OF THIS BILL

3/3/2009  
4/22/2009  
4/30/2009  
5/6/2009  
5/19/2009

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**(A48, R109, H3651)**

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-23-205 SO AS TO PROVIDE CERTAIN DEFINITIONS, TO LIMIT THE AUTHORITY OF COUNTIES AND MUNICIPALITIES TO RESTRICT OR REGULATE CERTAIN FORESTRY ACTIVITIES, TO PROVIDE THE TERMS AND CONDITIONS OF CERTAIN PERMITTED REGULATIONS, AND TO PROVIDE EXEMPTIONS.**

Be it enacted by the General Assembly of the State of South Carolina:

Forestry regulations, definitions, prohibitions on enforcement of certain laws, exemptions

SECTION 1. Chapter 23, Title 48 of the 1976 Code is amended by adding:

“Section 48-23-205. (A) For purposes of this section:

- (1) ‘Development’ means any activity, including timber harvesting, that is associated with the conversion of forestland to nonforest or nonagricultural use.
- (2) ‘Forestland’ means land supporting a stand or potential stand of trees valuable for timber products, watershed or wildlife protection, recreational uses, or for other purposes.
- (3) ‘Forest management plan’ means a document or documents prepared or approved by a forester registered in this State that defines a landowner’s forest management objectives and describes specific measures to be taken to achieve those objectives. A management plan shall include silvicultural practices, objectives, and measures to achieve them, that relate to a stand or potential stand of trees that may be utilized for timber products, watershed or wildlife protection, recreational uses, or for other purposes.
- (4) ‘Forestry activity’ includes, but is not limited to, timber harvest, site preparation, controlled burning, tree planting, applications of fertilizers, herbicides, pesticides, weed control, animal damage control, fire control, insect and disease control, forest road construction, and any other generally accepted forestry practices.

(B) A county or municipality must not adopt or enforce any ordinance, rule, regulation, resolution, or permit related to forestry activities on forestland that is:

(1) taxed on the basis of its present use value as forestland under Section 12-43-220(d);

(2) managed in accordance with a forest management plan;

(3) certified under the Sustainable Forestry Initiative, the Forest Stewardship Council, the American Forest Foundations Tree Farm System, or any other nationally recognized forest certification system;

(4) subject to a legally binding conservation easement under which the owner limits the right to develop or subdivide the land; or

(5) managed and harvested in accordance with the best management practices established by the State Commission of Forestry pursuant to Section 48-36-30.

(C) This section does not limit, expand, or otherwise alter the authority of a county or municipality to:

(1) regulate activities associated with development, provided that a county or municipality requires a deferral of consideration of an application for a building permit, a site disturbance or subdivision plan, or any other approval for development that if implemented would result in a change from forest land to nonforest or nonagricultural use, the deferral may not exceed a period of up to:

(a) one year after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance or subdivision plan in item (1), and the removal qualified for an exemption contained in subsection (B); or

(b) five years after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance or subdivision plan in item (1), and the removal qualified for an exemption contained in subsection (B) for which the permit or approval is sought and the harvest was a wilful violation of the county regulations;

(2) regulate trees pursuant to any act of the General Assembly;

(3) adopt ordinances that are necessary to comply with any federal or state law, regulation, or rule; or

(4) exercise its development permitting, planning, or zoning authority as provided by law.

