



COUNTY COUNCIL OF BEAUFORT COUNTY

Community Development Department

Beaufort County Government Robert Smalls Complex
Administration Building, 100 Ribaut Road, Room 115
Mailing: Post Office Drawer 1228, Beaufort SC 29901-1228
Phone: (843) 255-2140 • FAX: (843) 255-9432

PLANNING COMMISSION

MONDAY, June 4, 2018

6:00 p.m.

Council Chambers, Administration Building
100 Ribaut Road, Beaufort, South Carolina

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting.

1. COMMISSIONER'S WORKSHOP – 5:30 P.M.
Community Development Office, Room 115, Administration Building
2. REGULAR MEETING – 6:00 P.M.
Council Chambers, Administration Building
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. REVIEW OF MEETING MINUTES FOR FEBRUARY 5, 2018 ([backup](#))
6. CHAIRMAN'S REPORT
7. PUBLIC COMMENT ON NON-AGENDA ITEMS
8. SOUTHERN BEAUFORT COUNTY STREET NAME CHANGE PETITION FROM CONEY ISLAND LANE TO DOGFISH LANE, NEAR THE INTERSECTION OF HODGE AVENUE AND SAWMILL CREEK ROAD, BLUFFTON; APPLICANT: ROBERT A. GOSSETT ([backup](#))
9. MAP AMENDMENT TO THE BEAUFORT COUNTY COMPREHENSIVE PLAN, CHAPTER 4: FUTURE LAND USE MAP 4-9 TO: ([backup](#))
 - A. REMOVE THE HAMLET PLACE TYPE ON THE BUCKINGHAM LANDING COMMUNITY AT THE FOOT OF THE BRIDGE TO HILTON HEAD ISLAND;
 - B. CHANGE THE VILLAGE PLACE TYPE THAT CORRESPONDS WITH THE HILTON HEAD NATIONAL PROPERTY AT THE CORNER OF BLUFFTON PARKWAY AND MALPHRUS ROAD TO A HAMLET PLACE TYPE.--AND--

MAP AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE, PREAMBLE, DIVISION P.20, PAGES P10 AND P-11 TO:

 - A. REMOVE THE HAMLET PLACE TYPE FROM THE BUCKINGHAM LANDING COMMUNITY AT THE FOOT OF THE BRIDGE TO HILTON HEAD ISLAND;
 - B. CHANGE THE VILLAGE PLACE TYPE THAT CORRESPONDS WITH THE HILTON HEAD NATIONAL PROPERTY AT THE CORNER OF BLUFFTON PARKWAY AND MALPHRUS ROAD TO A HAMLET PLACE TYPE.



10. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 3, SECTION 3.3.50 REGIONAL CENTER MIXED-USE TO PERMIT UNIT-PER-UNIT CONVERSION OF LODGING TO MULTI-FAMILY – AMENDED TO:

AN ORDINANCE ESTABLISHING A CONDITION USE FOR AFFORDABLE HOUSING DEVELOPMENTS IN THE REGIONAL CENTER MIXED USE (C5) ZONE DISTRICT ([backup](#))

11. ADMINISTRATIVE APPEAL OF THE STAFF REVIEW TEAM (SRT) APPROVAL OF A 25-LOT SUBDIVISION (R200 015 000 0558 0000, -0559 0000, & -0560 0000; KNOWN AS LOTS 7, 8, AND 9 OF ACADEMY PARK SUBDIVISION) ON FAIRFIELD AND ALUMNI ROADS AND FACULTY DRIVE, LADY’S ISLAND; APPELLANTS: RICHARD S. BOLIN, ET. AL. ([backup](#))

12. NEW/OTHER BUSINESS:

A. New Business

B. Other Business: Next Scheduled Regular Planning Commission Meeting: Monday, July 2, 2018, at 6:00 p.m. in Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, South Carolina

13. ADJOURNMENT



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Community Development Department

Beaufort County Government Robert Smalls Complex
Physical: Administration Building, 100 Ribaut Road, Room 115
Mailing: Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: 843-255-2140 / FAX: 843-255-9432

The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Monday, February 5, 2018, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman
Mr. Jason Hinchler

Ms. Diane Chmelik
Mr. Ed Pappas

Mr. Kevin Hennelly

Member Absent: Dr. Caroline Fermin, Mr. Harold Mitchell, Mr. Randolph Stewart/Vice-Chairman, and Vacancy (St. Helena Island representative/formerly Marque Fireall)

Staff Present:

Mr. Anthony Criscitiello, Community Development Director
Mr. Robert Merchant, Assistant Community Development Director
Mr. Eric Greenway, Interim Community Development Director
Ms. Barbara Childs, Administrative Assistant to the Community Development Director

CALL TO ORDER: Chairman Robert Semmler called the meeting to order at approximately 6:00 p.m.

PLEDGE OF ALLEGIANCE: Mr. Semmler led those assembled in the Council Chambers with the pledge of allegiance to the flag of the United States of America.

REVIEW OF MEETING MINUTES: The Commissioners reviewed the December 4, 2017 minutes.
Motion: Mr. Jason Hinchler made a motion, and Mr. Ed Pappas seconded the motion, **to accept the minutes as written.** The motion **carried (FOR: Chmelik, Hennelly, Hinchler, Pappas, and Semmler; ABSENT: Fermin, Mitchell, Stewart, and Vacancy/St. Helena Island representative).**

CHAIRMAN’S REPORT: Mr. Semmler apologized in advance for his illness, should he have any coughing fits during the proceedings. He noted that the Lady’s Island Area Plan Steering Committee would meet on February 20, with a public meeting on February 21—the location to be announced at a later date. The Beaufort County Council Leadership and Strategic Planning sessions will be Friday and Saturday, February 9 and 10, at the Disability and Special Needs Building. *(Note: The sessions actually will be held in the Conference Room, Buckwalter Regional Park, 905 Buckwalter Parkway, Bluffton, SC.)*

Mr. Anthony Criscitiello introduced his replacement--Mr. Eric Greenway. Mr. Greenway started on January 22. He will replace Mr. Criscitiello upon his retirement on May 1, 2018. Mr. Criscitiello stated that Mr. Greenway is a competent planner who will guide and influence the government in the future. Mr. Criscitiello noted that Mr. Robert Merchant has assisted in the transitioning between Mr. Criscitiello and Mr. Greenway. Mr. Criscitiello said he looked forward during his transition to retirement to assisting the Community Development department and providing guidance to County Council and the County Administrator.

Mr. Eric Greenway said he looks forward to working with the Commission. He is excited and honored to be chosen to follow in the footsteps of Mr. Criscitiello, as his role transitions. He stated he is not carrying a title because he is in a support function through the transition. We have a strong planning department in Beaufort with very capable people. Mr. Greenway is glad to be a part of that team to continue the great things that have been started. The Commissioners enthusiastically welcomed him.

PUBLIC COMMENT on non-agenda items: None were received.

DAUFUSKIE ISLAND (DI) PLAN UPDATE

Ms. Deborah Smith, a Daufuskie Island Councilmember and Chairman of the DI Plan and Code Committee, briefed the Commission. She noted that two DI property owners who have donated their services pro-bono in updating the plan. She appreciated the interest the Commission has in this project.

Ms. Beverly Davis with RS&H, noted that she along with Sonny Timmerman of Complete Communities, and Ecological Planning Group were part of the consulting group of the project. She briefed the Commission on the specifics of the project and the forthcoming steps. The update is a DI Council initiative. She noted the on-going public participation, development of character areas, and the draft plan is underway. Hurricane Irma cause some delay. They have held two community workshops with 35 attendees each. They have issued two community surveys, and provided an update to the DI Council. The first survey remarkably generated almost 400 responses, with 50% from Haig Point, 20% from the Historic District, and 46% of full-time DI residents. She gave details of the first survey, including the top three things about DI--the geographic location with no bridge, the quietness, and the slower pace of life. They have developed a Final Vision that she shared with the Commission. The group collected data of existing conditions. There are 2,400 parcels on the island, 71% are undeveloped. Approximately 64% of DI are at high risk of flooding. They mapped community resources and zoning, and looked at the character areas. About 40% of DI are in PUDs. At the second community workshop, the attendees were divided into three working groups. The results of the second survey agreed with most of the character areas and the overall strategies recommended by the consulting group. The next steps include developing the draft plan update. Another community workshop is planned to reveal the draft plan.

Commission discussion included how the plan affects Planned Unit Developments/PUDs (*Ms. Davis stated that the plan is focused outside of the existing PUDs since the PUD requirements were set when they were approved. Mr. Criscitiello stated that the plan takes over when the PUD is silent on regulations.*), and concern that the lighting at the Savannah ferry port would adversely affect the DI environment/wildlife.

Mr. Semmler thanked Ms. Davis for the presentation.

PORT ROYAL ISLAND STREET RENAMING OF THE EASTERN PORTION OF CRYSTAL STREET AT THE BEGINNING OF THE RIVER WATCH POINT SUBDIVISION TO BE RENAMED WATCH POINT (INVOLVING 5 PARCELS IN THE STUART POINT AREA); APPLICANT: RIVER WATCH POINT HOMEOWNERS ASSOCIATION (AGENT: MR. KEVIN JOHNSON)

Mr. Robert Merchant briefed the Commissioners. Crystal Street is a paved road and becomes unpaved at the River Watch subdivision where a white gate crosses the road. He noted that the five property owners involved had no issue with the street name change.

Commission discussion included querying whether paving the dirt road would be problematic-ownership or maintenance-wise (*Mr. Merchant said no, and went on to explain the street renaming process.*), and querying whether "Point" was a normal nomenclature in County street names.

Applicant's Comment: Mr. Kevin Johnson, the applicant, stated that E-911 is under the impression that the street renaming would be Watch Point. (*Mr. Semmler said he had seen Point at other places also.*)

Motion: Mr. Jason Hincer made a motion, and Mr. Kevin Hennelly seconded the motion, **to approve the Port Royal Island Street Renaming of the eastern portion of Crystal Street at the beginning of the River Watch Point Subdivision to be renamed Watch Point (involving 5 parcels in the Stuart Point area).** No further discussion occurred. The motion carried (**FOR: Chmelik, Hennelly, Hincer, Pappas, and Semmler; ABSENT: Fermin, Mitchell, Stewart; and VACANCY: St. Helena Island representative.**)

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), ARTICLE 3, SECTION 3.3.50 REGIONAL CENTER MIXED USE (C5) ZONE STANDARDS

(TO ALLOW HOTEL TO APARTMENT CONVERSION ON UNIT TO UNIT BASIS); APPLICANT: MICHAEL KRONIMUS

Mr. Robert Merchant briefed the Commissioners on the text amendment. The new owners of the Bluffton Suburban Lodge, located east of Lowe's along Highway 278, behind MacDonald's, are interested in turning the extended-stay hotel, unit for unit, into efficiency apartments. The building was built in 2000. The project is located in the C5 regional center mixed-use district where hotels and multi-family uses are permitted; however 150 units on 3.13 acres is problematic since the multi-family use density is 15 units per acre. Staff recommended a text amendment; however, Staff made several provisions including the hotel having existed for five years rather than using the amendment to bypass the density issue, building code issues being separate from the CDC, and parking issues with hotels requiring 1 space per room versus 1.25 spaces per apartment. The existing site has parking issues. Traffic impacts for apartments are considered nominally greater than a hotel. Staff recommends approval since smaller units could possibly provide a niche in the lower-end housing supply. He noted that the county is going through a housing needs assessment and the results may expand or move this amendment to another zoning district.

Commission discussion included whether the owner did a market research on the demand of studio apartments.

Applicant's Comment: Mr. Michael Kronimus, the applicant, noted there was a huge demand for that type of housing in that location. Service staff levels are not being met on Hilton Head Island; work force housing is needed. These units are 500 to 700 square feet. We can combine the rooms to form 1-bedrooms, since most are studio apartments. A parking issue exists. Workforce housing is the aim; however, some tenants won't have vehicles, so parking may not be the problem since there is access to a major thoroughfare for tenants to take a bus or Uber.

Additional Commission discussion included querying whether the intent is to market as workforce housing, concern with the lack of firewalls for apartments, fearful of unintended consequences since the text amendment could be used in other zones where hotels transfer ownership but property deterioration is not addressed, querying whether regional significance was addressed regarding notifying municipalities of the proposed text amendment (*Mr. Merchant said this amendment did not trigger the regional significance aspect so he had not notified the municipalities.*), noting the logical evolution from hotel to multi-family, noting the cramped and confined space of the specific inn that led to this proposed text amendment, concern that a density capacity has not been set, noting the lack of amenities for children on the site, concern that there are no schools within walking distance of the property and school buses access would be problematic, concern that the amendment would allow more hotel to apartment conversions throughout the County, desiring input from the School District and the municipalities, querying the average occupancy rate of area hotels, affirming that the municipalities have a desperate need for affordable housing, querying when the workforce housing assessment would be completed (*Mr. Merchant noted that the target draft was set for March 2018.*), querying how soon the Commission could receive input from the municipalities on the proposed text amendment, and noting that the Town of Bluffton had an Affordable Housing Committee.

Mr. Kronimus noted, in regards to firewalls, that that building codes requirement would be addressed in another process. In regards to other zones using the text amendment, only a small amount of zones would allow the hotel to multi-family conversion. Mr. Kronimus stated that parking at the proposed site would not be met with the existing regulations.

Mr. Merchant reiterated that the parking requirements can be increased or decreased by 20%, but the applicant must submit a parking study that will be reviewed by the County Traffic Engineer. He noted that the site has no access to the Bluffton Parkway or to the trail. He stated that the Staff doesn't want to create a parking problem because there is nowhere to park offsite.

Mr. Kronimus noted that the bottom line is if the text amendment is approved, it doesn't mean that project will be approved. This is truly a workforce housing opportunity. This is a C5 zone that is the most dense zoning

allowed in Beaufort County. He stated that the owner could raze building and build another unit with higher density on the 3.2 acre property. This location could be downzoned to a T-zone to allow a higher density. There are various items that must be met by Building Codes so there's a long way to go. The property is next door at a T4 zone with an unlimited density, but the parking calculation must be met.

Public Comment: None was received.

Motion: Mr. Ed Pappas made a motion, and Ms. Diane Chmelik seconded the motion, **to recommend to County Council a denial of the Text Amendment to the Beaufort County Community Development Code (CDC), Article 3, Section 3.3.50 Regional Center Mixed Use (C5) Zone Standards (to allow hotel to apartment conversion on unit to unit basis) because the Housing Needs Assessment had not been completed.** Discussion included a clarification of the motion. The motion **failed (FOR: Chmelik and Pappas; AGAINST: Hennelly, Hincer, and Semmler; ABSENT: Fermin, Stewart, and Vacancy/St. Helena Island Representative).**

Motion: Mr. Jason Hincer made a motion, and Mr. Kevin Hennelly seconded the motion, **to recommend to County Council approval of the Text Amendment to the Beaufort County Community Development Code (CDC), Article 3, Section 3.3.50 Regional Center Mixed Use (C5) Zone Standards (to allow hotel to apartment conversion on unit to unit basis) with the condition that input should be received from the municipalities that are affected and their respective affordable housing committees.** The motion **passed (FOR: Hennelly, Hincer, and Semmler; AGAINST: Chmelik and Pappas; ABSENT: Fermin, Stewart, and Vacancy/St. Helena Island Representative).**

NEW/OTHER BUSINESS:

- **New Business:** Mr. Semmler noted that the annual elections for Commission officers would be held during the Commission's March 2018 meeting to insure that a large number of Commissioners are present for the elections.
- **Other Business:** None were discussion.

ADJOURNMENT: Motion: Mr. Ed Pappas made the motion, and Mr. Jason Hincer seconded the motion, **to adjourn the meeting.** The motion **carried (FOR: Chmelik, Hennelly, Hincer, Pappas, and Semmler; ABSENT: Fermin, Mitchell, Stewart; and VACANCY: St. Helena Island representative).** Mr. Semmler adjourned the meeting at approximately 7:05 p.m.

SUBMITTED BY:

Barbara Childs, Administrative Assistant to the Planning Director

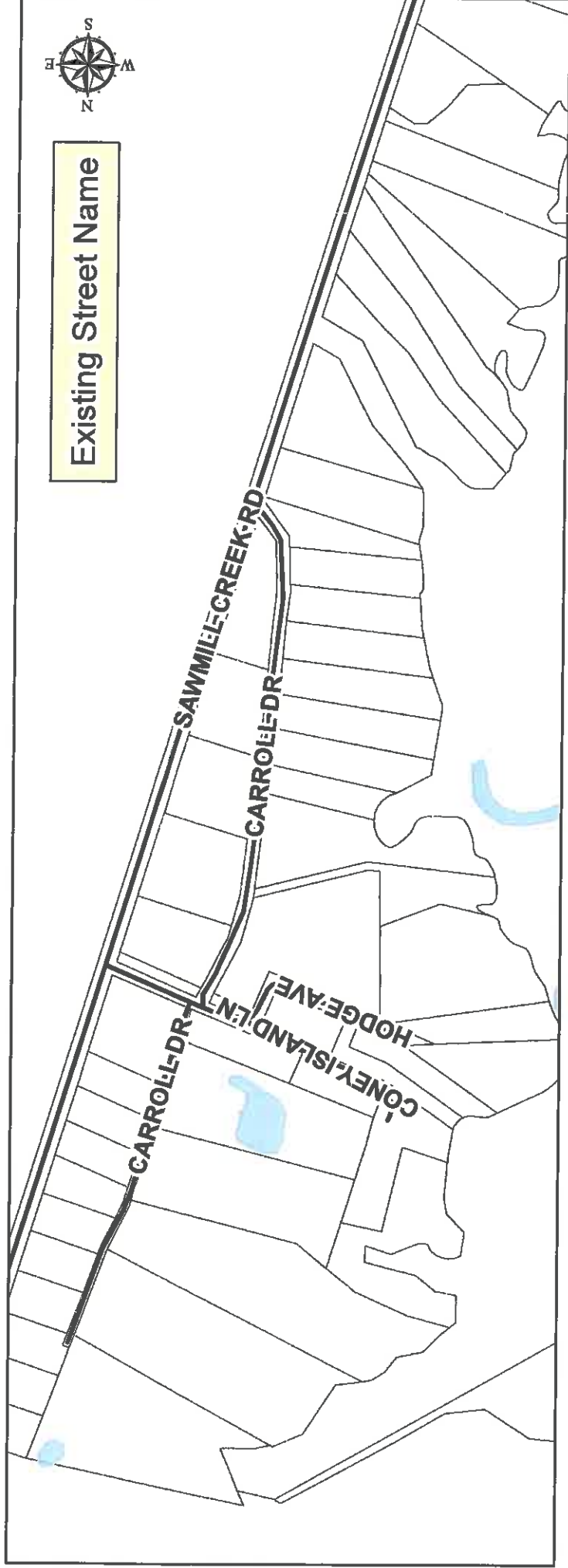
Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: March 5, 2018

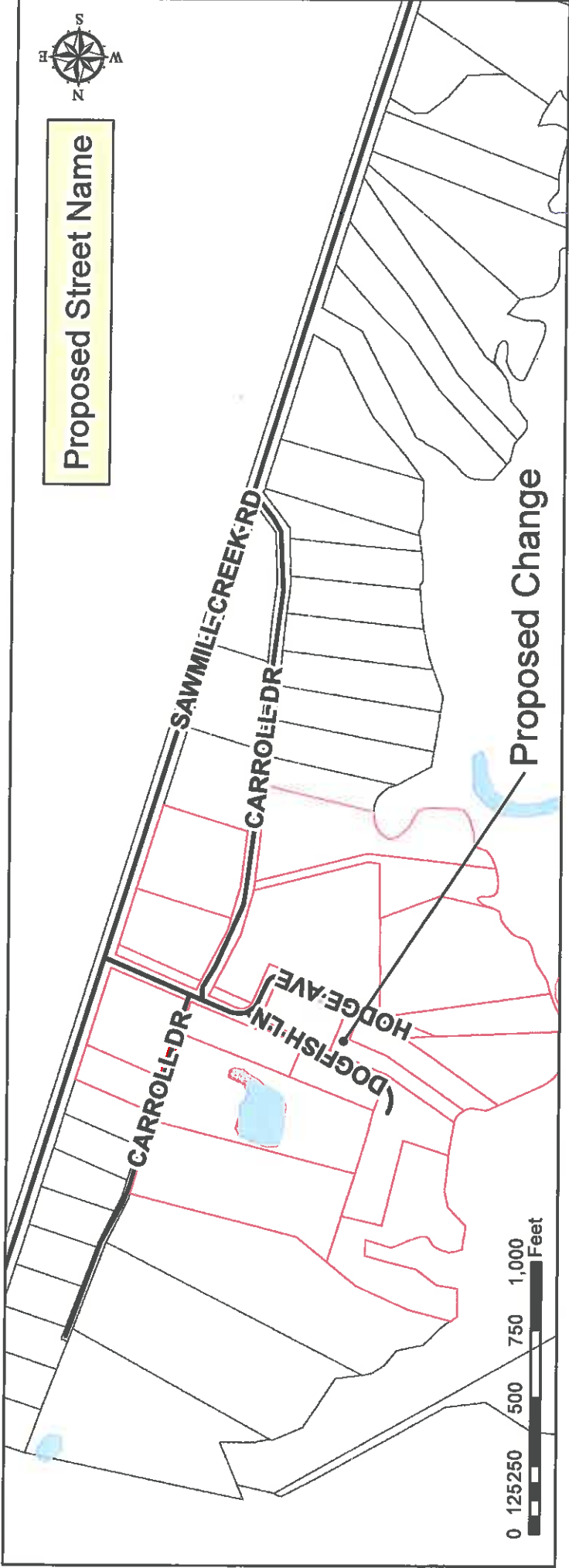
Note: The video link of the February 5, 2018, Planning Commission meeting is:
http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=3628



Existing Street Name



Proposed Street Name



COLTRANE & WILKINS, LLC

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P.O. Box 6808
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Telephone (843) 785-5551
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JOHN W. WILKINS
EMAIL: JOHN@COLTRANEANDWILKINS.COM
(NOT FOR CONFIDENTIAL COMMUNICATIONS)

CURTIS L. COLTRANE*
JOHN W. WILKINS

*Also member Virginia Bar & Certified
Circuit Court Mediator & Arbitrator

April 30, 2018

VIA HAND DELIVERY
Beaufort County Planning Dept.
100 Ribaut Rd, Room 115
Beaufort, SC 29901

Re: Street Name Change Petition for
Coney Island Lane


Dear Sir or Madam:

Please be advised the undersigned represents the interests of Robert A. Gossett, Trustee of the Robert A. Gossett Trust dated July 27, 2016. Enclosed please find a Street Name Change Petition supporting Mr. Gossett's request to change the name of this private road from Coney Island Lane to Dogfish Lane. This road is actually a private driveway and is utilized only by Mr. Gossett for access to his properties. Also enclosed is a copy of an email exchange between myself, Patty Wilson (Right of Way Manager) and Nichole Breton (Emergency Communications) regarding the Petition.

Please do not hesitate to let me know if anything further is needed to facilitate processing of the Petition.

With kind regards, I am,

COLTRANE & WILKINS, LLC


John W. Wilkins

JWW/hjs
Enc.
Cc: Robert A. Gossett

reader of this E-mail and any attachments is not the intended recipient, the retention, dissemination, distribution or copying of this E-mail and any attachments is prohibited. Please reply to sender if this E-mail is received in error. Any federal tax advice contained herein may not be used to avoid tax-related penalties under the Internal Revenue Code or to promote any tax-related matters that may be addressed herein.

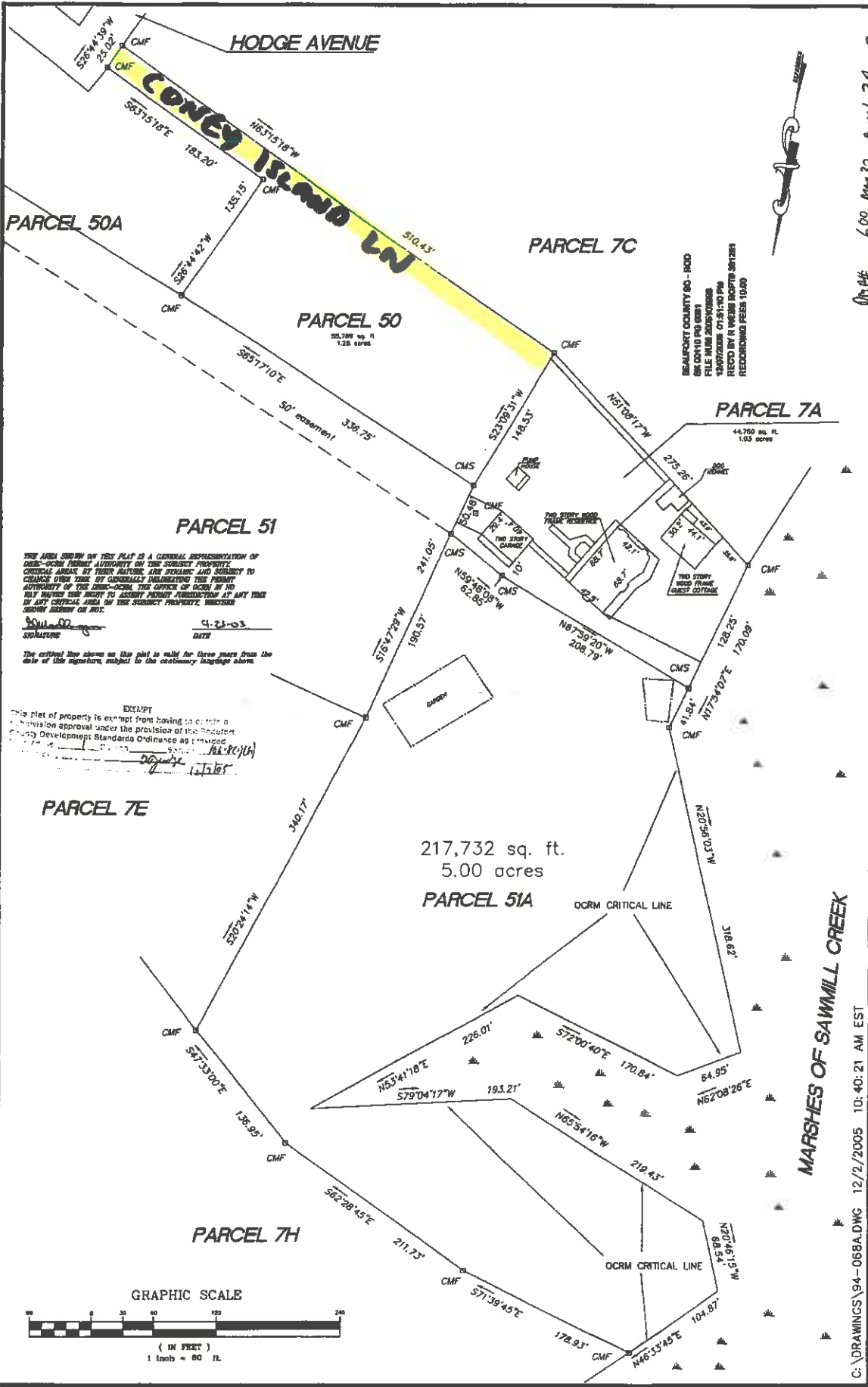
From: bob [<mailto:bob@saltydog.com>]
Sent: Wednesday, April 04, 2018 6:31 AM
To: pwilson@bcgov.net
Subject: Question about private road

Patty,

I recently purchased all of the residential properties at Coney Island Lane in Bluffton SC. I would like to change the name of Coney Island Lane. It is a private road. Can you please help me with the proper procedure?

Thanks,
Robert Gossett
14 Coney Island Lane
Bluffton SC
29910

Patty Wilson
Right of Way Manager
Beaufort County
120 Shanklin Road Beaufort, SC
29906
843-255-2694 WK
843-812-1144 Cell
pwilson@bcgov.net



THIS AREA SHOWN ON THIS PLAT IS A CORRELATION REPRESENTATION OF LAND-OWNERS PROPERTY AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THIS MAP ARE FOR DESIGN AND SUBJECT TO CHANGE OVER TIME BY CORRELATING THIS PROPERTY AUTHORITY OF THIS LAND-OWNERS THIS OFFICE OF SURVEY IS NOT BEING THE RIGHT TO ASSURE PROPERTY JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, THEREFORE SURVEY DESIGN ON THIS.

Scale 1/8" = 10' DATE 4-23-05

The critical line shown on this plat is valid for three years from the date of this signature, subject to the customary language above.

EXEMPT
 This plot of property is exempt from having to obtain a subdivision approval under the provisions of the Piedmont County Development Standards Ordinance as amended.

PARCEL 51A
 217,732 sq. ft.
 5.00 acres

PARCEL 7E

PARCEL 7H

PARCEL 50A

PARCEL 50
 35,789 sq. ft.
 1.26 acres

PARCEL 7C

PARCEL 7A
 44,760 sq. ft.
 1.03 acres

HODGE AVENUE

CONEY ISLAND LN

MARSHES OF SAWMILL CREEK

OCR CRITICAL LINE

GRAPHIC SCALE
 (IN FEET)
 1 inch = 80 ft.

BEAUFORT COUNTY 00 - HOOD
 BK 00110 PG 0081
 FILE NUM 200500088
 10/07/2005 01:51:10 PM
 RECORDED BY R. WEAVER (MORTGAGE SERVICE)
 RECORDING FEES 10.00

DATE 6:00 May 31, 2005 Parcel 7A

NOTE: This Lot Lies In A Federal Flood Plain Zone A9
 Minimum Required Elevation 14.0 FT. NGVD29

REFERENCE PLAT:
 PLAT BOOK 33, PAGE 184, PLAT BOOK 32, PAGE 153
 & PLAT BOOK 36, PAGE 19

DATE: FEBRUARY 11, 1994
 Revised 12/02/05 to create 3 lots

THE ABOVE PLAT PREPARED BY ME AT THE REQUEST OF
ELEANOR M. WILLINGHAM
 AN AS-BUILT AND BOUNDARY DIVISION SURVEY OF A 7.30 ACRE PARCEL,
 SECTION OF SAWMILL CREEK PLANTATION,
 BLUFFTON TOWNSHIP, BEAUFORT COUNTY, SOUTH CAROLINA



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYING ACT AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SET FORTH THEREIN. I AM NOT PROVIDING OR PROJECTING ANY INFORMATION CONCERNING OTHER THAN THE SURVEY SHOWN HEREON.

ELEANOR M. WILLINGHAM PLS # 4922

T-SQUARE GROUP, INC.
 PROFESSIONAL LAND SURVEYORS
 170 Deepwater Blvd.
 Bluffton, SC 29910
 Phone 803-757-5558 Fax 803-757-3798
 JOB No. 94-0684

C:\DRAWINGS\94-0684.DWG 12/2/2005 10:40:21 AM EST

LINE TABLE		
LINE	LENGTH	BEARING
L1	50.48	S16°47'29"W
L2	5.35	N51°08'17"W
L3	126.70	N17°54'07"E
L4	5.01	S67°59'20"E
L5	128.26	N17°54'07"E

PARCEL 433
N/F
ROBERT A. GOSSETT TRUST

PARCEL 51
N/F
MICHELLE A. OAKES

PARCEL 7A
#14
NEW AREA
88,957 sq. ft.
2.042 acres

PARCEL 7A
#14
OLD AREA
45,397 sq. ft.
1.042 acres

PORTION OF PARCEL 434
TO BE CONSOLIDATED WITH PARCEL 7A
43,560 sq. ft.
1.000 acres

N/F
ROBERT A. GOSSETT TRUST
PARCEL 434
REMAINING AREA
± 4.0 ACRES

EXEMPT
This plat of property is exempt from having to obtain a subdivision approval under the provision of the Beaufort County Community Development Code as provided for in Division Section 1-2-70 (b) (3) (C)

Certified By: *[Signature]*

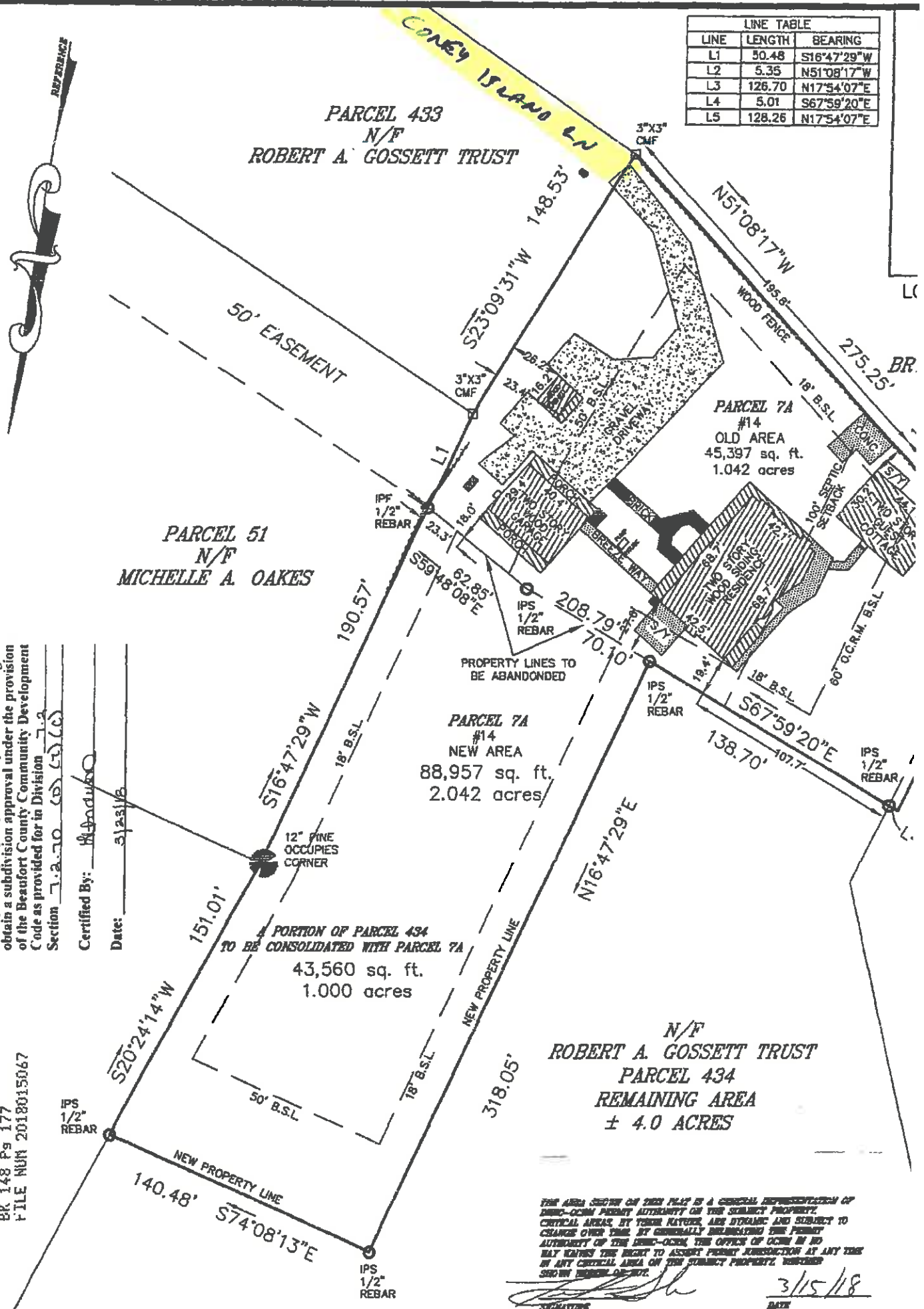
Date: 3/15/18

BEAUFORT COUNTY SC - ROD
BK 148 Pg 177
FILE NUM 2018015067

THIS AREA SHOWN ON THIS PLAT IS A GENERAL REPRESENTATION OF EING-OCOM PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY GENERALLY INDICATING THE PERMIT AUTHORITY OF THE EING-OCOM, THE OFFICE OF OCOM IN NO WAY WAIVES THE RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY WHETHER SHOWN THEREON OR NOT.

[Signature]
DATE

3/15/18
DATE





COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Community Development Department
Beaufort County Robert Smalls Complex
Administration Building, 100 Ribaut Road, Room 115
Post Office Drawer 1228, Beaufort SC 29901-1228
Phone: (843) 255-2140 • FAX: (843) 255-9432

May 16, 2018

**Re: Notice of Street Name Change Petition To Change The Street Name from
Coney Island Lane to Dogfish Lane in Bluffton, SC**

To All Affected Property Owners:

The Beaufort County Planning Department received a street name change petition to change the street name from Coney Island Lane to Dogfish Lane. The petition included signatures from over 51% of the affected property owners.

A public meeting will be held on Monday, June 4, 2018, at 6:00 p.m. in the Beaufort County Council Chambers in the County Administration Building at 100 Ribaut Road, Beaufort, SC, at the regularly scheduled Beaufort County Planning Commission meeting.

You are cordially invited to attend the public meeting and provide comment on this street name change petition, if you so desire.

For further information or confirmation of the meeting, please call the Beaufort County Community Development Department at 843-255-2140.

Sincerely,

Eric Greenway
Planning Director

Attachments:

1. Map of affected properties
2. Street Name Change Petition
3. List of Property Owners Notified

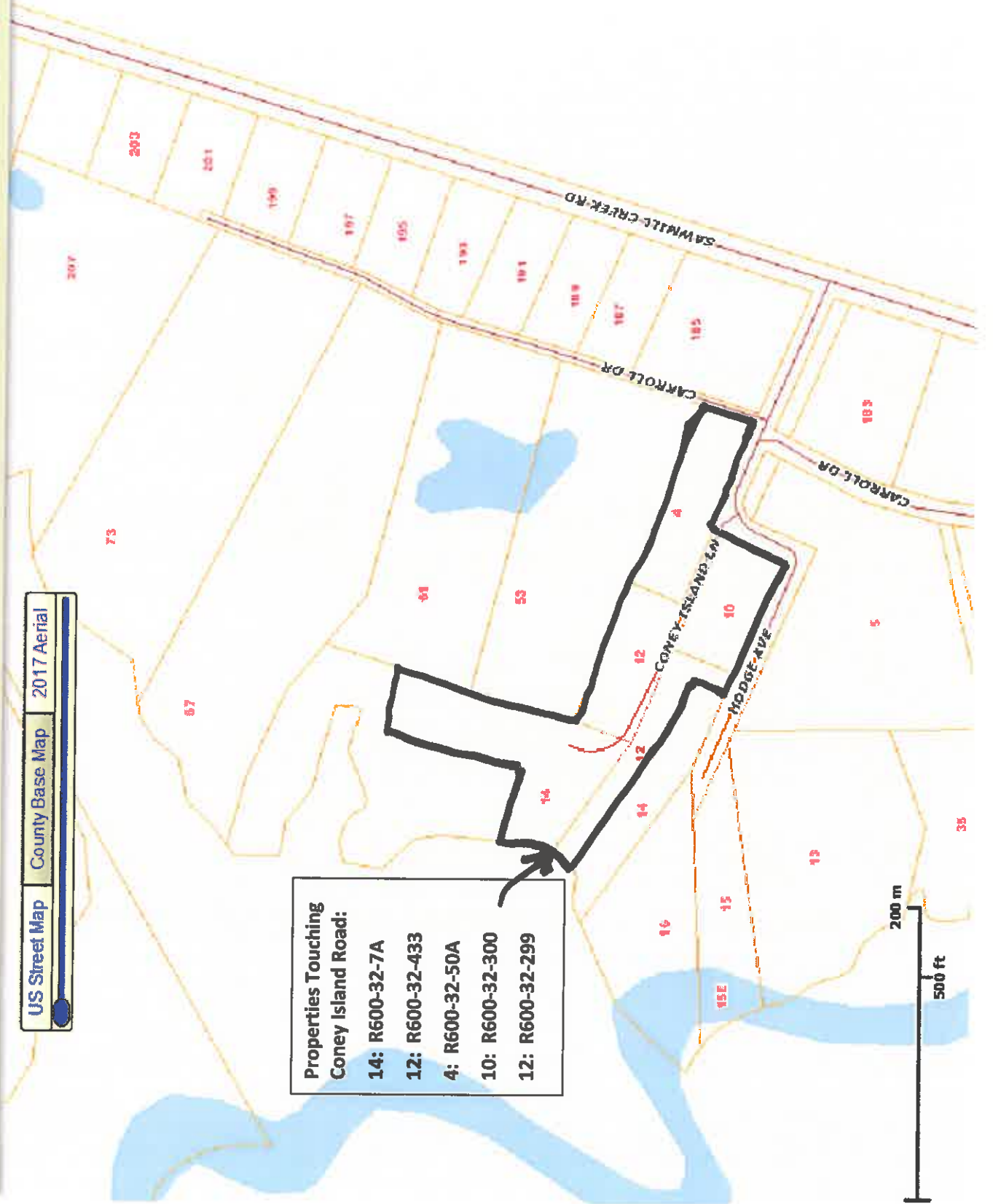
STREET NAME CHANGE PETITION from Coney Island Lane to Dogfish Lane, Bluffton SC

PIN	Owner	Mailing Add	City	State	ZIP
R600-32-51	OAKES SCOT L & MICHELLE A	4 HODGE AVE	BLUFFTON	SC	29910
R600 32-7A, -433, & -434	ROBERT A GOSSETT TRUST	224 S SEA PINES DR	HILTON HEAD ISLAND	SC	29928
R600-32-50A & -51	OAKES SCOT L & MICHELLE A	14 HODGE AVE	BLUFFTON	SC	29910
R600-32-7C & -299	MOSS BRYAN T & CAROLE K	5665 ATLANTA HWY SUITE 103-378	ATLANTA	GA	30004
R600 032 000 0300 0000	SPENCER DONALD C & AMANDA L	10 HODGE AVE	BLUFFTON	SC	29910



US Street Map | County Base Map | 2017 Aerial

Properties Touching
Coney Island Road:
14: R600-32-7A
12: R600-32-433
4: R600-32-50A
10: R600-32-300
12: R600-32-299



Dogfish sharks are characterized by smooth dorsal fin spines, teeth in upper and lower jaws similar in size.

The spiny **dogfish** (*Squalus acanthias*) or piked **dogfish** is a type of small shark and one of the best known of the **dogfish**. The spiny **dogfish** has dorsal spines, no anal fin, and white spots along its back. It is an average length of 28-39 inches (70-100 cm), and reaching a maximum weight of 9.8 kg.

Dogfish live in the ocean in most parts of the world. They are found in the Atlantic ocean and in the Gulf of Mexico near the United States.

They eat invertebrates such as **krill, crabs, polychaete worms, jellyfish, ctenophores, amphipods, squid and octopus**. The Dogfish Shark is an opportunistic feeder eating whatever prey is abundant. The Dogfish diet also comprises of small fishes such as capelin, cod, haddock, hake, herring, menhaden and rattfish.

Dogfish: Any of various small sharks chiefly of the family Squalidae, often occurring in large schools. (American Heritage Dictionary)

Dogfish / (ˈdɒɡ, fɪʃ) / *n, pl* -fish or -fishes (Collins English Dictionary)

1. (Animals) any of several small spotted European sharks, esp *Scyliorhinus caniculus* (**lesser spotted dogfish**): family *Scyliorhinidae*
2. (Animals) any small shark of the family *Squalidae*, esp *Squalus acanthias* (**spiny dogfish**), typically having a spine on each dorsal fin
3. (Animals) any small smooth-skinned shark of the family *Triakidae*, esp *Mustelus canis* (**smooth dogfish** or **smooth hound**)
4. (Animals) a less common name for the **bowfin**





MEMORANDUM

To: Beaufort County Planning Commission
From: Robert Merchant, Deputy Community Development Director
Date: June 4, 2018
Subject: Amendment to Chapter 4 (Future Land Use) of the Beaufort County Comprehensive Plan, Map 4-9 Place Type Overlay District – Southern Beaufort County
--AND--
Amendment to the Preamble to the Community Development Code (pages P-10 and P-11)

Summary of the Proposed Amendment to the Comprehensive Plan: The Future Land Use chapter of the Comprehensive Plan contains a special land use designation called the Place Type Overlay. The purpose of the Place Type Overlay is to identify locations in the County to promote appropriately scaled walkable environments with a mix of housing, civic, retail, and service choices. The overlay establishes five place types going from the most rural to the most urban – rural crossroad, hamlet, village, town, and city (the Town and City Place Types are directed into the municipalities). The Beaufort County Community Development Code assists in the implementation of these place types through the use of the Transect Zones found in Article 3 of the code.

Members of Beaufort County Council expressed concern that some of the place types may be promoting too much residential and commercial development, having the potential to overload the road network and negatively impact existing neighborhoods. County Council held two workshops (January 25 and February 26) earlier this year to conduct an in-depth analysis of land use policy in southern Beaufort County. At the March 19 Natural Resources Committee meeting, the Committee discussed the following changes to the Place Type Map:

- Remove the Hamlet that corresponds with the Buckingham Landing Community.
- Evaluate the appropriateness of the Village Place Type at Hilton Head National.

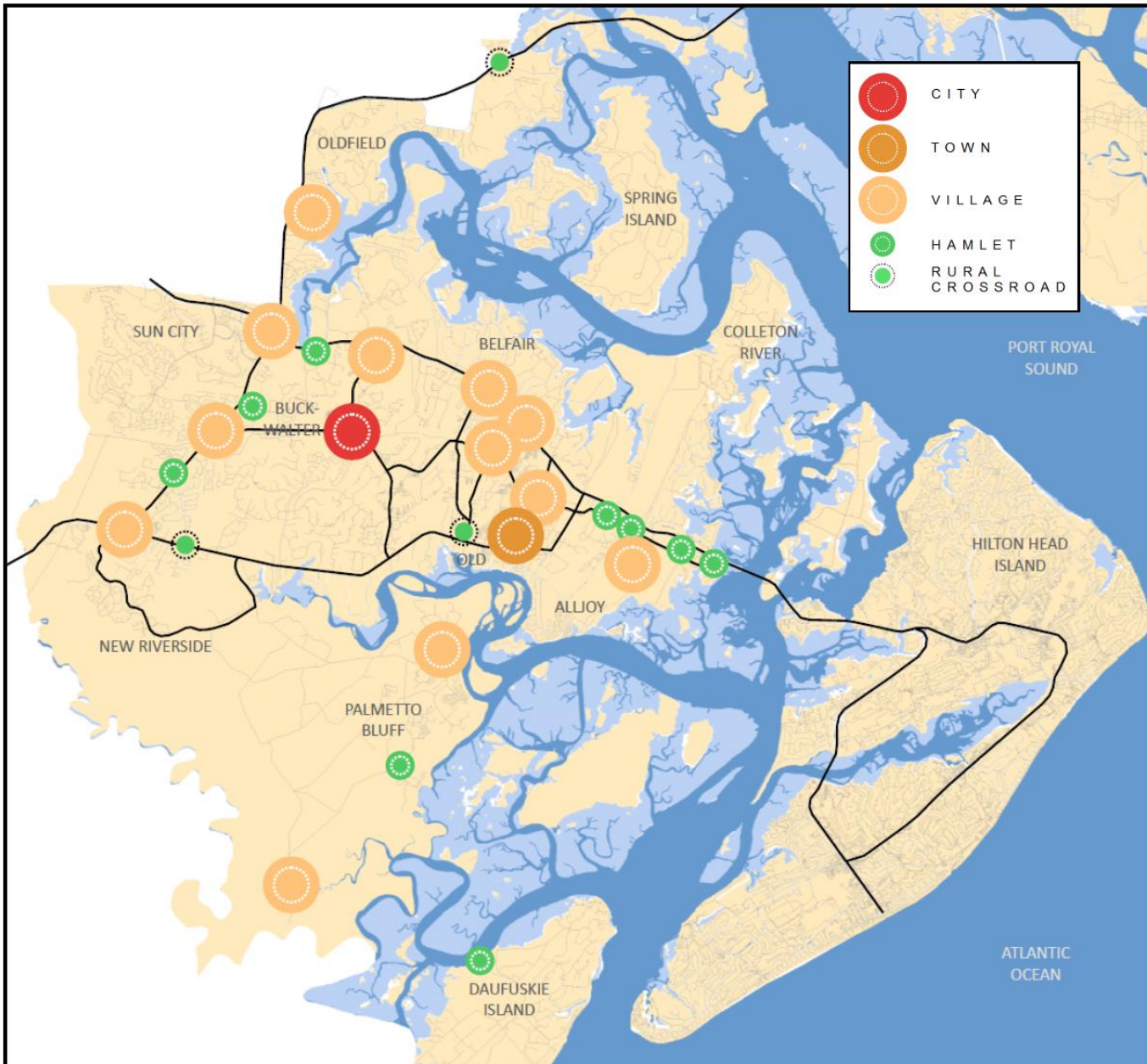
Recommendation: Community Development Staff analyzed the two discussion items from the Natural Resource Committee and has the following recommendations:

- Remove the Hamlet Place Type from the Buckingham Landing Community: The Buckingham Landing Community has many qualities that make it a good candidate to develop into a mixed-use walkable neighborhood, specifically its gridded street network and water front location. However, the neighborhood has poor access, it is very low in elevation, and its residents have expressed a desire to preserve it as a single family

neighborhood. For these reasons, Community Development Staff supports removing this place type from the Comprehensive Plan

- Change the place type at Bluffton Parkway and Malphrus Road from Village to Hamlet: During the review of the Hilton Head National development, many members of the public expressed concern about the magnitude and intensity of development that the village place type could potentially yield. In addition, the Hilton Head National development had the potential to create the need for \$12.6 million in offsite transportation improvements. Therefore, Community Development staff recommends changing the village to a hamlet place type.
- Amend pages P-10 and P-11 of the Preamble to the Community Development Code to match the revised maps from the Comprehensive Plan.

Proposed Amendments: See attached.

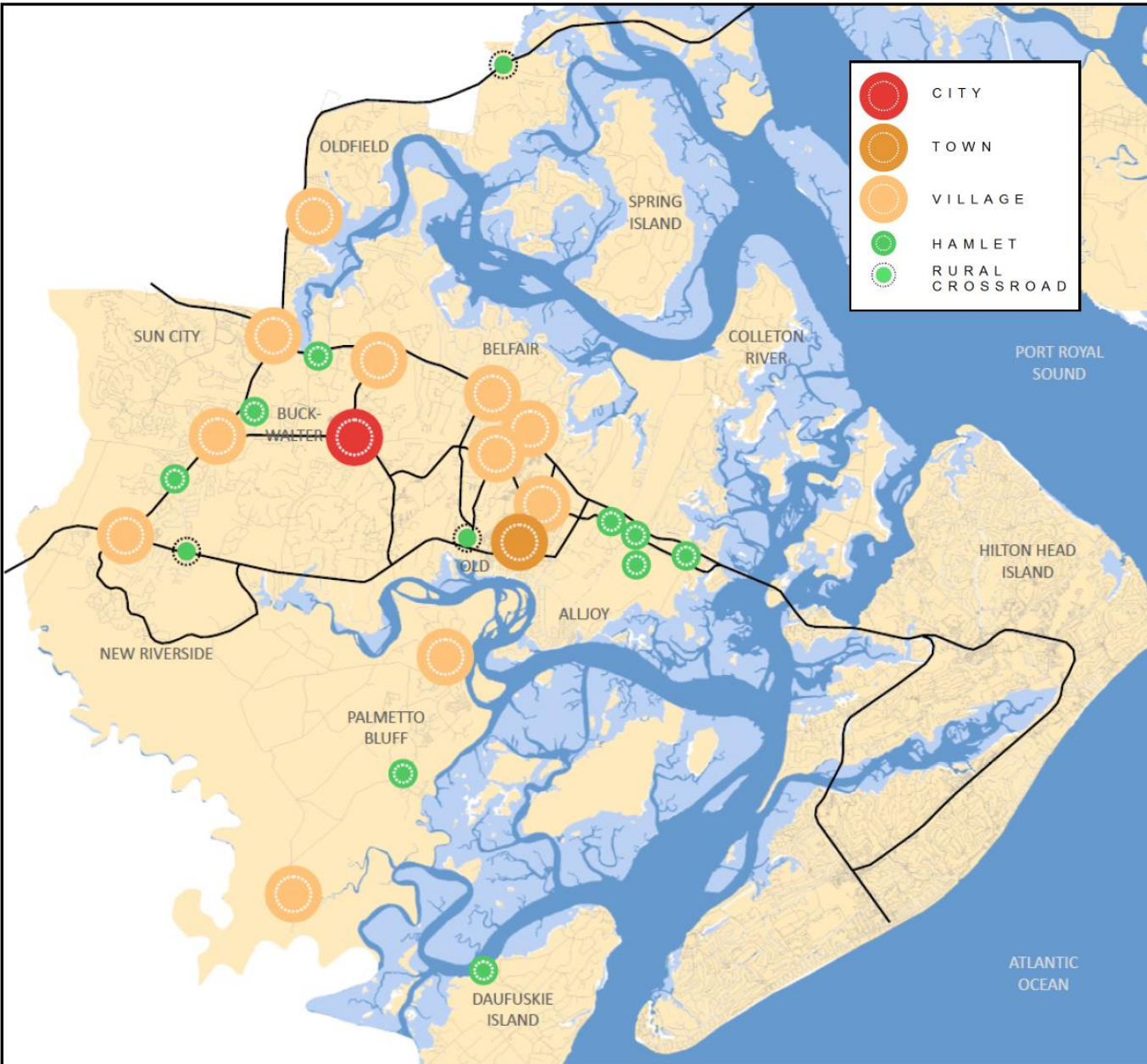


Chapter
4
Land Use

**Map 4-9:
Place Type
Overlay**
Southern
Beaufort County



2010 Beaufort County
Comprehensive Plan

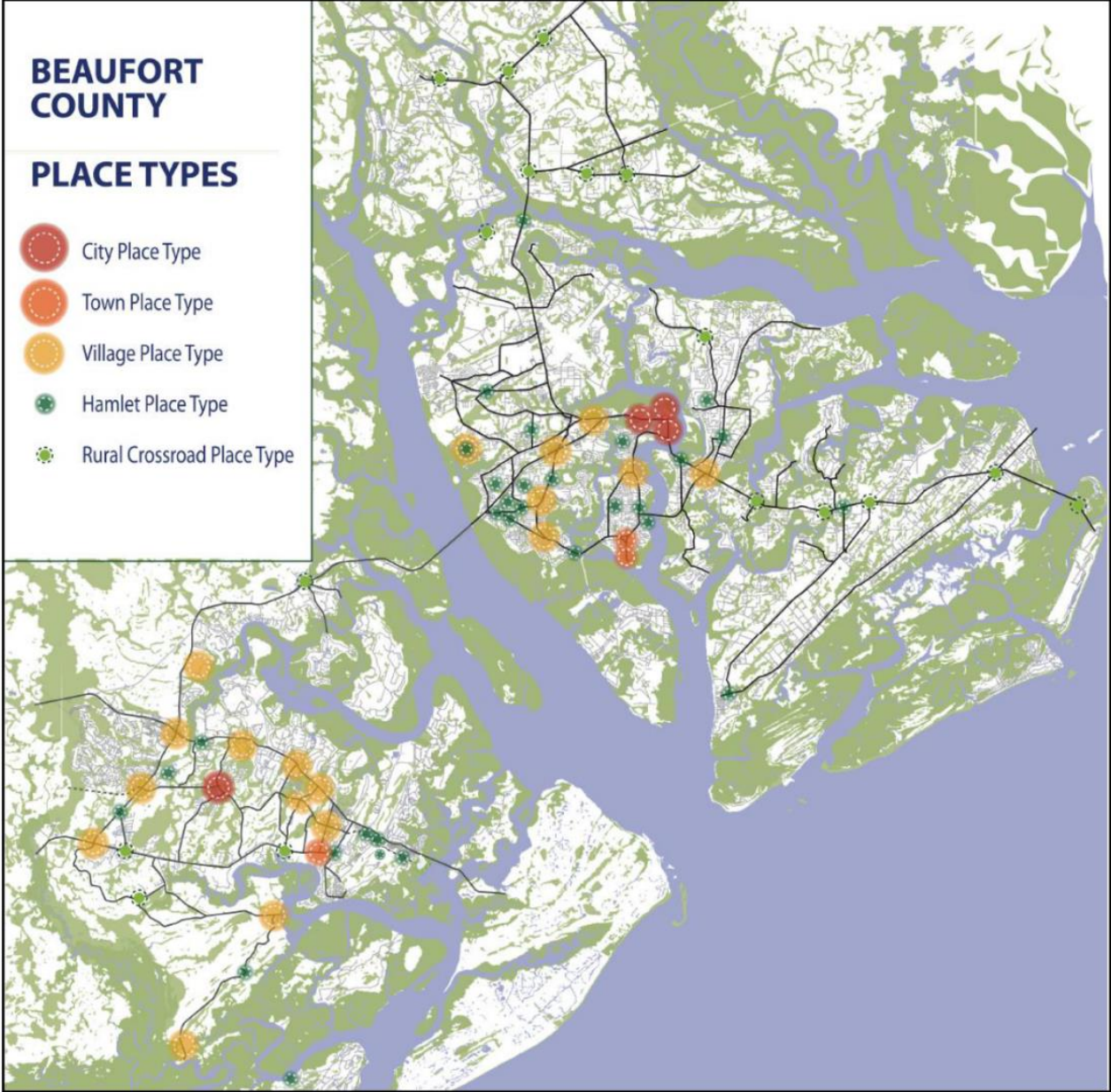


Chapter
4
Land Use

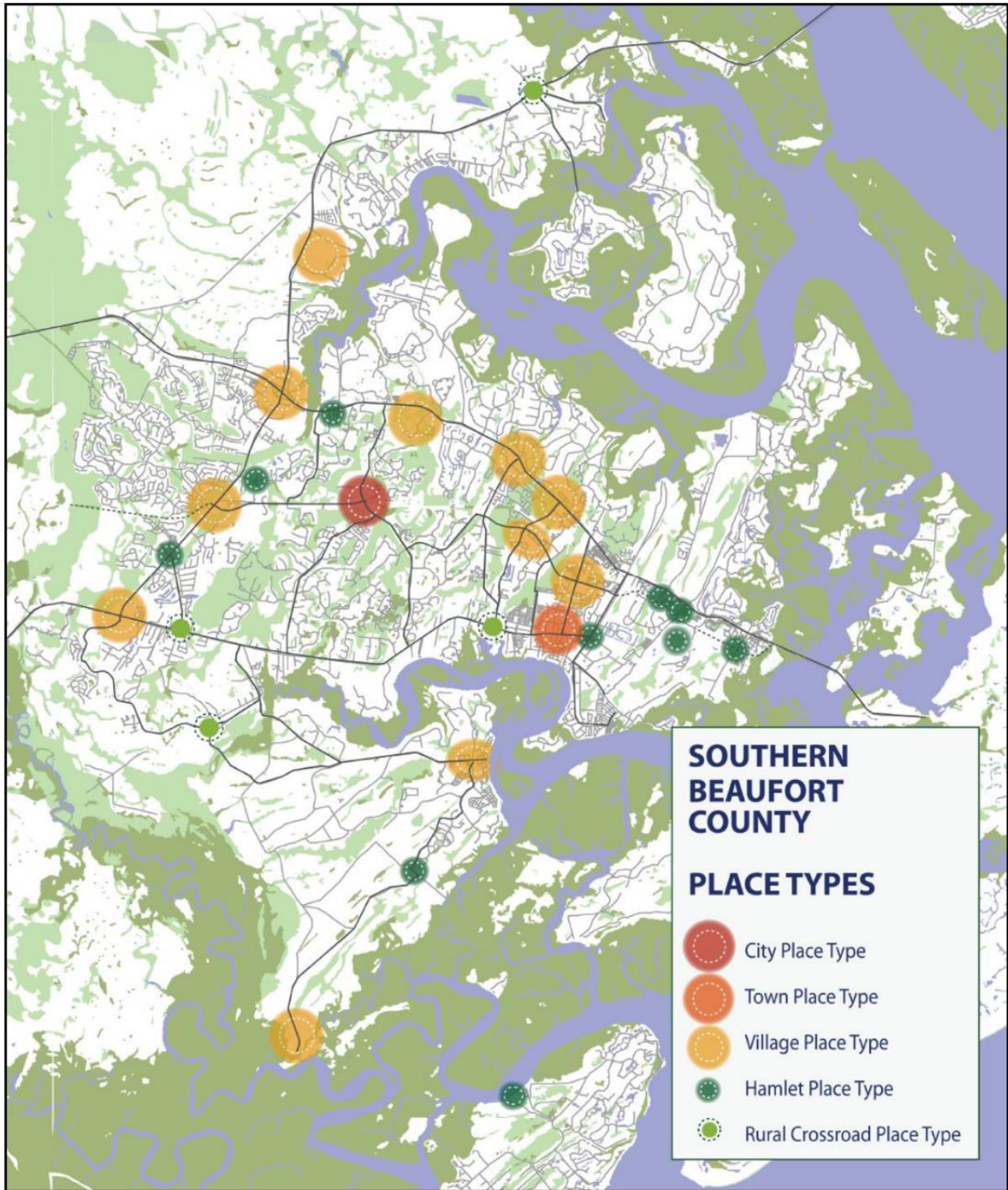
**Map 4-9:
Place Type
Overlay**
Southern
Beaufort County



2010 Beaufort County
Comprehensive Plan



Places in Beaufort County



ORDINANCE NO. 2018 / ____

AN ORDINANCE ESTABLISHING A CONDITION USE FOR AFFORDABLE HOUSING DEVELOPMENTS IN THE REGIONAL CENTER MIXED USE (C5) ZONE DISTRICT

BE IT ORDAINED that Beaufort County Community Development Code is hereby amended to add the following underlined text as well as the **yellow highlighted text**.

DONE this ____ day of _____, 2018.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Ashley Bennett, Clerk to Council

3.1.60 Consolidated Use Table

3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table

Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
AGRICULTURE																		
1. Agriculture & Crop Harvesting	P	P	P	P	P	P	P	--	--	--	--	--	--	--	P	--	--	--
2. Aquaponics	S	S	S	S	S	S	S	--	--	--	--	--	--	--	S	--	--	--
3. Agricultural Support Services	--	P	P	P	P	P	--	--	--	--	P	P	P	--	TCP	P	P	P
4. Animal Production	--	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--
5. Animal Production: Factory Farming	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
6. Seasonal Farmworker Housing	--	C	C	C	C	C	C	--	--	--	--	--	--	--	C	--	--	--
7. Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
8. Commercial Stables	--	C	C	C	C	C	--	--	--	--	--	--	--	--	C	--	--	--
RESIDENTIAL																		
1. Dwelling: Single Family Detached Unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	TCP	TCP	--
2. Dwelling: Single Family Attached Unit	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	TCP	TCP	--
3. Dwelling: Two Family Unit (Duplex)	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	TCP	TCP	--
4. Dwelling: Multi-Family Unit	--	--	--	--	--	--	--	--	P	P	P	P	P	P	C	P	P	--
5. Dwelling: Accessory Unit	--	C	C	C	C	C	C	C	C	C	C	C	C	C	C	TCP	TCP	--
6. Dwelling: Family Compound	--	C	C	C	C	C	C	C	--	--	--	C	--	--	C	C	C	C
7. Dwelling: Group Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	TCP	TCP	--
8. Affordable Housing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
9. Community Residence (dorms, convents, assisted living, temporary shelters)	--	--	--	--	--	P	P	P	P	P	P	P	P	P	TCP	TCP	TCP	--
10. Home Office	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
11. Home Business	--	C	--	C	C	C	C	C	C	C	C	C	C	C	C	TCP	TCP	--
12. Cottage Industry	--	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--
13. Live/Work	--	--	--	--	P	--	--	--	--	--	P	P	P	P	TCP	P	P	--
14. Manufactured Home Community	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	--
RETAIL & RESTAURANTS																		
1. General Retail 3,500 SF or less	--	C	--	--	P	P	--	--	--	--	P	P	P	P	TCP	P	P	C
2. General Retail 10,000 SF or less	--	--	--	--	--	P	--	--	--	--	P	P	P	--	P	P	C	
3. General Retail 25,000 SF or less	--	--	--	--	--	P	--	--	--	--	P	P	P	--	P	P	C	
4. General Retail 50,000 SF or less	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	--	
Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI

"P" indicates a Use that is Permitted By Right.

"C" indicates a Use that is Permitted with Conditions.

"S" indicates a Use that is Permitted as a Special Use.

"TCP" indicates a Use that is permitted only as part of a Traditional Community Plan under the requirements in Division 2.3

"--" indicates a Use that is not permitted.

3.1.70 Land Use Definitions

3.1.70 Land Use Definitions

Table 3.1.70 Land Use Definitions

RESIDENTIAL

Dwelling Unit – A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, designed to be occupied as a residence by one household.

Land Use Type	Definition
1. Dwelling: Single Family Detached Unit	A structure containing one dwelling unit on a single lot.
2. Dwelling: Single-Family Attached Unit	A structure containing one dwelling unit on a single lot and connected along a property line to another dwelling unit on an adjoining lot by a common wall or other integral part of the principal building such as a breezeway or carport.
3. Dwelling: Two Family Unit (Duplex)	A structure containing two dwelling units on a single lot.
4. Dwelling: Multi-Family Unit	A structure containing three or more dwelling units on a single lot.
5. Dwelling: Accessory Unit	An auxiliary dwelling unit, no larger than 800 SF attached to a principal dwelling unit or located within an accessory structure on the same lot.
6. Dwelling: Family Compound	A form of traditional rural development which provides for the placement of additional single-family detached dwelling units on, and/or subdivisions of, a single parcel of land owned by the same family for at least 50 years.
7. Dwelling: Group Home	Residential facility for nine or fewer mentally or physically handicapped persons providing care on a 24-hour basis and licensed by a state agency or department, or is under contract with a state agency or department, for that purpose.
8. Community Residence	<ol style="list-style-type: none"> 1. Dormitory: A building, or portion thereof, which contains living quarters for five or more students, staff, or members of a college, university, primary or secondary boarding school, theological school, or other comparable organization, provided that such building is either owned or managed by such organization, or is under contract with such organization for that purpose. 2. Convent or Monastery. The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows. 3. Assisted Living Facility: A state-licensed facility for long-term residence exclusively by seniors and persons with disabilities who require assistance with daily activities, and which may include, without limitation, common dining, social and recreational features, special safety and convenience features designed for the needs of the elderly or disabled, such as emergency call systems, grab bars and handrails, special door hardware, cabinets, appliances, passageways, and doorways designed to accommodate wheelchairs, and the provision of social services for residents which must include at least two of the following: meal services, transportation, housekeeping, linen, and organized social activities. May include an accessory skilled nursing component. 4. Group Home (more than 9 persons). A state-licensed residential facility for more than 9 mentally or physically handicapped persons providing care on a 24-hour basis. 5. Temporary Shelter: A supervised publicly or privately operated shelter and services designed to provide temporary living accommodations to individuals or families who lack a fixed, regular and adequate residence. This does not include residential substance abuse facilities or halfway houses (see "Community Care Facility").
9. Affordable Housing	See Section 4.1.350
10. Home Office	An office use carried out for gain by a resident and conducted entirely within the resident's home. This use permits the employment of one individual who does not live in the home.
11. Home Business	An office or service use carried out for gain by a resident and conducted entirely within the resident's home and/or accessory structures. This use permits the employment of up to three individuals who do not reside on the premises.

3.3.50 Regional Center Mixed Use (C5) Zone Standards

A. Purpose

The Regional Center Mixed Use (C5) Zone permits a full range of retail, service, and office uses. The Zone's intensity accommodates regional and community commercial and business activities. Uses include large, commercial activities that serve the entire County and highway-oriented businesses that need to be located on major highways. While this use intends high-quality, commercial character, the setback or build-to-line, landscaping and other design requirements provide a uniform streetscape that makes provision for pedestrian and transit access. The Zone is intended to be more attractive than commercial areas in other counties to maintain the attractive tourist and business environment and have minimal impact on surrounding residential areas.

The Zone is not intended to be a strip along all arterials and collectors. In developing areas, the minimum depth of a parcel along an arterial or collector shall be 600'. The minimum zone size shall be 20 acres. In the older, built-up areas, new uses shall have depths and areas equal to or greater than similar uses in the area. This Zone shall be located in areas designated "regional commercial" in the Comprehensive Plan.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 25' min.

Side:

Side, Main Building 15' min.

Side, