

PLANNING COMMISSION MEETING
Kiawah Island Municipal Center
Council Chambers
March 4, 2015; 3:00PM

MINUTES

- I. **Call to Order:** *Mr. Peterson called the meeting to order at 3:00 pm.*
- II. **FOIA:** Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island
- III. **Roll Call:**
Present: Fred Peterson, Chairman
Dan Prickett, Vice Chairman
Bill Dowdy
Andy Capelli
Larry Iwan
Gale Messerman
Jack Koach
- Also Present: Dan Pennick, Charleston County Planning & Zoning
Joel Evans, Charleston County Planning & Zoning
- IV. **Approval of Minutes:**
A. Planning Commission Meeting Minutes of January 7, 2015
- Mr. Dowdy motioned to approve the minutes of the January 7, 2015 Planning Commission meeting. The motion was seconded by Mr. Koach.*
- Mr. Koach asked for clarification on a statement made in the minutes referencing the rules of procedure. Mr. Peterson stated that the minutes were correctly stated.
- Edits were made by Mr. Iwan, and Mr. Peterson. The minutes were then unanimously approved as amended.*
- B. Planning Commission Meeting Minutes of February 11, 2015
- Mr. Capelli motioned to approve the minutes of the February 11, 2015 Planning Commission meeting. The motion was seconded by Mr. Koach.*
- Mr. Iwan made several comments and asked for clarification on items concerning the proposed building permitting resolution. Edits were made by Mr. Iwan, Mr. Peterson, and Mr. Capelli. The minutes were then unanimously approved as amended.*
- V. **Old Business:**

A. Comprehensive Plan Update

Mr. Dowdy indicated that in preparing for the update of Comprehensive Plan, he and Mr. Prickett consulted with Pete Trees. Mr. Trees was involved with the 2010 update and provided them with advice and direction on the update process. He also stated that there had been a meeting with Ms. Rucker to review the availability of data from the Town. Mr. Dowdy stated that meetings with Mr. Pennick and other County staff would be ongoing to review and update each section of the plan. He noted that there would similarly be meetings with key members of the Island's stakeholders to obtain update information

B. BZA Variance Criteria Update

Mr. Peterson stated that he and Mr. Iwan were working on reviewing the BZA variance criteria and would submit it to the Commission for discussion at a later date.

VI. New Business:

A. Subdivision Waiver Request, per Article 3, Section 12-246(b)(3), from Kiawah Partners to the Town of Kiawah Island Planning Commission- Relief from 20 foot wide pavement requirement Town of Kiawah Island Road Code, Ocean Park Phases 6, 7 & 8 Preliminary Plat (SBMA-19578-P).

Mr. Pantlik, Development Director for Kiawah Partners, began discussion of the waiver request by stating that the Preliminary Plat for Ocean Park Phases 6, 7 & 8 had been presented and approved by the Planning Commission on two previous occasions. He indicated that these plats showed a 20' wide roadway and bridge that was typical on Kiawah.

Mr. Pantlik stated that after the January Preliminary Plat approval by the Commission he submitted a critical area permit with DHEC/OCRM (Department of Health and Environmental Control/ Ocean and Coastal Resource Management). He indicated he was notified by the permitting staff that an *access to coastal islands* regulation, which by his interpretation did not apply to Kiawah, did indeed apply.

Mr. Pantlik stated that DHEC Regulation 30-12.N(2)(d) would restrict them to a 15' overall width which includes the structure.;

N. Access to Coastal Islands. This section applies to applications for permits for bridges and docks as a means of obtaining access to coastal islands.

2) Eligibility to apply for a bridge permit.

(d) The Department will, however, consider applications for bridge access in the following instances:

(i) **Bridges not exceeding 15 feet in total width**

(a) where the size of the island is two acres or greater, but less than or equal to three acres, and the distance from the upland and the length of the bridge does not exceed 200 feet;

(b) where the size of the island is greater than three acres but less than or equal to five acres and the distance from the upland and the length of the bridge does not exceed 300 feet;

Mr. Peterson questioned if there will be a push back on the OCRM regulation. Mr. Pantlik indicated that there are currently two cases where the regulation is under litigation and that Kiawah Partners has reserved its rights but intends move forward with the 15' overall width.

Commission members discussed the pending cases, different interpretations of the language of the regulation, along with the present bridges that exist on Kiawah.

Mrs. Messerman questioned if the width would accommodate emergency vehicles. Mr. Pantlik stated the width exceeds the 8' required by fire apparatus and pointed out that the design includes pull offs with signage at each end for approaching vehicles. He noted the enclosed letters from the Community Association and the St. Johns Fire District supporting the construction.

Mr. Prickett questioned if the structure of the bridge design would hold the weight of the heaviest fire apparatus. Mr. Pantlik referred to the Town's Road Code and that compliance was a requirement for approval, but indicated that if the bridge must accommodate a 42 ton apparatus that would require further review or study. He expressed his confusion as to why an apparatus used to fight fires in a five and six story structure would need to access a three lot island.

Commission members discussed limiting access over the bridge to local travel and the recommendation for proper signage. Members also discussed existing private access bridges on the Island that are under 20', the permitting process and adherence to the fire code that requires a 20' access road. Mr. Pantlik pointed out that in the waiver request was a requirement that the homes built on the island be equipped with residential sprinkler systems.

Mr. Iwan suggested approving the waiver on the condition that the fire department accepts the construction of the bridge. Mr. Pantlik suggested approving the waiver subject to the approval of the fire official of the Town. Mr. Capelli requested, as a safety issue, the addition of verbiage that would require signage limiting travel on the bridge to residents and guests. Members indicated that restriction signage would be an issue decided by the Community Association in the future.

Mr. Iwan made a motion to approve the waiver as submitted on the condition that the appropriate fire official concurs and approves the fire access in all respects. The motion was seconded by Mr. Prickett. Commission members voted 6 to 1 to pass the motion, Mr. Capelli voting No.

VII. Correspondence/Staff Comments:

Mr. Peterson noted that Commission Members received a copy of the letter written by Mr. Pennick to Mr. Eisner referencing the dock applications in Ocean Park.

VIII. Council Liaison Comments:

None

IX. Public Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick stated that she felt safety should always be the overriding issue in any topic and indicated that no one in the room including Mr. Spicher, the Town building official, has as much experience as the St. Johns Fire Chief and that her comments should be very seriously considered. She also indicated that she was not sure that the motion passed included all additional requirements the Fire Chief asked for with the exception of working out the weight requirement of the 42 ton apparatus.

Members indicated that the motion was approved with the additional requirements.

She indicated that if she was a homeowner with a three or four story home she would want the best equipment available in the case of an emergency. She also hoped that the construction material of the bridge would be appropriate for the conditions.

Mr. Pantlik assured her that it would be a concrete bridge.

X. Commissioner Comments:

Mr. Capelli stated that the resolution to amend the Town's Building Ordinance that was passed last month will be presented to Town Council for their consideration and hopeful approval at the March 10th meeting.

Mr. Capelli also noted that there was a meeting held by Town staff for Contractors that reviewed the permitting process. He indicated that the confusion in the permitting process stands out very clearly in the materials that were distributed and will be part of the conversation and a recommendation will be made at the Council meeting.

Mr. Prickett – no additional comment

Mr. Iwan – no additional comment

Mr. Dowdy – no additional comment

Mrs. Messerman - no additional comment

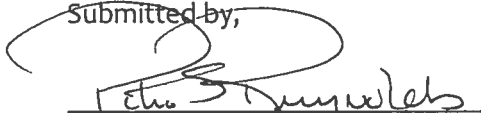
Mr. Koach - no additional comment

Mr. Peterson indicated that he had no additional comment.

XI. Adjournment:

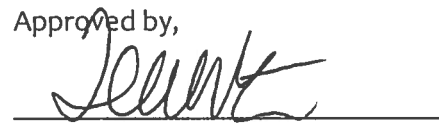
Mrs. Messerman made a motion to adjourn the meeting at 3:53 pm. The motion was seconded by Mr. Capelli and was unanimously passed.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Fred M. Peterson, Chairman

5/26/15

Date