

Environmental Advisory Committee (EAC) Minutes

March 16, 2023

Present: Margaret Johnson (Chairperson), Carolina Candelaria, Lee Maxwell, David Merkle, Chris Riegert, Pam Johnson, Allen Dearry, David Sonnenfeld

Absent: Maureen Burns

Staff: Brady Golden, Rick Patterson

Guests: Sue Davidson, Elise Snavely, Derek Williams, Eric Falkenhagen (Oak Island Rec Center)

Meeting called to order at 0830hrs.

- **Motion to Accept Meeting Agenda**- 1. Chris Riegert 2. David Merkle
Approved- Unanimously
- **Motion to Accept February 2023 Minutes**- 1. Lee Maxwell 2. Chris Rieger Approved- Unanimously

Announcements

- **Earth Day and other EAC events**- EAC member should not individually pay for items. We have funding available to the EAC. (Margaret J.)
- **Contacting Town Staff Directly**- EAC members are highly encouraged not to communicate directly with Town Staff under any circumstances. There is a process in place via the EAC Chairperson to communicate with Town Staff. (Margaret J.)
- **EAC Mission Reminder**- Derek Williams asked for clarification regarding the EAC's mission. He does not see how the EAC wouldn't have input to the preservation of trees. Margaret Johnson stated that the EAC mission is to educate and advise, and that we work in concert with town staff. (Margaret J.)
- **Stepping Back**- Susan Davidson is stepping back from EAC on EAC and is now Chairing the Beautification Committee. Thank You for your service.

Staff Reports

- **Living Shoreline Proclamation**-At the March 14th City Council Meeting the Council proclaimed support for maintaining the living shoreline project at Veterans Park. Details and proclamation found on Town website. (Brady G.)
- **Town Zoning Overlays**- The Oak Island Planning Board is researching- along with the Town= the prospects of implementing zoning overlays like the one recommended by the EAC for tree protection. (Brady G.)
- **UDO Chapter 32 Staff Updated Recommendations**- The C/OKI Storm Water Division went over some of the major updates to UDO Chapter 32 Vegetation Ordinance regarding changes made to improve safeguards against, but not necessarily eliminate, tree clear cutting. Some of the changes included credits for retaining five (5) inch diameter trees, fines of \$500 for removal of non-permitted trees, provisions for damaged trees, adding pre and post construction checks, and obtaining an updated tree appraisal book (10th ed). (Rick Patterson)

Old Business

- **EAC Webpage-** The EAC webpage went live mid-March 2023 and is accessed from a link under the *Environmental Advisory Committee* section under *Boards & Committees* at the top of the Oak Island website. Next improvements will include a Living Shoreline and a References/ Bibliography dropdowns, and more graphics and pictures. (Allen Dearry/David Sonnenfeld)
- **Lecture Series-** The next EAC sponsored lecture will be on April 26st at the 801 center. Topic is Living Shorelines. For details go to the EAC webpage, The Current and/or OKI Town Calendar. (Pam Johnson)
- **Smart Yards-** No Update (David Merkle)
- **Earth Day** - Eric Falkenhagen (Oak Island Rec Center) gave the EAC an update on the preparations for Earth Day events scheduled for April 14th from 10am to 2 pm. There will be raffles this year for donated items. There will be no sales but many giveaways. EAC events are being coordinated by Maureen. The only concern that was asked was centered around paid parking and whether guests would be charged. Brady Golden is going to check the status of paid parking for the event. All other aspects of the EAC involvement in Earth Day is being coordinated by Maureen Burns (Maureen Burns)

Motion: *There was a Motion made and first by David Merkle to procure a rain barrel, gutter parts, and two (2) banners (i.e., Tree City and EAC banners) for Earth Day for about \$350.* Rick Patterson confirmed the availability of funds to support such a procurement and stated all he needs is an invoice to supply funds. The motion was seconded by Chris Riegert. Approved- Unanimously. (David Merkle)

- **Tree City USA/Arbor Day-** Arbor Day this year will be on April 28. Carolina will draft a proclamation to be sent to Lisa Stites (Town Clerk) for her to have Mayor White sign. The EAC Chairperson will ask Mayor White to attend if possible. This event will be publicized on the EAC webpage and The Current. (Carolina Candelaria)
- **Skip the Straw-** A motion was made by Lee Maxwell.

Motion: *There was a Motion made and first by Lee Maxwell to contact Wallace Catering who is going to be onsite during Earth Day to encourage them to eliminate plastic from their provided utensils/straws, and offer them up to \$150 to procure eco-friendly utensils/straws. The motion to offer them up to \$150 was accepted by Lee Maxwell and seconded by Chris Riegert.* It was approved unanimously. (Lee Maxwell)

- **Trash for Trees-** There will be a “Trash for Trees” pickup on Friday, March 17th along Oak Island Dr. This is arranged by Skip Cox on a quarterly basis. (Skip Cox, Chris Riegert)

- **Living Shoreline-** Tomorrow on Friday, March 17th, 0900-1200 hrs. there will be instruction and work on the Living Shoreline project oyster reefs located at Veterans Park. Volunteers are needed and can sign up on the EAC website. These events will be held quarterly, and will be advertised on places like the EAC webpage and the Cape Fear Coastal Federation website. (Elise Snavely)
- **Recycling-** No Update (Maureen Burns)
- **EAC Tree Protection Recommendations.** (Chris Riegert, Allen Dearry)

Motion: *There was a Motion made and first by Chris Riegert to work with Town Staff to improve the tree enforcement in the exiting Oak Island UDO Chapter 32; develop a following on Tree Protection Ordinance to replace Chapter 32; develop a Zoning Overlay District that would enhance legal support to protect trees; and add additional town staff and budget to implement the above recommendations. The recommendations would be presented to Town Council as an after-action report from the subcommittee. It also would proceed through normal reporting channels, like the Planning Board, as amended by David Merkle and seconded by Carolina Candelaria. The original motion was seconded by Lee Maxwell.* ([Attachment 1](#)) The approval and update implementation of Chapter 32 would be short-term (i.e., 6-8 months) before replacement by a new tree protection ordinance and/ or a zoning overlay district. In addition, the third page of Attachment 2 is a framework for a new tree protection ordinance. Approved- Unanimously. (Chris Riegert)

- **Motion:** *There was a Motion made and first by David Merkle to Propose to Town Council to Initiate the Process to Adopt a “Zoning Overlay District “for the Protection of Trees a dour Surrounding Waterways.* It was seconded by David Sonnenfeld on the first motion.

On the second motion it was *amended to change wording to not spell out any geographic exclusions and have the Town’s planning staff determine the geographic extent of the zoning overlay to protect trees.* The amended phrasing was *first* by David Merkle and seconded by Chris Riegert. Approved- Unanimously. ([Attachment 2](#)) (David Merkle)

New Business

- None

Meeting was Adjourned at 1000hrs

Minutes submitted by: David Sonnenfeld