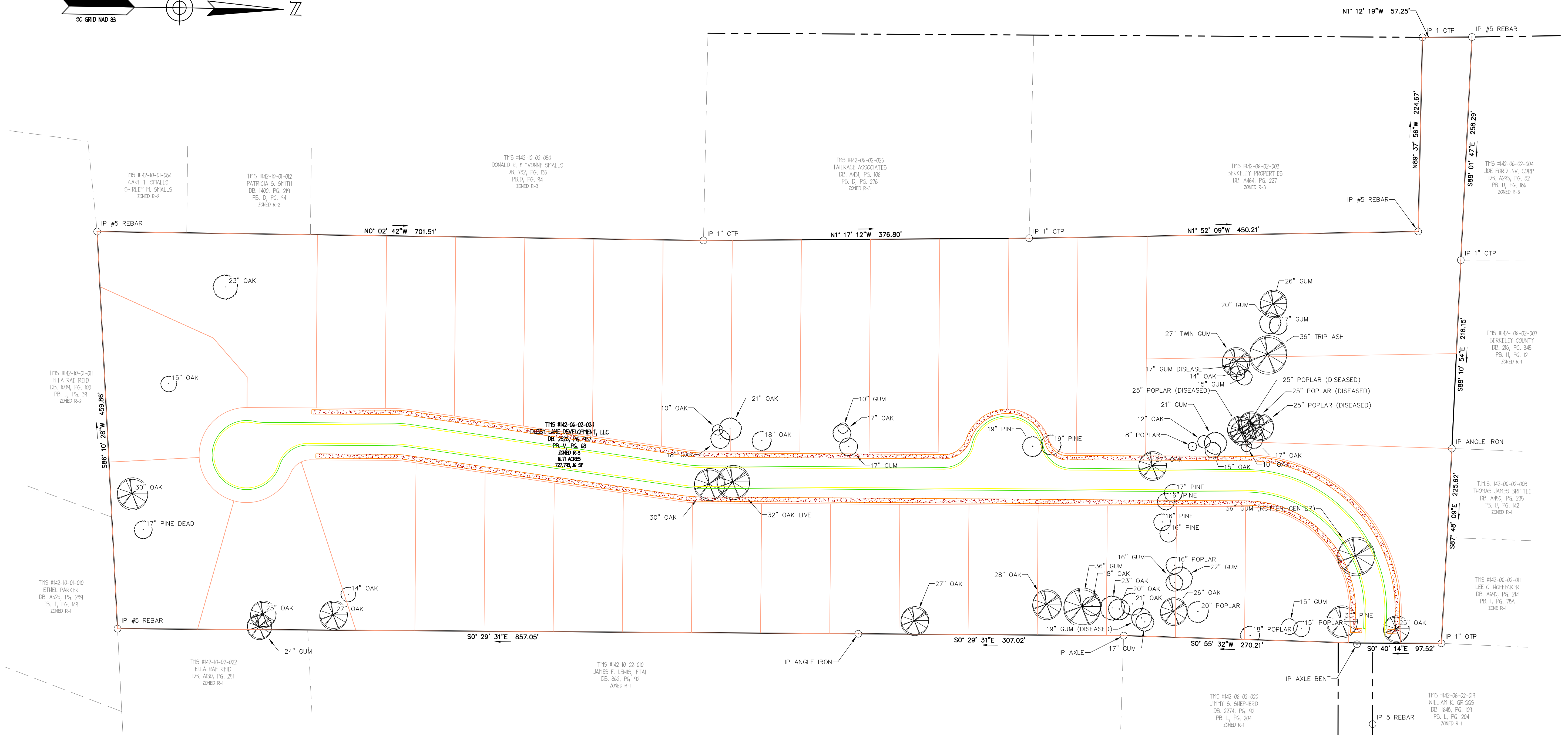
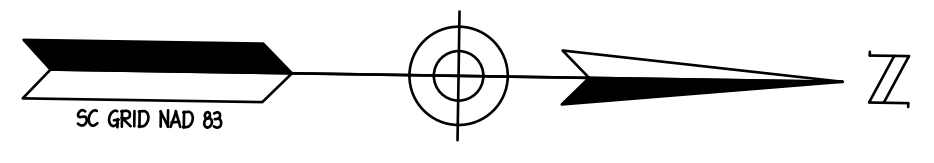
(D) A person whose application for a building permit, a site disturbance or subdivision plan, or any other approval for development is deferred pursuant to the provisions contained in this section may appeal the decision to the appropriate governmental authority.”

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 27th day of May, 2009.

Approved the 2nd day of June, 2009.

