



**Public Safety Committee Meeting  
9:00am, Tuesday, February 14, 2023  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Hahn, Ward, and Anderson

Staff Present: Administrator Fragoso, Director Kerr, Chief Cornett

**2. Approval of Previous Meetings Minutes – January 26, 2023**

Council Member Hahn made a motion to approve the minutes of the January 26, 2023 meeting, and Council Member Ward seconded the motion. The motion passed unanimously.

Council Member Ward made a motion to suspend the rules of order to allow for citizen speakers to speak for more than three minutes and to allow for Committee interaction with the speakers. Council Member Hahn seconded the motion. The motion passed unanimously.

**3. Citizen's Comments**

Al Clouse's comments are attached to these minutes. During his comments, he referred to the attached map, noting how surrounding residential properties are affected by the noises coming from the Sweetgrass Inn.

Mr. Clouse believes the City is trying to put other communities' noise ordinances as templates on to the Isle of Palms, and he believes this island and situation to be different. He said they have enforcement fatigue from having to constantly report the noise offences.

Council Member Hahn asked if financial remuneration would be considered instead of lower noise standards. Mr. Clouse said he would consider it, but he would need to speak with everyone involved. He is asking for an end to afternoon concerts from 2pm-5pm adding that removing some of the speakers helped with that noise. He said the Sweetgrass Inn is an echo chamber that pushes noise out to the neighborhoods towards the ocean. He believes the ownness should be on the resort to come up with ways to abate the noise and not on the residents to constantly complain to the police.

Council Member Anderson said that her research into recommended noise levels is different than what he has found and would like their research.

Valerie Krause said that her focus on noise is as a medical professional and that consistent exposure to noise is medically harmful. She said the noise from the hotel is the reason she has

put her home on the market, and several interested buyers have noted the noise when they came to view her home. She disagrees with Council Member Anderson that 45 dba is a “whisper.” She does not believe that “75 decibels should even be considered remotely because it is a known fact that that contributes to permanent hearing loss, prolonged exposure.”

Referring to a different decibel chart, Council Member Anderson said that 60 dba is “normal conversation and background music would be at 60.” She added, “When we are looking at ranges, first of all, we don’t want to control what people are doing inside their homes, and secondly, we want it to be reasonable.”

Mrs. Krause confirmed that the hotel said it was built to direct noise away from Wild Dunes. However, that noise goes right into her neighborhood. She continued, “I think the thing that I personally object to most is the measurement at the extreme of the hotel property because it is so close to the residential houses.” She said the hotel is not good at monitoring their own noise.

#### **4. Old Business**

##### **Discussion of changes to the noise ordinance**

Administrator Fragoso said the version of the noise ordinance in the meeting packet has been reviewed by the City Attorney and he will be present at the February 28 City Council meeting. She said this version allows for individual property owners to apply for exceptions to the noise ordinance for a certain number of hours per year. Council Member Ward would like clarification on the measurements for noise being used. Council Member Anderson noted that EPA levels are focused on noise in the workplace.

Administrator Fragoso shared that a member of the Planning Commission is a sound engineer and his comments will be shared at the next City Council meeting. Council members Anderson and Ward noted that the Front Beach area and the Sweetgrass Inn are two very distinct areas on the island.

Administrator Fragoso clarified, “So you like the previous version that had a separate distinction on commercially used properties even though they may not be in commercially zoned area? Commercially used properties having a different threshold for those. There is another one for residential and another one for GC2.” She added that GC2 is still carved out as a distinct area in this version.

Council Member Anderson said she has an issue with just one noise level for the island, believing there needs to be one for commercial and one for residential. The problem is how to deal with the issue when those two properties abut each other. Referring to a recent email from Terri Haack, Council Member Anderson suggested that instead of limiting the exception to the noise ordinance to hours per year changing it to days per year and limiting the number of hours the noise could be elevated.

**5. New Business**

**A. Parking Plan Ideas**

Council Member Hahn said he had spoken to a number of residents who are concerned about the traffic congestion on the island and believe it has to do with short-term rentals, construction on the island, and day visitors. He would like the City to hire an outside vendor to handle parking across the island. He said he would like “for us to look at charging for parking island-wide for day visitors on the island with the exception of the City-owned parking lot, make that free, so that we are driving business to the commercial area.”

