

**MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
February 14, 2018**

The Isle of Palms Planning Commission met in the City Hall conference room, 1207 Palm Boulevard on February 14, 2018 at 4:30 p.m. Members attending included Ron Denton, Richard Ferencz, Bill Mills, Lisa Safford and Phillip Pounds; the Director of Planning Douglas Kerr was present as well. Vince DiGangi and Lewis Gregory were absent. Mr. Ferencz acknowledged that the press had been notified of the meeting and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

PUBLIC COMMENTS

Mr. Rick Roberts explained that he was the owner of 2305 Waterway Boulevard and he had concerns that the subdivision request on the agenda for 2401 Waterway Boulevard violated the restrictive covenants for the property. He distributed copies of the property record card from the County records as well as a 1966 deed for 2401 Waterway Boulevard and stated that he believed that the restrictions contained within the deed (book B86 page 211) prohibited the requested division.

APPROVAL OF MINUTES

Mr. Ferencz explained that the next item on the agenda was the approval of the January 10, 2018 minutes. Mr. Mills made a motion to approve the minutes as submitted and Mr. Denton seconded the motion. The vote was unanimous in favor of the motion.

SUBDIVISION REQUEST FOR 2401 WATERWAY BOULEVARD

Mr. Kerr explained that historically municipalities did not enforce restrictive covenants, but several years ago the State code was revised (SC Section 6-29-1145) to require cities to be given confirmation from the applicant that the restrictive covenant has been released when the city has been given notice that a restriction prohibits a subdivision.

Mr. Denton stated that it was his belief that the applicant had already provided a release of the restriction from the Beach Company. Mr. Kerr responded that this was correct, so it may only be a matter of the applicant providing confirmation that the appropriate steps have been taken, but prior to Mr. Roberts comments the City did not have notice of the covenant, as described in the SC code.

Mr. Ferencz made a motion to defer action on the request until the applicant satisfies the SC code requirements as they pertain to restrictive covenants and subdivisions. Ms. Safford seconded the motion and the vote was unanimous in favor of the motion.

DISCUSSION WITH SCDOT REGARDING STORMWATER

Mr. Kerr explained that at the last meeting, the Commission expressed an interest in meeting with a representative of SCDOT to discuss stormwater issues on the island and Mr. Arnold Blanding was present to discuss these issues. Mr. Kerr gave a brief overview of the Planning Commission's work so far and what had been discussed in previous meetings.

Mr. Kerr asked what Mr. Blanding's opinion was of the percentage of the island's stormwater system that is maintained by SCDOT and what could the City do within the SCDOT system without having to take over ownership the system. Mr. Blanding answered that he did not know the percentage, but that it included most of the roadside ditches on the island.

Mr. Blanding stated that when he started in his position last year, he noticed that historically the SCDOT would only work directly in the area of a complaint, but they were not looking upstream to find the problems causing the issues. He explained that he tries to find the source of the problem upstream and fix the problem so the entire system functions properly.

Mr. Blanding explained that SCDOT has a system that begins tracking response time on solving complaints and a goal of dealing with complaints within 30 days of them coming in. However, many of the calls that he takes transition from a complaint call to a project call. He stated that his coworker, Kevin Mitchell, is the SCDOT staff member that organizes the major projects that get done.

Ms. Safford asked what process the City should follow when trying to get work done. Mr. Blanding responded that any residents that have a problem should submit a work request through the SCDOT online system. He said that for the larger scale projects that the Planning Commission is considering, he would ask that the Planning Commission give him a list of the top three drainage priorities they identify and he can begin working on resolving those. He explained that he has to deal with limited resources and multiple agencies asking for work, but he could prioritize the SCDOT workload to deal with the top priorities over time.

Mr. Kerr explained that he perceived that a lot of the problem areas he could think of did not have any stormwater system in place, so what would the SCDOT response be to this type of issue. Mr. Blanding explained that these would have to be looked at on a case-by-case basis, but he was hopeful that something could be done. He gave an example of a project he recently undertook on Pettigrew Street on Sullivan's Island where a foot of water was standing in the roadway and it took about two weeks of work

and a creative solution, but ultimately, they were able to get the water off the road. Mr. Kerr asked who developed the solution to the problem on Pettigrew Street and Mr. Blanding answered that he and his work foreman came up with the solution.

Mr. Pounds asked how the SCDOT prioritizes the Isle of Palms' problems against other communities. Mr. Blanding answered that he is the person that handles the prioritization and he considers multiple factors when prioritizing different projects, but he tries to systematically address each communities' issues.

Mr. Mills asked if he believed that maintenance of the system is a major problem with the Isle of Palms system. Mr. Blanding answered that he believed it was a problem, but sometimes the SCDOT's hands are tied, because they will get to a point where the drainage system feeds into a system outside of SCDOT's control.

Mr. Mills asked if the SCDOT has an issue with other agencies doing improvements to their system. Mr. Blanding answered that there is not a problem, but they ask that an encroachment permit be obtained for any improvements.

The Commission thanked Mr. Blanding and explained that they would be back in touch with their top three priorities in the near future.

Mr. Kerr explained that the Commission had previously discussed meeting with David Stevens, who has historically been the engineer the City has used to design improvements to the stormwater system. The group agreed that it would be useful to discuss matters with Mr. Stevens and Mr. Kerr indicated that he would contact him and request that he come to the next meeting.

Mr. Ferencz stated that he would also like to start working on identifying the top three priorities to work through. Mr. Kerr answered that he would provide some information on the top priorities identified by the staff at the next meeting.

DISCUSS IMPERVIOUS SURFACE REQUIREMENTS

Mr. Kerr explained that in the packet was a draft of the City's stormwater regulations with sections of the Sullivan's Island regulations inserted. He explained that the requirements included more detail on when a stormwater plan would be needed and that these requirements would require them for all new houses, when currently they are only required when a lot is filled. He said that the Sullivan's Island limit also establishes a maximum amount of fill at one foot above existing grade. Currently, there is no limit on the height of the fill, if the design professional certifies that the fill will not adversely impact the neighbors. He explained that the other major change is that this draft would

establish a minimum amount of the lot to be left vegetated at 50%. He explained that this was suggested by the Planning Commission when the lot coverage provisions were originally adopted, but City Council did not adopt the provision.

The Commission generally discussed the changes. Mr. Kerr explained that he knew there should be more detail of what qualifies as pervious and he was not sure if he failed to forward everything or if the draft was not complete.

The Commission agreed to look at the matter again at the next meeting and Mr. Kerr stated that he would circulate examples of lot coverage calculations from projects on the island for the next meeting.

ADJOURNMENT

With there being no further business, the meeting was adjourned at 6:10 p.m.
Respectfully submitted, Richard Ferencz, Chairman