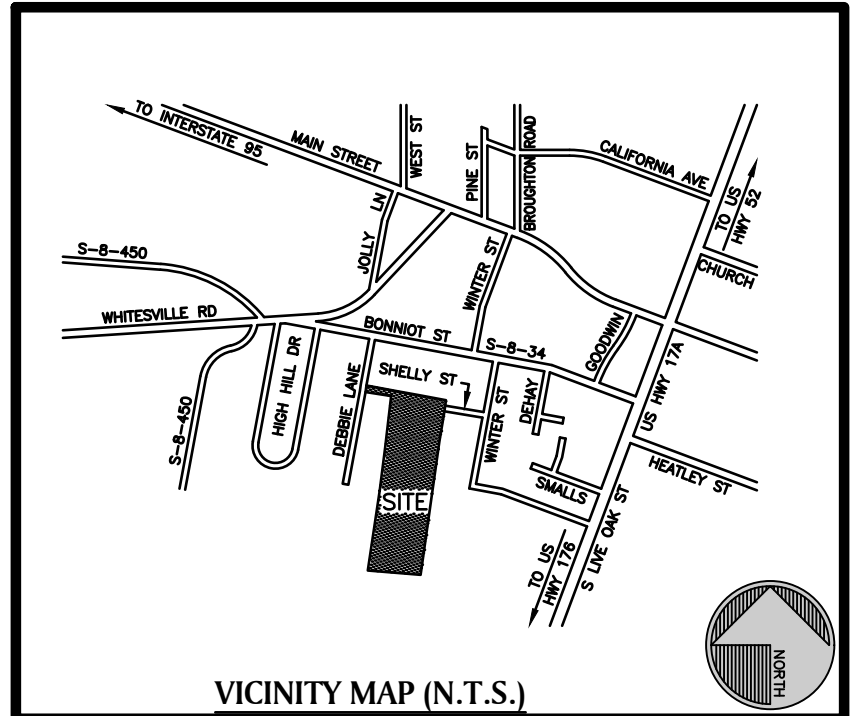


**GENERAL NOTES:**

- HORIZONTAL DATUM: NAD 1983/2011(SC)  
VERTICAL DATUM: NAVD 1988
- SURVEY BASED ON PLAT BY ASHLEY SURVEYING DATED 2009.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. IPW CONSTRUCTION GROUP, LLC DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- BROKEN LINES INDICATE ADJOINER PROPERTY LINES AND ARE NOT PART OF THIS SURVEY.
- THE OFF-SITE RIGHT-OF-WAY/PROPERTY LINE SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAY/PROPERTY LINES SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT-OF-WAY WIDTH/PROPERTY LINE OF ANY ADJACENT PROPERTIES.
- HORIZONTAL COORDINATES BASED UPON RTK GPS OBSERVATIONS USING TOPCON HIPER V UNITS. THE NETWORK POSITIONAL ACCURACY OF THE RTK DERIVED POSITIONAL COORDINATES MEETS OR EXCEEDS THE CLASS A HORIZONTAL POSITIONS. COORDINATES BASED UPON GEOD 12B NSRS 2011 AND HAVE A 95% CONFIDENCE RATING. VERTICAL DATUM HAS BEEN ADJUSTED TO NAVD '88.
- PROPERTY MAY BE SUBJECT TO UNRECORDED RIGHT-OF-WAYS OR EASEMENTS NOT OBSERVED.
- AREAS COMPUTED BY COORDINATE METHOD

**LEGEND**

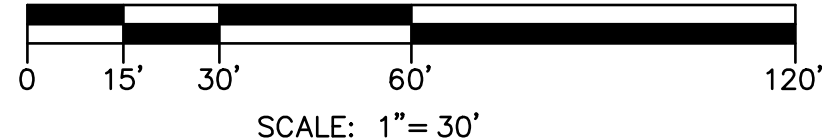
- PROPERTY LINE SURVEYED
- ADJOINER PROPERTY LINES
- EXISTING EASEMENT LINES
- WETLANDS/ CRITICAL LINES
- EXISTING RIGHT OF WAY
- CONCRETE MONUMENT
- EXISTING IRON PIN (EP)
- COMPUTED POINT
- EXISTING TREE
- EXISTING GRAND TREE



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A COMPILED SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

*[Signature]* 08/30/2017  
MARION H. WEAVERFORD S.C.P.L.S. #25146

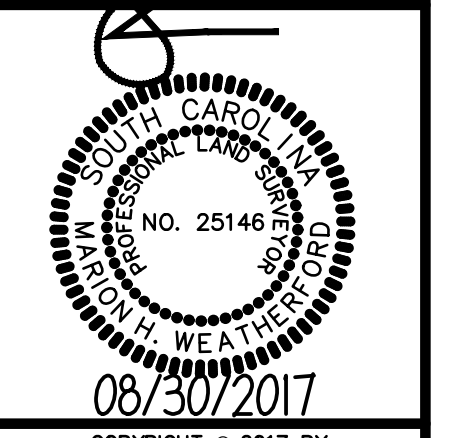
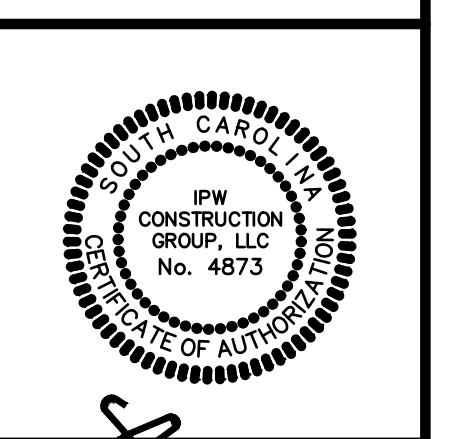
# REPRESENTATIVE & GRAND TREE SURVEY



