

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, August 13, 2008, in the Executive Conference Room, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT

Ms. Hillary Austin, Zoning Administrator
Mr. Arthur Cummings, Building Codes Director
Ms. Delores Frazier, Assistant Planning Director
Mr. Robert Klink, County Engineer

MEMBERS ABSENT

None

STAFF PRESENT

Mr. Tony Criscitiello, Interim Deputy Administrator
Ms. Audra Antonacci, Codes Enforcement Supervisor
Mrs. Lisa Glover, Zoning Analyst III
Mr. Colin Kinton, Traffic Engineer

1. CALL TO ORDER: Mr. Criscitiello called the meeting to order at approximately 11:03 a.m.

Mr. Criscitiello explained, that the members of the Development Review Team reviewed each item independently and provided their comments to the Zoning Administrator.

2. REVIEW OF MINUTES:

MOTION: Ms. Austin made a motion to review and approve the minutes at the next scheduled meeting. Ms. Frazier seconded the motion. The motion passed (FOR: Austin, Cummings, Frazier; ABSTAINED: Klink).

3. SHEPHERD'S HOUSE (FINAL)

Mr. Klink stated, that the applicant shall submit a minor drainage report, showing where the drainage goes with elevations, instead of arrows.

Mr. Criscitiello read the Development Review Team's recommendation letter, dated August 6, 2008. Mr. Criscitiello asked Ms. Austin, "Did the applicant address the comments on the recommendation letter?"

Ms. Austin answered, "No".

Mr. Alan Glassberg representative for the applicant stated, that the sanctuary is for future development, and he wants to locate it on the plans as part of the master plan. Mr. Glassberg stated, that he created a phasing drawing in response to the recommendation letter, and he thought that the Development Review Team wanted to have everything laid out at final approval.

Ms. Frazier stated, that she recommends that the applicant does not show the future sanctuary site on the construction plans, because it's not going to be constructed at this time.

Ms. Austin stated, that 85 percent of the site has to be open space, so the applicant should show the future sanctuary to ensure they have the required open space and preserved natural resources, in

compliance with the zoning ordinance. Mr. Austin asked Mr. Glassberg, "Are there existing vegetation in the buffers?"

Mr. Glassberg stated, that there are existing trees on the site. Mr. Glassberg stated, that he doesn't understand why they have to spend \$25,000.00 to revegetate the side buffers as specified by the zoning ordinance, for a small daycare center.

Ms. Frazier stated, that Judy Timmer, Corridor Review Board Planner and Amanda Flake, Natural Resource Planner shall visit the site to view the existing vegetation in the buffers, and to determine if additional plantings are required. Ms. Frazier stated, that if it is determined that additional plantings are required; the applicant shall provide a landscape plan as part of the project.

Mr. Criscitiello stated, that if the buffer needs to be revegetated, the landscape plan shall be submitted prior to the issuance of the development permit.

MOTION: Ms. Frazier made a motion to approve the project subject to, the applicant revising the plans, labeling the preserved natural resource areas and the open space areas. The applicant shall submit a minor drainage report, to be approved by the county engineer. Judy Timmer, Corridor Review Planner and Amanda Flake, Natural Resource Planner shall visit the site to view the existing vegetation in the buffers; if it is determined that the additional plantings are required, the applicant shall provide a landscape plan as part of the project. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

4. COLLETON RIVER – GOLF COURSE TREE REMOVAL (FINAL)

Mr. Criscitiello read the recommendation letter dated August 6, 2008.

Mr. Lamar Mercer, Thomas & Hutton Engineering stated to the board, that the trees, which were shown within the golf course corridor was shown to be mitigated on a tree per tree basis. Mr. Mercer asked Ms. Austin, "Does the ordinance now require the trees to be mitigated inch by inch basis?"

Ms. Austin stated, anything outside of the active playing area has to be mitigated inch by inch.

Mr. Mercer stated, that an arborist prepared a tree removal plan and indicated that the trees, which were proposed to be removed, are dead or diseased. Mr. Mercer stated, that they are asking for the priority trees, which are dead or diseased to be removed. Mr. Mercer asked, "Does the trees have to be mitigated if they are dead or diseased?"

Ms. Austin stated, that the 1990 ordinance does not address removal of dead or diseased trees.

Mr. Criscitiello stated, that the 1990 ordinance standards shall take precedence over the 1999 ordinance, if the PUD document addresses the golf course standards.

Ms. Austin stated, that the current ordinance does not address or exempt tree removal in the golf courses for dead and diseased trees; but the 1990 ordinance does address those standards.

Mr. Mercer stated, that the arborist report indicates that the trees were damaged through storms and age of the tree.

Mr. Criscitiello stated to the board, that if the trees are dead or dying then the applicant should be able to cut the tree down.

Mr. Klink stated, that the applicant shall submit the arborist report indicating, that the trees are dead or diseased due to various storms and the age of the tree.

MOTION: Mr. Klink made a motion to approve the project subject to, the applicant providing the arborist report, indicating that the trees are dead or diseased due to various storms and the age of the tree. The Natural Resource Planner, Amanda Flake shall visit the site to verify the report, and the applicant shall submit a tree mitigation plan, replacing the trees (tree per tree). Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

5. KENZIE PARK S/D – PHASE 1 (PHASING PLAN)

Mr. Klink asked Dwayne Wilson, “Are both of the lagoons built?”

Mr. Dwayne Wilson, Thomas & Hutton Engineering explained, that the first lagoon is completed, and the second lagoon is under construction.

Ms. Austin stated, that the second lagoon should be in a different phase. Ms. Austin stated, that the applicant shall show in the phasing plan, the existing lagoon, and the required open space within that area to include the wetlands, trails, etc. Ms. Austin stated, that the recordable plats and the approved phasing plan shall look exactly alike; so the applicant shall add some open space, wetland, natural resource in the areas or show all of them at one time in phase 1.

MOTION: Mr. Klink made a motion to approve the phasing plan subject to, the applicant showing on the phasing plan the entire site, to include the lagoons, natural resource areas, open space, walking trails, etc. The first lagoon and the open space/natural resource areas shall be a part of Phase 1. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

6. LOT 4, BROWN’S BLUFF S/D (REVISIT/RIPRAP)

Ms. Frazier stated, that Judy Timmer and Amanda Flake visited the site to look at the buffer; the applicant provided a revised landscape plan, which was signed off. Ms. Frazier stated, that in terms of the replanting of the buffer, she would like to recommend approval of the landscape plan.

Mr. Klink stated, that he agrees with the recommendation to approve the revised landscape plan.

Ms. Frazier asked the applicant, “How are you planning on getting the equipment to the dock?”

Mr. McBride stated, that he is planning to go through the existing temporary access.

Ms. Frazier stated, that the applicant shall not use the illegal access to get to the dock.

Mr. Criscitiello stated, that the first thing that has to occur, is the restoration of the buffer in accordance with the landscape plan; the stop work order will not be lifted until the buffer is restored.

Mr. Brian Pennell, Key Engineering Company explained to the board, that he reviewed the plans and determined that the riprap wall would be a constructually sound wall.

Mr. Vaux, representative for the two adjacent property owners on both sides of the property; the property to the east is owned by Ms. Cardino, and the property to the west is owned by the Roller Trust. One of the beneficiary’s of the trust has hired him to speak on his behalf. Mr. Vaux stated, in regards to the riprap, it extends almost 25 feet over the line in front of Ms. Cardino’s property; on the Roller’s side, a survey is being done to determine the extension of the riprap. Mr. Vaux asked the board to defer the approval until they figure out what the impact of the riprap would do in front of the property. Mr. Vaux stated, that they strongly oppose to any unnecessary activity taking place in the buffer.

Mr. Klink stated, that for the record, the Development Review Team can only approve the mitigation of what’s been done in the buffer, and defer any decision on the adjacent property based on Mr. Vaux’s comments.

Mr. Paul McBride stated, that since they submitted all of the required information that was written on the stop work order, and since the site is in the middle of construction, which is not affected by the river-buffer, he would like the Development Review Team to lift the stop work order, so they can proceed with the infrastructure and the pond part of the subdivision. Mr. McBride stated, that they submitted a bond to the county and there are additional funds to cover the work in the river-buffer.

Mr. Larry Brown stated to the board, that Ms. Cardino's son-in-law asked the Nix Company people to put rocks on his shorelines, and he just wanted to give the Development Review Team that additional information.

Mr. McBride stated, that they are going nowhere near the buffer; the stop work order addresses the violation going into the buffer, and most of the work would be done within 500 yards from the buffer. Mr. McBride stated, that they ordered \$65,000.00 worth of rock, and they respectfully agree to wait for the rock revetment, but he does not understand the stopping of the infrastructure. Mr. McBride asked the Development Review Team to allow them to continue the infrastructure.

Ms. Audra Antonocci stated, that she issued four citations for various things on the property, and those citations will be reviewed by the court system.

Mr. McBride asked Ms. Austin, "Can we amend the bond to cover the buffer part of the violation?"

Ms. Austin stated, that if the county accepts the bond, the plats have to be stamped, and she's not ready to stamp the plats until the restoration of the buffer is completed.

Mr. McBride asked, "Is the Development Review Team approving the 46" Laurel Oak tree to be removed?"

Ms. Austin answered, "The tree is not being approved to be removed".

Ms. Frazier stated, that the landscape plan shows the tree to be saved. Ms. Frazier stated, that Judy Timmer and Amanda Flake did not make a determination as to whether the tree should be removed, but they agreed with the submitted landscape plan. Ms. Frazier stated, that if the applicant removes the tree, the landscape plan would have to be revised, to show the mitigation of the tree.

Mr. Vaux stated, that Ms. Cardino's son-in-law informed him, that the Nix Company people told him that they were required to put rocks on the shorelines. Mr. Vaux asked the Development Review Team, that until the bluff is mitigated, restored and protected that nothing would happen on the property.

MOTION: Mr. Klink made a motion to approve the after-the-fact rock revetment, subject to the applicant restoring the buffer in accordance with the revised landscape plan. The 46" Laurel Oak tree is not approved for removal without revising the landscape plan to mitigate that tree. The stop work order for the subdivision is still in effect until the buffer is restored. The Development Review Team will consider lifting the stop work order after the buffer is restored, and all landscaping is planted, inspected, and a two-year tree survival bond has been posted with the county. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

Mr. Criscitiello informed the applicant, that if they disagree with the motion, they have an option to appeal the Development Review Team's decision to the Planning Commission within 30 days.

7. LOT 1, BIG OAK STREET (REVISIT/BULKHEAD)

Ms. Austin stated, that the applicant shall submit a revised landscape plan, showing the location of the large oak tree and the tree protection zone, to ensure that there will be no disturbance within the protection zone.

MOTION: Ms. Austin made a motion to approve the bulkhead subject to, the applicant revising the landscape plan, showing the large oak tree and the protection zone, to ensure there will be no disturbance within the protection zone. Mr. Klink seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

8. CANE ISLAND – LOT 2A, BAY DRIVE (BULKHEAD)

Mr. Klink stated, that he recommends approval.

MOTION: Mr. Klink made a motion to approve the bulkhead request as submitted. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

9. FRIPP ISLAND – LOT 5, PIKE DRIVE (RIVER BUFFER PERMIT EXTENSION)

Mr. Klink stated, that he recommends approval to extend the river-buffer approval.

MOTION: Mr. Klink made a motion to approve the permit extension. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

10. CAT ISLAND – LOT 56, SHEFFIELD AVENUE (RIVER-BUFFER WAIVER)

Mr. Klink stated, that he recommends approval as submitted.

MOTION: Mr. Klink made a motion to approve the river-buffer waiver, and place the house 20' from the OCRM critical line. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

11. BARREL LANDING PARCEL E (REVISIT/CONCEPTUAL)

Ms. Frazier stated, that the 13" Red Oak tree shall be protected, by rearranging the parking area and placing an island around the tree.

MOTION: Mr. Klink made a motion to conceptually approve the project, with the following conditions; the applicant shall rearrange the parking area to place an island around the 13" red oak tree, in order to save the tree. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

12. DUCOIN @ HABERSHAM (REVISIT/CONCEPTUAL)

Mr. Klink stated, that he recommends approval, because this project is in accordance with the Planned Unit Development document.

Ms. Frazier stated, that at final submission, the applicant shall show on the final plans the proposed sidewalk being linked to the existing sidewalk.

MOTION: Mr. Klink made a motion to approve the project subject to; the applicant showing on the final plans the proposed sidewalk being linked to the existing sidewalk. Mr. Cummings seconded the motion. The motion passed unanimously (FOR: Austin, Cummings, Frazier, Klink).

The meeting adjourned at approximately 12:05 p.m.