Administrator Fragoso said that there has not been “an appetite” for charging for parking on Palm Boulevard in the past. She said the City does have to provide a certain amount of free public parking. However, there are many benefits to outsourcing all of the parking. Staff will complete an analysis of the potential cost savings to the City if parking was handled by a third-party vendor.

Administrator Fragoso reported that they will have a meeting with the County in early March to discuss how they might handle payment at their lot differently.

Regarding short-term rentals and parking, Council Member Anderson “would like to get a handle on what the complaints are about it, what current enforcement policies are, and how we can improve what we have on the books.”

Director Kerr reviewed the current restrictions for short-term rental parking. He added that while the intent is to indicate a limit at a property, when necessary, renters will move to public parking.

Discussion ensued briefly about parking in residential areas to which Administrator Fragoso said, “I am going to go back and look at some of the discussion several years ago. Actually, Council discussed changing the hours [of residential parking] and there was a lot of pushback from the community about doing that, and that is why the City kept it from 9am to 6pm. There are also people from other places than the Isle of Palms that come and go to the beach to walk their dogs and do that before 9am and after 6pm. So I think that the goal was to manage parking in the peak traffic and peak utilization times which is 9 to 6.” She added that 24/7 parking enforcement is unmanageable.

Director Kerr said, “We would want to know is the problem too many cars at houses, is the problem too many cars in public rights of way. For us to focus on a solution we would need to know which is the problem.”

**B. Discussion of citizen request to install a 4-way stop at 29<sup>th</sup> Avenue and Waterway Boulevard**

Chief Cornett said a request for a four-way stop must be made to SCDOT who will conduct a study to determine if one is needed. He noted that many tickets are written in that area of Waterway Boulevard. Council Member Anderson suggested asking for a school crossing zone in the area. Administrator Fragoso pointed out there are no sidewalks there.

Administrator Fragoso added, “As you all know, DOT has approved as part of the Connector study, one of the recommendations that they did was to make 25<sup>th</sup> and Palm a four-way stop. There is already a stop sign on Waterway. We can make the request and see what they think. I don’t know what their standards are between four-way stop, how close they can be.”

Council Member Anderson said she did not think that would be a problem. She believes it is a good place to put a four-way stop and “I would suggest that you put a crosswalk in with it as well and maybe even if you need an extra push for them just say there is a playground/school nearby that would encourage safe crossing.”

Administrator Fragoso said the request would be made and SCDOT’s recommendation will be brought back to the Committee.

### **C. Discussion of draft FY24 10-year capital plan for Police and Fire**

Administrator Fragoso reviewed the requests in the 10-year capital plan for the Police Department, including: replacing 2 patrol SUVs and a 4WD pickup truck for the Animal Control office, purchase of a pickup truck for Code Enforcement, replacement of computer servers, replacement of radios, license plate reader on the IOP Connector for investigative services, and the facilities maintenance contingency.

Fire Department requests included the replacement of two F-150s, replacement of radios, Porta-Count machine for SCBA mask fit testing, medical monitor for carbon monoxide and oxygen (upon failure), exhaust system for both stations, physical agility testing equipment (some of which covered by a grant), replacement of HVAC units (upon failure), and the facilities maintenance contingency.

Council Member Hahn asked about the offer from a resident group to pay for the license plate reader. He also asked to speak with Chief Oliverius about the exhaust system and whether or not it is needed. He said he has previously voted for the purchase of the exhaust system because he was told grant money could pay for it.

### **6. Miscellaneous Business**

The next meeting of the Public Safety Committee will be Tuesday, March 7 at 10:00am.