NO.	DATE	BY	REVISION

OWNER:  
**DEBBY LANE DEVELOPMENT, LLC**  
309 LAND O PINES CR.  
MONCKS CORNER, SC 29461  
843-834-3170

**IPW**  
IPW Construction Group, LLC  
Engineering & Construction Services  
PO Box 40968 Charleston, SC 29423 Phone: 843-308-0524 Fax: 843-308-6650



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DRAWN BY: MMH  
CHECKED BY: MMH  
FILE #: S-17-025-SK7  
DATE: 08-30-2017

**SHEET 1 OF 1**

Tree	Diameter	Type	Date
1	16	Hardwood	25-Aug
2	17	Hardwood	25-Aug
3	17	Hardwood	25-Aug
4	20	Hardwood	25-Aug
5	12	Hardwood	25-Aug
6	14	Hardwood	25-Aug
8	13	Hardwood	25-Aug
9	21	Hardwood	25-Aug
11	26	Hardwood	25-Aug
12	16	Hardwood	25-Aug
13	24	Hardwood	25-Aug
14	26	Hardwood	25-Aug
15	32	Hardwood	25-Aug
19	25	Hardwood	25-Aug
20	36	Hardwood	25-Aug
38	20	Hardwood	25-Aug
39	17	Hardwood	25-Aug
40	25	Hardwood	25-Aug
42	24	Hardwood	30-Aug
43	12	Hardwood	30-Aug
44	14	Hardwood	30-Aug
45	12	Hardwood	30-Aug
46	18	Hardwood	30-Aug
47	14	Hardwood	30-Aug
48	17	Hardwood	30-Aug
49	14	Hardwood	30-Aug
50	16	Hardwood	30-Aug
51	17	Hardwood	31-Aug
52	13	Hardwood	31-Aug
54	12	Hardwood	31-Aug
67	13	Hardwood	31-Aug
7	24	Pine	25-Aug
10	18	Pine	25-Aug
16	18	Pine	25-Aug
17	18	Pine	25-Aug
18	16	Pine	25-Aug
21	18	Pine	25-Aug
22	23	Pine	25-Aug
23	19	Pine	25-Aug
24	21	Pine	25-Aug
25	14	Pine	25-Aug
26	19	Pine	25-Aug
27	16	Pine	25-Aug
28	19	Pine	25-Aug
29	13	Pine	25-Aug
30	24	Pine	25-Aug

1314 Total inches of trees cut
573" of Hardwoods
660" of Pines
175" of grand Pines
573 inches of protected hardwoods
+ 175 inches of grand pines
+ 81 inches of unknown grand trees
<hr/> 829 inches of protected trees
x 75 dollars per inch mitigation cost
<hr/> \$ 62,175

31	21 Pine	25-Aug
32	11 Pine	25-Aug
33	24 Pine	25-Aug
34	25 Pine	25-Aug
35	18 Pine	25-Aug
36	19 Pine	25-Aug
37	17 Pine	25-Aug
41	24 Pine	30-Aug
55	17 Pine	31-Aug
56	20 Pine	31-Aug
57	14 Pine	31-Aug
59	24 Pine	31-Aug
60	16 Pine	31-Aug
61	15 Pine	31-Aug
62	16 Pine	31-Aug
63	12 Pine	31-Aug
64	13 Pine	31-Aug
65	15 Pine	31-Aug
66	16 Pine	31-Aug
68	30 Pine	31-Aug
69	13 Pine	31-Aug
53	25 Unknown	31-Aug
58	27 Unknown	31-Aug
70	29 Unknown	31-Aug





## TREE REMOVAL GUIDE

### *Types of Trees*

**Non-Protected:** Any non-flowering tree less than 10" DBH (Diameter at Breast Height). Flowering trees less than 2" DBH are also non-protected. Non-Protected trees can always be removed from your property without a permit or any official permission.

**Protected:** Non-Flowering trees 10" DBH or more, or flowering trees 2" DBH or more. These trees can be removed, but may require mitigation (see below).

**Grand Trees:** Grand Trees are 24" DBH or more. These trees require permission from the Town Planning Commission to remove, and may require mitigation (see below).

**Flowering Trees:** Include such popular varieties as the dogwood, redbud, and southern magnolia. Please contact the Community Development Office for complete listing.

