

**TOWN OF SULLIVAN'S ISLAND  
SOUTH CAROLINA  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Wednesday, March 10, 2010**

A regular meeting of the Town of Sullivan's Island Planning Commission was held at 6:30 p.m., Wednesday, March 10, 2010 in Town Council Chambers, 1610 Middle Street all requirements of the Freedom of Information Act having been satisfied. Present were Commission members Chairman Hal Currey, Vice-Chairman John Winchester, Aussie Geer, Nicky Bluestein, Bobby Thompson and Elaine Fowler; Asst to Administrator Darrow.

**I. Call to Order.** Chairman Currey called the meeting to order, noted Commission member Anne Osborne Kilpatrick had an excused absence, and stated the press and public were duly notified pursuant to state law.

**II. Approval of Agenda.**

**MOTION: Ms. Fowler made a motion to approve the March 10, 2010 agenda; seconded by Mr. Bluestein. MOTION UNANIMOUSLY PASSED.**

**III. Approval of Minutes.**

Commission reviewed the February 10, 2010 Planning Commission minutes with Mr. Currey and Winchester making minor corrections for clarification purposes.

**MOTION: Mr. Winchester made a motion to approve the amended February 10, 2010 minutes; seconded by Mr. Bluestein; MOTION UNANIMOUSLY PASSED.**

**IV. Correspondence & General Public Comments – None**

**V. New Business**

**A. Comprehensive Plan Needs & Goals – Implementation Review**

Chairman Currey noted the Commission decided to review each of the Needs & Goals articulated for each Element in the recently approved Town Comprehensive Plan in concert with Town Council and Staff. The Commission noted that the purpose of this review was to identify ways the Planning Commission could track and potentially facilitate the implementation of different Needs & Goals, in concert with Council.

**1. Cultural Resources Element Needs & Goals**

Commission reviewed the Cultural Resources Needs & Goals (**Exhibit A**). The Commission discussed current Town plans and efforts related to historic preservation of homes and sites, as outlined in this Element's Needs & Goals with five recommended implementation strategies identified (C1A-C1E).

Mr. Bluestein submitted that more activity was needed in the area of Town historic preservation/designation activity. He noted that almost three (3) years ago the Town underwent an additional historic designation review and two (2) years ago the Town held an educational workshop regarding potential tax incentives available to residents who engage in historic preservation of their homes. However, Mr. Bluestein submitted that more

consistent effort was needed in the area of historic preservation. He suggested the establishment of a special citizen committee, with a chair, that would advocate and encourage historic preservation. Some of the initiatives this committee could spearhead would include: community education and outreach, historic training opportunities for Design Review Board members and/or interested residents, pursuit of state historic certification for Design Review Board members and Town designation as a Certified Local Government, a state and national certification program available through the SC Historic Preservation Office (SCHPO). Mr. Bluestein commented that once historic features are altered on a property, the historic value of the structure is diminished or eliminated. Further, as the loss of historic integrity occurs from one home to the next, eventually the character and integrity of the Island becomes materially altered.

Commission members discussed this topic for some time, focusing on suggestions for extension of the historic overlay area and/or a grass-roots community based preservation committee/society interested in preserving historic homes and sites on the Island. Mr. Bluestein noted that he would prefer Town Council to endorse this type of activity and/or organization. It was a consensus of most Commission members that there were a significant number of residents interested in historic preservation and an historic preservation committee or society could be viable and citizen initiated.

The Commission briefly discussed potential legislative approaches to historic preservation. Mr. Winchester noted that a couple of years ago the Planning Commission held a series of public hearings on ordinance language that would identify historic homes based upon a certain age range (ex 50+ years old). The Commission then discussed the need for the Town to review and potentially update its current historic designation map.

## **2. Natural Resources Element Needs & Goals**

The Commission reviewed the Natural Resources Needs & Goals (**Exhibit B**). The Commission recommended the Town encourage residential planting of native vegetation by gathering a list of plants native to barrier islands and putting this information on the Town's website.

Commission discussed silting along the waterway (Implementation NR.5.E). Ms. Fowler noted that the Town is currently monitoring the waterway silt and communicating with the Army Corps of Engineers on future dredging project plans; however, no dredging work is expected in the near future. Commission discussed the need for a baseline study of the waterway and silt, either by the Town or another agency. Ms. Fowler said she would check on this opportunity with the Town.

*Chairman Currey noted the Commission would review the Needs & Goals for Community Facilities and/or Housing Elements at the April 14, 2010 meeting.*

## **VI. Unfinished Business**

### **A. Planning Commission Rules of Procedure: Potential Conflict of Interest Policy**

Chairman Currey noted that, during last month's regular annual review of the Commission's Rules of Procedure, Commission members discussed the possibility of

establishing a conflict of interest policy for its members. Ms. Fowler briefly discussed proposed policy language she crafted (**Exhibit C**).

Commission members discussed the matter. Administrator Benke joined the meeting at this point and provided clarification on the process by which Town Council members handled potential conflict of interest matters. Administrator Benke noted that Council has obtained guidance from the State Ethics Commission regarding this matter. He noted that the determination of a conflict of interest is made only by the State Ethics Commission, and done so in reaction to a complaint filed with the agency by an individual or entity. Administrator Benke noted that neither Council nor another Town body can prohibit a person from voting on a board or commission, but can seek clarification from the Ethics Commission in advance of a vote, if enough time allows. The Commission deliberated this matter further and Ms. Fowler indicated she would re-word her proposed policy language further and bring it back to the Commission in April.

**The Commission received reports on the following ongoing projects:**

**B. Accreted Land Management Plan**

The Town continues to wait for the consultant team (Coastal Science and Engineering) to draft a revised management plan based upon the guidance documents approved by Council on December 15, 2010.

**C. Master Community Commercial District Plan**

Council discussed the Plan at its March 1, 2010 Committees of Council meeting. Chairman Currey noted that Council divided the consultant team's (Seamon, Whiteside & Associates/ Urban Edge Studios) recommendations into three groups: (1) inclined to consider action soon; (2) inclined to eliminate; and (3) more study and information required. Chairman Currey noted that Council would develop a modified Master Plan through a process of eliminating consultant's suggestions.

**D. Bicycle Friendly Community – Update**

Chairman Currey noted that an informal meeting will be held at 6:00PM on Monday, March 15, 2010 at Town Hall to gather information and brainstorm ideas to organize a bicycle advocacy group. In attendance at that meeting will be himself, Nicky Bluestein and Bobby Thompson, if available. Chairman Currey noted that Councilwoman Mary Jane Watson will also attend (activity will be reported to Council through the Recreation Committee), Asst. to Administrator Darrow and interested residents. Chairman Currey commented that he had invited special guest from Charleston Moves, Don Sparks and Tom Bradford, so that they could provide insight and suggestions.

**VII. Next Meeting – 6:30PM, Wednesday, April 14, 2010**

There being no further business, the meeting was adjourned at approximately 8:05 p.m. (Mr. Winchester motioned; Ms. Geer seconded; unanimously passed).

Respectfully submitted,  
Lisa Darrow, Asst. to Administrator

Approved at the Wednesday, April 14, 2010 Planning Commission Meeting

**Planning Commission Meeting  
Wednesday, March 10, 2010  
EXHIBIT A**

**CULTURAL RESOURCES**

The cultural resources on Sullivan’s Island are a very important part of the fabric of the community. Family-oriented events bring the community together and set the tone for the Island. The historic buildings are a reminder of the past and are cherished by the community. The past is what has brought Sullivan’s Island to this point in history and has formed the type of community that exists. In addition, the historical buildings on Sullivan’s Island give the Island architecture a variety and richness that is not found on many of the barrier islands.