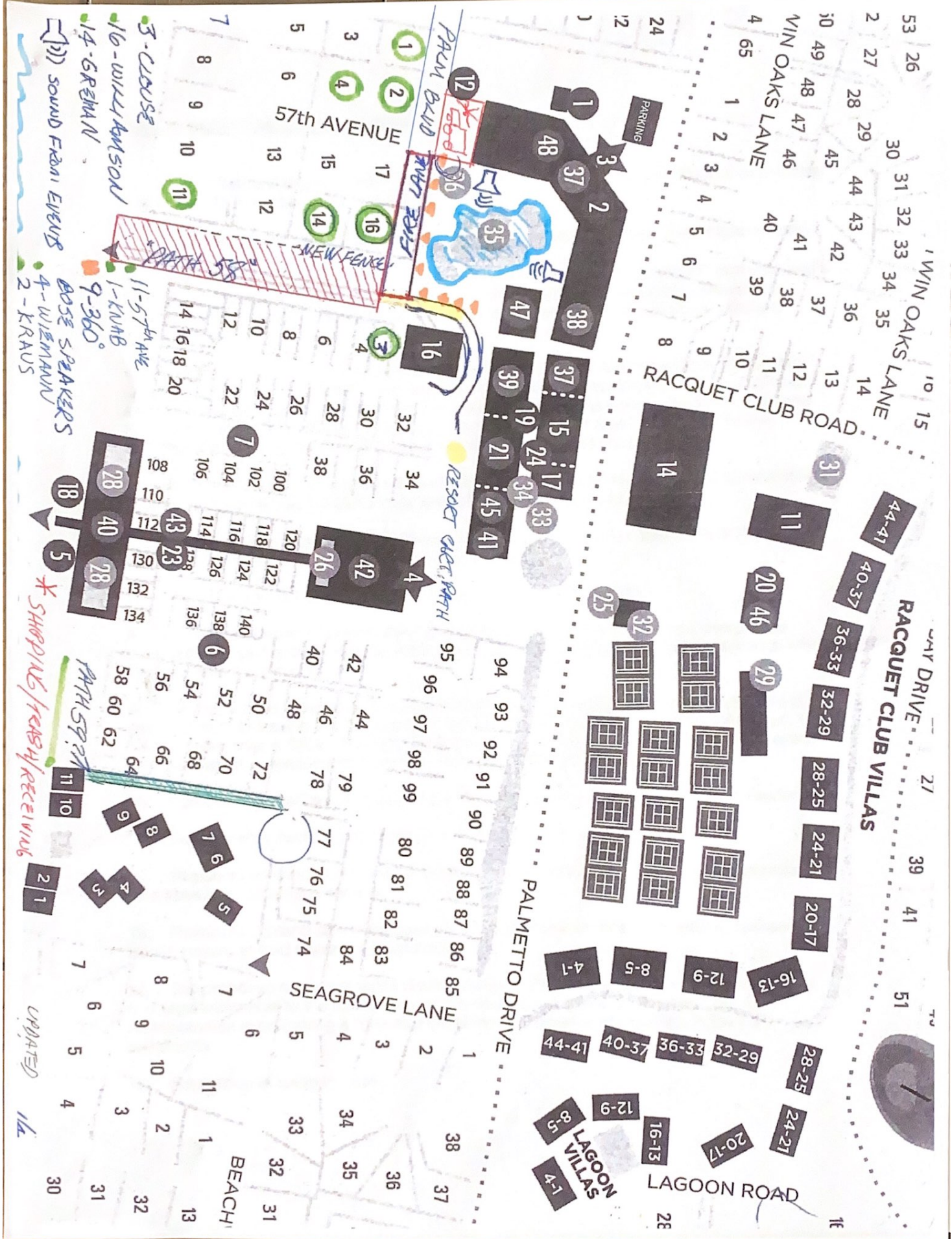
Council Member Anderson would like an update about the IOP Connector traffic study added to the February 28 Council meeting agenda.

### **7. Adjournment**

Council Member Hahn made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting was adjourned at 10:36am.