### *Mitigation*

The removal of any protected tree must be mitigated by planting new trees from the S.C. Urban Species Guide, unless mitigation isn't required (see below).

For every four inches of protected tree removed, one inch must be replanted. Likewise, for every two inches of grand tree removed, one inch must be replanted.

Each Existing Tree	Mitigation Ratio	Mitigation Tree Size (minimum)
Protected Flowering Tree	25%	One (1) Inch DBH
Other Protected Tree	25%	Two-and-a-half (2 ½) Inch DBH
Grand Tree	50%	Three (3) Inch DBH

Protected trees removed without permission will be mitigated at 100%.

All mitigation must be carried out on the site from which the tree was removed. If this is either not feasible or undesirable, the owner may contribute \$75 per inch of tree removed to a Town Tree Fund, which will be used to plant trees on public property.

Community Development Office | Doug Polen, Director

118 Carolina Avenue, Moncks Corner S.C. 29461 | [www.monckscornersc.gov/community-development](http://www.monckscornersc.gov/community-development)

843-719-7913 | [doug.polen@monckscornersc.gov](mailto:doug.polen@monckscornersc.gov)

## TREE REMOVAL GUIDE - Continued

Mitigation is not required under the following circumstances:

1. Tree is dead
2. Tree poses an imminent safety hazard
3. Tree is located in the footprint of proposed building which cannot be reasonably relocated
4. Tree is being cut as part of a commercial timbering operation. In a case such as this, a fifty foot undisturbed perimeter buffer must be maintained.
5. Trees required to be removed to carry out a permitted wetland alteration and/or mitigation plan approved by the U.S. Army Corps of Engineers or S.C. Office of Coastal Resource Management are exempt from the provisions of this article.
6. Removal because of density or interference with the development of other trees
7. Removal of Pine Trees, unless permit is for multiple trees so as to constitute clear cutting
8. Trees identified by the S.C. Exotic Plant Council Non-Native Plant Species List

### *Application Process*

**For individual single family homes and single unit duplex construction projects,** a reasonably accurate survey showing the location, size and species (common name) of any protected trees proposed to be removed must be shown. This survey need not be prepared by a licensed professional.

**For all other construction,** tree permit applications shall be accompanied by a tree survey prepared by a South Carolina licensed landscape architect, surveyor or civil engineer. The survey must show the following:

1. The location, diameter at breast height (DBH) and species (common name) of all protected trees at the time of the survey.
2. A clear designation of all protected trees proposed for removal.
3. A mitigation plan showing the location, size and species (common name) to be planted, if required

Grand trees may only be removed by action of the Planning Commission unless it poses an imminent safety hazard as judged by the Community Development Office. The Planning Commission meets the fourth Monday of each month and applications must be received two weeks prior.

Application forms are available at Town Hall or online at the address below.

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**TREE REMOVAL APPLICATION**  
Moncks Corner Community Development

**MONCKS CORNER**  
*The Lowcountry's Hometown*

Address/Location of Tree(s) to be Removed: 17 Acres Leslie St.

**Applicant Information**

Name: Anna & Hugh Murchison Address: 309 Land-O-Pines Cir.

Phone: 843-834-3170 E-Mail: hurmj1@me.com

**Property Owner Information (If Different)**

Name: Debbie La. Pau Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Contractor Name: \_\_\_\_\_ Phone: \_\_\_\_\_

**\*\*Contractor must be properly licensed with the Town of Moncks Corner\*\***

Grand trees are any trees greater than 24" in diameter at breast height (24 DBH). Are you proposing to remove any grand trees?  YES  NO

*Grand trees can only be removed with permission of the Town Planning Commission. The Commission meets the fourth Monday of every month at 5:30 p.m. at Town Hall.*

Are the trees to be removed located on a lot for a single family home or single-structure duplex? YES   NO

If **yes**, a professional tree survey is NOT REQUIRED. Please attach a reasonably accurate survey showing the location, size, and species (common name) of any trees 10" DBH or greater proposed to be removed.

If **no**, please attach a survey prepared by a S.C. licensed landscape architect, surveyor, or civil engineer showing the following:

- The location, size (DBH) and species (common name) of all trees 10"+ DBH
- A clear designation of all protected trees proposed for removal
- A mitigation plan showing the location, size, and species to be planted

Please explain in detail the conditions that exist that require the removal of trees.

Da. My wife & I purchased 17 acres of land in order to pay for it we need to log, not clear cut the property, remaining pines & scrubs while leaving all oaks, large magnolias, dogwoods etc.

Property Owner's Signature: [Signature] Date: 9-15-17