

The scheduled meeting of the Beaufort County Development Review Team was held on Wednesday, August 26, 2009, in the Executive Conference Room, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

#### **MEMBERS PRESENT**

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

#### **MEMBERS ABSENT**

Mr. Arthur Cummings, Building Codes Director

#### **STAFF PRESENT**

Mr. Tony Criscitiello, Planning Director  
Mrs. Amanda Flake, Natural Resource Planner  
Mrs. Lisa Glover, Zoning Analyst III  
Mrs. Audra Antonacci-Ogden, Codes Enforcement Supervisor  
Mr. Tim Ogden, Beaufort County Fire Marshall

**1. CALL TO ORDER:** Mr. Criscitiello called the meeting to order at approximately 11:11 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: Mr. Klink made a motion to approve the minutes as submitted. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).**

#### **3. OLD SEABROOK SUBDIVISION (FINAL)**

Ms. Austin read into the record, the recommendation letter, dated August 19, 2009.

Mr. Ryan Lyle with Andrews & Burgess Engineering explained to the board, that he spoke with a representative from Dhec, Mr. Campbell, to let him know that the septic permits differ from what he came up with in the field; Mr. Campbell agreed, that they have flexibility to shift some of the septic systems.

Ms. Austin stated, that the shared access easement does not match what's on the septic permit.

Ms. Frazier stated, that she would like the applicant to meet with Ms. Austin and the Planning staff, to discuss the discrepancies on the recommendation letter.

Ms. Austin stated, that the applicant was required to plat the lots to the mean high water.

Mr. Lyle stated that, at the meeting, Ms. Austin informed him that they had an option to plat all the way to the mean high water or leave an open space strip, because they were planning to grant a portion of the property to the Open Land Trust. Mr. Lyle stated, that the strip of land between the critical line and the mean high water is going to be deeded to the property owners associations, as stated in the Covenants and Restrictions.

Ms. Austin stated, that lot 5 is not fully defined, because there's no measurements in the rear; lot 16 has no line table on it. Ms. Austin also stated, that the natural resource area need to be shown on the plat; and the Covenants and Restrictions seem to contradict the recorded conservation easement document.

Mr. Klink stated, that he would like to recommend the project be deferred, until the applicant meets with staff to discuss the discrepancies on the recommendation letter.

**MOTION: Mr. Klink made a motion to defer the project until the applicant meets with staff to discuss items 1-4 of the recommendation letter, dated August 19, 2009. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).**

#### **4. ERNEST DRIVE MINING (SPECIAL USE/CONCEPTUAL)**

Mr. Criscitiello stated, that since this project is scheduled to go before the Zoning Board of Appeals tomorrow, he doesn't think this board has all of the information to make a recommendation to the ZBOA.

Mr. Greg Baisch with Ward Edwards stated to the board, that he did not receive the recommendation letter from the Development Review Team.

Mrs. Glover showed the Development Review Team the fax confirmation, from the letter that was sent to Mr. Baisch and the applicant.

Mr. Klink stated, that he would like to recommend deferral of this project, based on the fact that the Development Review Team is unable to make a recommendation to the Zoning Board of Appeals.

Ms. Frazier seconded the motion.

Mr. Greg Baisch with Ward Edwards asked the board, to go over the recommendation letter with him.

Ms. Austin read into the record the recommendation letter dated August 19, 2009.

Mr. Criscitiello stated, that the rule of procedure is, that the Development Review Team makes a recommendation prior to going to the Zoning Board of Appeals. Mr. Criscitiello asked the Development Review Team, "How can we make a recommendation without all of the information?"

Ms. Frazier asked, "Isn't there a motion on the floor to defer the project?"

Mr. Baisch stated, that it seems to be minor changes from the recommendation letter.

Mr. Klink asked Mr. Baisch, "Could the information be submitted to the Zoning office, by close of business today?"

Mr. Baisch answered, "Yes".