Respectfully submitted,

Nicole DeNeane  
City Clerk





**PUBLIC SAFETY MEETING: 2/14/23**

1. The architectural design of the Lowe/Dart hotel (Hyatt Flag) results in physical and mental punishment to a number of IOP Residents.
2. Said hotel is **abutting, adjacent to and in line of sight to a residential neighborhood.**
3. Said hotel's height, acoustics and configuration creates a **"wall of sound"** (not your dad's "Phil Spector's Wall of Sound"), which directly emits noise toward residential properties; eliminating said resident's ability to enjoy a normal, common, peaceful livability standard in their sanctuary.
4. Said noise is a result of: Amplified music at various hours; Pool noise from 10:00 AM to Late PM; Events with Amplified music and loud speaker systems; Supply delivery trucks as early as 4:00 AM; Trash Pick up services at 6:00AM; Event break down services at all hours; Food Trucks; Athletic play/Day Care on the "green artificial turf area"; The After Parties; Hooping and Howling late at night around the hotel hot tub and fire pit.
5. Said Hotel's above actions are a Nuisance, Annoyance and Health Hazard to residents situated in **Tract A Block D (57th Ave) and Wild Dunes ("residents")**.
6. To date (over two (2) years) Wild Dunes Community Association board ("WDCA") has egregiously ignored and failed to help said residents.
7. Grand Pavilion HOA has ignored and failed to help said residents.
8. The Village Garden's (Lowe project during Mrs. Haack's previous tenure) design also contributes to said noise Nuisance, Annoyance and Health Hazard. Massive overhangs which trap and reflect the sound.
9. IOP Police have failed to enforce said hotel's egregious noise disturbances; in a two (2) year period, only issuing five (5) citations. All five were during the concert from Hell (part 1) held on November 4, 2022. 9-2-5(c). Resulting is a very low Citation/Complaint ratio; even with their failure to track complaints for 1 1/2 years. Repeat Offenders!
10. Somehow, Lowe/Dart obtained a permit to build a hotel without notifying the residents.
11. Subsequently obtaining a license from IOP to operate a hotel.
12. Residents contend said hotel narcissistically invaded our neighborhood and has operated said hotel in a narcissistic manner.
13. Residents contend said hotel does not have a license to be an Annoyance, Nuisance and Health Hazard to said resident's neighborhood.
14. The proposed noise ordinance decibel levels of 75 dBA's is egregiously discriminatory and unconscionable to the residents who are located in a dense community. The IOP Administration is promoting a "one size fits all" at the expense of residents in the IOP community.
15. Round peg in a square hole.

16. The Administration's recommendations are not responsible; extremely detrimental to home values. We are not playing with Monopoly money.
17. NIH, EPA and WHO state prolonged exposure to environmental noise levels above 70 dBA's leads to permanent hearing loss.
18. EPA recommends a **maximum indoor** noise level of 45 dBA's and a **maximum outdoor** noise level of 55 dBA's.
19. NASCAR's 2023 Rules require mufflers on their cars for all short tracks and road courses; in an effort "to reduce the noise of the car for the overall fan experience".

### **RECOMMENDATIONS**

20. The Sweetgrass Inn be carved out of "Commercial Properties". Said Inn be placed in a noise zone noted as "Commercial Properties located in Residential Communities".
21. Designation noise standards: **50 dBA's; 10:00 AM to 10:00 PM.**  
**45 dBA's; 10:00 PM to 10:00 AM.**
22. Measurements: **Amplified Music/Sound**— 10 foot from the source of the noise. **Crowd noise**—Areas generally larger than 30 feet in diameter are to be measured inside at the center of the circumference. Less than 30 feet in diameter are to be measured 10 foot from the source; in direct alignment with the complainant.
23. Enforcement: fines; license suspension
24. Reasoning:
  - a). Sweetgrass Inn is surrounded by a dense number of residential homes. It is not located in a typical "commercial area".
  - b). The design and site location of said Inn places a number of residents in harms way, not of their choosing, as a result of the noise being intentionally emitted directly towards said residents.
  - c). We contend the occupancy rate in the pool area is not in compliance with state standards; compounding the noise situation.
  - d). The lack of Police Enforcement has given the Sweetgrass Inn a sense of entitlement, at the expense of IOP Residents. Time for said residents to be treated fairly. Question: How many warning tickets would we be allocated if we drove down Palm Blvd at 50 mph?
  - e). **Not the Windjammer.** Windjammer: Commercial Property located in a Commercial District. Noise from said Windjammer is of short duration (not all day and night). Windjammer is an Icon; **we do not recommend any changes which would have a negative impact on said Icon.** If people want to continue to pay admission to hear loud music (which is detrimental to their health), their decision.
  - e). Sweetgrass Inn was not invited into our neighborhood.



- f). We believe we are entitled to hear the ocean and the birds, unencumbered by the noise at the Sweetgrass Inn.
- g). We respectfully request the above measures are in place before high season commences. After two (2) years we do not deserve to hear any more nuisances.