

**TOWN OF SULLIVAN'S ISLAND  
SOUTH CAROLINA  
PLANNING COMMISSION MINUTES**

Wednesday, September 10, 2008

The regular meeting of the Town of Sullivan's Island Planning Commission was held at 6:40pm on Wednesday, September 10, 2008 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, Nicky Bluestein, Aussie Geer, Anne Osborne Kilpatrick, Bobby Thompson and Elaine Fowler; Zoning Administrator Kent Prause, Asst. to Administrator Lisa Darrow and Building Official Randy Robinson.

**I. Call to Order.** Chairman Currey called the meeting to order, stated the press and public were duly notified pursuant to state law and commented that the meeting is starting a few minutes late to accommodate a short break after the Commission's Workshop on the Town's Comprehensive Plan, held just prior to this meeting.

**II. Approval of Agenda**

**MOTION: Ms. Fowler made a motion to approve the agenda; seconded by Ms. Geer; MOTION UNANIMOUSLY PASSED.**

**III. Approval of Minutes**

Chairman Currey noted the August 13, 2008 Special Meeting/Workshop minutes were approved at the special meeting held just before this current meeting.

**MOTION: Ms. Kilpatrick made a motion to approve the August 13, 2008 Regular Meeting as presented; seconded by Ms. Fowler; MOTION UNANIMOUSLY PASSED.**

**IV. General Correspondence and General Public Comment**

*Erika Mueller, owner Club House Island  
(a/k/a 0 Intracoastal Waterway, Sullivan's Island)*

Ms. Mueller asked for follow up on her property's Comprehensive Land Use designation, noting her property was non-accreted land and desire to have land designated for single-family residential use.

Chairman Currey noted that Planning Commission had not had the opportunity to meet with key members of staff to review this property to provide further feedback to owner. He stated his intention to follow up on this matter for the September 18, 2008 Special Commission Meeting/Workshop.

## V. Public Hearing

### 1. AN ORDINANCE TO AMEND CHAPTER 21, ZONING, ARTICLE III, RS-SINGLE FAMILY RESIDENTIAL DISTRICT, SECTION 21-26, ARTICLE IV, CC-COMMUNITY COMMERCIAL DISTRICT, SECTION 21-55 AND ARTICLE XXI, DEFINITIONS, SECTION 21-203, CLARIFYING WHAT CONSTITUTES IMPERVIOUS/PERVIOUS SURFACES AND MATERIALS.

*Chairman Currey noted the Commission would hear from Staff and special speakers then open the floor to accept public comments.*

#### **Staff Comments:**

Building Official Robinson introduced four special speakers, all professionals in the area of stormwater management and pervious surfaces, who were present to provide information regarding the matter of pervious surfaces:

1. Chuck Jarman, Charleston County Stormwater Management
2. Arthur Schirmer – Landscape architect and engineer
3. Kurt Rumph – works with paver installation
4. Steve Hurlong – general architect

#### ***Speaker #1***

*Mr. Chuck Jarman, Charleston County Stormwater Management*

Mr. Jarman gave a brief overview of stormwater management, noting Charleston County manages the Town's stormwater program. He commented on infiltration rates of water, noting that this issue was a big focus of stormwater management programs and ordinances.

Mr. Jarman commented that other agencies such as Department of Natural Resources coordinate soil conservation and classification. He commented that Sullivan's Island's soil is characterized as sand, with high infiltration rates and poor drainage, incorporating salt among other elements.

Mr. Jarman spoke about permeability that is the speed by which liquid would filtrate through an object to the soil below. He spoke of building green, noting that the current buzz word at present in the industry is Low Impact Development (LID) initiatives and products.

Mr. Jarman suggested that there are a variety of techniques for dealing with stormwater run-off: permeability of products used in residential building, ratio of permeable to impermeable products on a residential lot and techniques for installing products on a lot.

Mr. Jarman recommended referencing design standards for permeable surface products and installation in the Town's ordinance and then having Staff develop and propose some recommendations for that final design standard. This might include goals for landscape professionals to achieve in designing a residential home's landscape plan. He further

suggested that the town could develop generic design standards for single family residential based upon soil survey findings.

Mr. Winchester asked Mr. Jarman about design standards nationwide or in other Charleston County municipalities. Mr. Jarman conceded that he knows of no other municipality having design standards for residential development.

***Speaker #2***

*Mr. Steve Hurlong, architect*

Mr. Hurlong noted he does a significant amount of design work on Sullivan's Island and has dealt with the issue of pervious surfaces many times in the Town. Mr. Hurlong submitted that, in his experience, municipalities deal with the issue of pervious surfaces in an unscientific way. He echoed some of the comments made by Mr. Jarman and called for use of pervious surfaces with focus on design standards.

***Zoning Administrator Prause noted, for Commission and public, that the Board of Zoning Appeals recently rendered a determination that essentially defined "pervious surface" as any object through which water can flow. This currently stands as the "official reading" for the Town and has not been appealed to Circuit Court at present. He noted that Council asked the Planning Commission to hold this public hearing to consider an ordinance that would better define pervious surfaces.***

***Speaker #3***

*Arthur Schirmer III, Paving Contract (EIT)*

Mr. Schirmer noted he installs and works with pervious surfaces, both pervious pavers and a new product called Flexi-pave. Thereafter, Mr. Schirmer noted the benefits of Flexi-pave.

Mr. Schirmer discussed the industry basis for design, noting the flow rate of an object was a formulary function of permeability, rainfall intensity and product area. He provided visual demonstrations of products and installation methods (crushed rock over ground with pervious surfaces at topsoil level).

Mr. Schirmer concurred with other speakers in observing there are no reliable standards for pervious surfaces, noting that maintenance of pervious surfaces becomes an issue in the effectiveness of the product.

Ms. Kilpatrick noted that Mr. Schirmer's visual displays show a 4" gravel subsurface between the topsoil level and ground level. She commented that this sublevel surface, if required as part of pervious surface install, could improve infiltration rate. Ms. Geer suggested grading lots toward drainage areas.

***Speaker #4***

*Kirk Rumph, with Charleston Cobblestone Company*

Mr. Rumph added to the conversation regarding design specifications. He supported the installation of a subsurface base and/or catch basin to assist with reabsorbing water into the soil. Mr. Rumph commented that the Island's soil infiltration rate is approximately eighty-percent (80%). He suggested a reasonable subsurface depth for gravel/air would be four inches (4").

*Chairman Currey opened the public hearing at 7:26pm. Seeing and hearing no public comments, he closed the public hearing at 7:27pm.*

**Commission Questions:**

Commission expressed desire to put forward a good definition of pervious surfaces as a stop gap measure.

Mr. Jarman of Charleston County discussed double ring infiltrometer testing methods used by the County to determine infiltration rates.

Building Official Robinson noted that Staff would like to allow residents alternatives in types of pervious products, to accommodate a variety of budgets. He recommends an infiltration rate of 2.0 inches per hour in the current ordinance with Council allowing for further study to develop comprehensive design standards (Exhibit A).

**MOTION: Ms. Fowler made a motion to recommend to Council an ordinance to amend Sections 21-26(A)(3), 21-55(a)(3) and 21-203 of the Town Codes to define pervious materials, to wit:**

**“Any material through which water can be easily absorbed or passed, at a minimum infiltration rate of 2.0 inches per hour, such as, but not limited to, grass and uncompacted gravel, shell and crushed stone.”**

**Seconded by Mr. Thompson; MOTION UNANIMOUSLY PASSED.**

**MOTION: Ms. Kilpatrick made a motion to recommend that Council conduct additional research regarding pervious surfaces and stormwater run-off and develop comprehensive design standard requirements for residential construction; seconded by Ms. Fowler; MOTION UNANIMOUSLY PASSED.**

**2. AN ORDINANCE TO AMEND CHAPTER 21, ZONING, ARTICLE IV, CC-COMMUNITY COMMERCIAL DISTRICT SECTION 21-50, PERMITTED USE,S, CONDITIONAL USES AND PROHIBITED USES, SECTION 21-50(C) (1) RESTAURANTS, AND ADD SECTION 21-50(F) ENTITLED “NOISE AND DELIVERIES.”**

**Staff Comments:**

Zoning Administrator Prause directed Commission to Exhibit B, which incorporates draft language to specifically address delivery hours in the Community Commercial District. He noted that Council received some complaints from residents about noise made from deliveries in the commercial area and directed Planning Commission to consider this matter.

Thereafter Zoning Administrator Prause recommended that the Town not seek to amend the Zoning Code to specify delivery hours. By doing so, the Town provides business owners the opportunity to appeal the delivery hours by seeking variances from the Board of Zoning Appeals. Any such variances, if granted, would complicate enforcement of delivery hours by the police department. Zoning Administrator Prause suggested that, should Council wish to specify delivery hours, it could accomplish the same by amending Section 14, Miscellaneous, that already deals with noise in retail establishments.

***Chairman Currey opened the public hearing at 7:40pm***

*Rick Lanchard, 2210 Middle Street*

Mr. Lanchard noted that he is associated with Poe’s Tavern and commented that his establishment could operate within whatever delivery hours the Town proposes, even an 8:00am delivery.

Commission asked if Mr. Lanchard would have problems with weekend deliveries and he responded in the negative.

***Thereafter Mr. Currey asked for further comments. Seeing no public present to comment, he closed the public hearing at 7:41pm.***

After brief Commission discussion, the following motion was made:

**MOTION: Ms. Fowler recommended against amending Sections 21-50 (C) (1), and 21-50(F) of the Zoning Code and noted that any amendments to Chapter 14, Miscellaneous, were outside the purview of the Planning Commission; seconded by Mr. Winchester.**

**Discussion:**

Chairman Currey noted that, although there is the possibility for dealing with delivery issues in other sections of the Town’s code, the Planning Commission can hold a public hearing for only zoning issues.

**Call for the question:            MOTION UNANIMOUSLY PASSED.**

**VI. New Business:**

**Town's Comprehensive Plan – 10 year Review**

Chairman Currey noted that the Commission would continue work on the Comprehensive Plan at its September 18, 2008 workshop.

**VII. Unfinished Business**

**1. Accreted Land Management Consultant Services RFQ – Status Update**

Chairman Currey reported that Town consultant CSE continues with field studies and has not provided a written report of findings to the Town, to date. When CSE is ready, the Town will hold public forums for residents to provide input on the Accreted Land Plan.

**2. Master Community Commercial (CC) District Plan  
Consultant Services RFP – Status**

Chairman Currey provided Commission with the schedule for the Master Community Commercial Plan charette, scheduled to kick-off on October 7, 2008 (Exhibit C). Noting that Commission members previously expressed interest in knowing what role, if any, the Planning Commission would play in this process, Chairman Currey stated he would contact Council for clarification.

Meanwhile, the Commission decided to move its Tuesday, October 7, 2008 Regular Meeting from 6:30pm to 4:30pm, to allow for interested public to attend both the Planning Commission meeting at the charette kick-off at 6:00pm the same day. It was noted that the Planning Commission voted last fall to meet on October 7, 2008 as its regular meeting date, October 8, 2008, was the beginning of the religious holiday, Yom Kippur.

Ms. Fowler made a motion to adjourn; seconded by Chairman Currey; meeting adjourned at approximately 8:00 p.m.

Respectfully submitted,

Lisa Darrow  
Asst. to Administrator

Approved at the October 7, 2008 Regular Planning Commission Meeting