**NEEDS AND GOALS:**

- 1. The Town should focus its efforts on protecting sites that are significant to the Town’s history, uniqueness and natural beauty.**

***(C.1.A.) Implementation:***

Property owners of important sites and structures should be encouraged to place deed restrictions on these properties, thus protecting these sites for future generations.  
(Town Administration; Short Term; Ongoing)

***(C.1.B.) Implementation:***

The Town should continue to support the designation of appropriate structures, zones and sites as “Historical” and provide the guidelines and means to ensure a level of protection takes place consistent with the historical significance.  
(Town Administration; Short Term; Ongoing)

***(C.1.C.) Implementation:***

The Town should continue efforts, where appropriate, for the inclusion of historical properties on the National Register of Historic Sites.  
(Town Administration; Short Term; Ongoing)

***(C.1.D.) Implementation:***

The Town should conduct or facilitate periodic educational opportunities for citizens to benefit from available tax or other incentives in the maintenance of historical properties.  
(Town Administration; Short Term; Ongoing)

***(C.1.E.)Implementation:***

The Town should make such efforts using best management practices and within its scope of responsibilities to protect and preserve scenic/historical sites and view corridors such as Breach Inlet, “The Mound,” Cove Inlet, Battery Logan, the old landfill site at Station 19 and Station rights-of-way to the marsh.  
(Town Administration; Short Term; Ongoing)

***(C.1.F.) Implementation:***

The Town should continue to support the preservation and historical records of the historic cemeteries on the Island. Island cemeteries should be researched and the grounds should continue to be maintained and protected.

(Town Administration; Ongoing)

***(C.1.G.) Implementation:***

The Town should pursue designation of its historic preservation efforts as a Certified Local Government Program through the State Historic Preservation Office (SCHPO). (Town Administration; Short Term; Ongoing)

**2. Encourage the preservation and restoration of all Island batteries, including Batteries Capron and Butler.**

***(C.2.A.) Implementation:***

Support such groups as the Sullivan's Island Park Foundation, Battery Gadsden Cultural Center and others in efforts consistent with this goal. (Town Council; Ongoing)

**3. Continue to organize family-oriented activities for the residents.**

***(C.3.A.) Implementation:***

Support the efforts of Sullivan's Island Park Foundation, Sullivan's Island Volunteer Fire and Rescue Squad, Battery Gadsden Cultural Center and other community groups in projects. (Town Council, Town Administration; Ongoing)

**4. Continue the mutually beneficial and supporting relationships with the United States National Park Service, Fort Moultrie.**

***(C.4.A.) Implementation:***

The Town should work to maintain a strong mutually cooperative bond with Fort Moultrie in support of activities such as Carolina Day and various other events conducted by the Park Administration. (Town Administration; Ongoing)

**Planning Commission Meeting  
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EXHIBIT B**

**NATURAL RESOURCES**

Sullivan's Island is a barrier island. This fact provides the Town and its residents with special opportunities and challenges due to the dynamic nature of barrier islands. In addition, Sullivan's Island is a permanent and temporary habitat for many species of unusual and threatened plants and animals. The policies and ordinances of the Island should not cause harm to these species and, in fact, should work towards protecting them.

The ocean front dune vegetation is an important part of erosion and flood control. This vegetation needs to be protected and managed, and in some cases, enhanced. The marsh, or back beach, has equal value and importance to the barrier island ecosystem. The marsh provides habitat for many permanent and migrating species of animals. Additionally, vegetation and landscaping on the Island are useful tools for light and sound abatement.

**NEEDS AND GOALS:**

**1. In an effort to protect the dunes and the dune vegetation, best management practices should be employed.**

***(NR.1.A.) Implementation:***

Identify existing public accesses needing constructed walkovers that include appropriate access and parking for handicapped visitors. Pursue funding through gifts and grants to construct and maintain beach accesses. (Town Council, Planning Commission, Town Administration; Long Term)

***(NR.1.B.) Implementation:***

Inventory and evaluate each beach access to determine ways to limit damage and mitigate environmental impacts. (Town Administration; Ongoing)

***(NR.1.C.) Implementation:***

Continue to provide for adequate animal waste, refuse and recycling resources at beach access paths. (Town Council; Town Administration; Ongoing)

***(NR.1.D.) Implementation:***

Incorporate in the Town's Beachfront Management Plan a program to stabilize, maintain and enlarge the dunes. Enforce ordinances pertaining to walking or climbing on the dunes. (Town Council; Town Administration; Ongoing)

**2. Complete the study of the Accreted Land Management Plan with the broadest possible community participation and input.**

***(NR.2.A.) Implementation:***

Implement the Town-approved recommendations of the 2008 Accreted Land Management Plan Study. (Town Council; Town Administration; Ongoing)

**3. Encourage the use of native vegetation on public and private property.**

***(NR.3.A.) Implementation:***

Maintain existing ordinances to maximize the opportunities for the use of native vegetation. (Town Administration; Planning Commission; Tree Commission; Long Term).

***(NR.3.B.) Implementation:***

Continue to set an example by planting native plants in public areas. (Town Administration; Civic Groups; Long Term).

**4. Continue to protect the existing trees on the Island.**

***(NR.4.A.) Implementation:***

Review and update, as required, the existing tree protection ordinance. (Town Council; Tree Commission; Ongoing).

**5. Continue to recognize that the marshes, beaches and waterways on and adjacent to the Island are critical habitats that require special protection.**

***(NR.5.A.) Implementation:***

Continue supporting efforts to protect these areas, not only for the wildlife habitat that exists there but also for the enjoyment and safety of the residents of the Town. (Town Administration; Ongoing)

***(NR.5.B.) Implementation:***

Continue to participate in the ocean water quality monitoring program (Town Council; Town Administration; Ongoing).

***(NR.5.C.) Implementation:***

Continue partnership with Charleston County to ensure full compliance with NPDES Phase II requirements and take any other steps necessary for timely permitting of stormwater systems. (Town Council; Town Administration; Ongoing)

***(NR.5.D.) Implementation:***

Continue to encourage the use of permeable surfaces on private and public lands where hardstand is required. (Town Council; Town Administration; Ongoing).

***(NR.5.E.) Implementation:***

Monitor silting in the waterways on or adjacent to the Island and determine what if any actions should be taken to preserve the waterways. (Town Council; Ongoing)

**6. The Town recognizes that Sullivan’s Island is a major nesting and hatching site for migratory sea turtles and birds, and thus special protection efforts are required.**

***(NR.6.A.) Implementation:***

The Town will continue to enforce existing ordinances that will support the protection of seasonal turtle nesting and seabird nesting areas. (Town Council; Ongoing)

***(NR.6.B.) Implementation:***

Encourage and support community participation to protect turtle and seabird habitats. (Town Council; Town Administration; Ongoing)

**PLANNING COMMISSION MEETING**  
**Wednesday, March 10, 2010**

**EXHIBIT C**

**AGENDA ITEM: VI (A) Unfinished Business**

**SIPC – CONFLICT OF INTEREST POLICY**

*(Commission Member Elaine Fowler)*

The Conflict of Interest Policy governing the members of the Sullivan’s Island Planning Commission is set forth in South Carolina Code of Laws §8-13-700(B)(§5), as it may be amended from time to time. Pursuant to that code section, no member of the Commission may make, participate in making or in any way attempt to use his or her membership to influence a decision in which he or she or a member of such member’s immediate family, an individual with whom such member is associated, or a business with which such member is associated has an economic interest (a “Conflict of Interest”). A Commission member who has or believes he or she may have a Conflict of Interest shall: (i) “prepare a written statement describing the matter requiring action or decisions and the nature of [the] potential conflict of interest with respect to the action or decision;” and (ii) “furnish a copy to the [Chair of the Commission], who is required to cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes of the meeting.”

The Commission has also adopted the following procedures with regard to potential Conflicts of Interest. If a member of the Commission is not certain whether a particular relationship is a potential Conflict of Interest, or if any member of the Commission believes another member may have a potential Conflict of Interest that such member has not declared as provided above, such member may request the Chair to submit the issue to the Commission for a vote as to whether a potential Conflict of Interest exists. If the Commission determines that a potential Conflict of Interest does in fact exist, the above provisions shall be applicable, and the member who has been determined to have a potential Conflict of Interest shall be excused from any votes, deliberations or other actions on the matter. The fact that a person is excused for votes, deliberations or other actions shall not prohibit the Commission, in the discretion of the Chair, from allowing such member to make a statement regarding the matter, should the Chair believe the member possesses unique information that may be of assistance to the Commission, and such statement shall not be considered to be participating in the deliberations.