*Mr. Criscitiello called for public comment.*

Mr. Reed Armstrong, resident of St. Helena and member of the Community Preservation and Cultural Overlay District Committee on St. Helena Island stated to the board, that one of the requirements with a special use permit is a Community Impact Statement, and he would suggest that the Development Review Team make it a condition, that the Community Impact Statement goes before the CPCPO committee before it can be approved, because of the impact to the community.

Mr. Jonathon Brown, CP chair for St. Helena Island community stated to the board, that this area is right next door to his property, and he's concerned because it's some things in the narrative that's going to impact his home; he's concerned about the guidelines being followed to the max, because his bedroom would be 400 feet from the site, so he has concerns on a personal nature.

Mr. Criscitiello explained to the citizens, that this project will be on the Zoning Board of Appeals agenda for a public hearing, and they're invited to speak to the Zoning Board of Appeals regarding the special use permit.

Ms. Austin asked Mr. Brown, "Did you receive a letter from the applicant?"

Mr. Brown answered, "No, I was never informed about this project. I saw the sign on the property".

Ms. Austin stated, that she would check into that.

Mr. Klink stated, that the Zoning Board of Appeals meeting is tomorrow in Council Chambers at 5:00 p.m.

Ms. Austin stated, that if the property owners were not properly notified, the project will not be before the Zoning Board of Appeals tomorrow.

Mrs. Glover stated, that everyone was properly notified.

Ms. Frazier asked Ms. Austin to read into the record, Section 106-1360 (a)(3) of the Zoning & Development Standards Ordinance.

Ms. Austin stated, per Section 106-1360 (a)(3) of the Zoning & Development Standards Ordinance, "If groundwater will be encountered, the EIA must indicate the following: (a) Probable maximum pumping rates and cone of depression impacts on surrounding public and private wells and long term water table. (b) Disposal method for pumped water and its effect on water quality and flooding. (c) Studies shall be done before application submittal, to ensure that pumping during the active use of the site will not result in groundwater contamination or salt-water intrusion. Monitoring wells shall be installed to monitor this. Should groundwater contamination or salt-water intrusion occur, the county shall require the mine to be closed immediately and require the mine operator/landowner to undertake corrective action and pay for any damages resulting from the operation. The mine operator shall be strictly liable for any harm to adjacent properties".

Ms. Frazier asked, "Has the first two items of Section 106-1360 (a)(3) been done?"

Mr. Baisch answered, "It was done in order to get the Dhec permit".

Ms. Austin stated, that the board did not receive a Dhec permit.

Mr. Baisch stated, that he sent a copy of the mining permit.

Ms. Austin stated, that the mining permit was exempt since the dirt was going to SCDOT.

Ms. Frazier asked Mr. Baisch, to send the Development Review Team a copy of what was sent to Dhec.

Ms. Austin asked Mr. Baisch, "Where does the monitoring wells go?"

Mr. Baisch answered, "That will be done during construction".

Ms. Austin asked Mr. Baisch, "Do they go on the site?"

Mr. Baisch answered, "Yes".

Ms. Austin stated, that she doesn't see the monitoring wells on the plans.

Mr. Baisch stated, that the monitoring wells would be determined during construction.

Ms. Austin asked Mr. Baisch to provide a copy of the documents that was sent to Dhec for the issuance of NPDES General Permit # SCG731056.

**MOTION:** Mr. Klink made a motion to conceptually approve the project, subject to the applicant submitting all of the information from the recommendation letter dated August 19, 2009, by close of business today. Ms. Frazier seconded the motion. The motion passed unanimously (FOR: Austin, Frazier, Klink).

**5. DATAW ISLAND – GOLF COURSE TREE REMOVAL (PERMIT EXTENSION)**

Ms. Frazier stated, that she recommends approval of the permit extension.

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

*The meeting adjourned at approximately 11:45 a.m.*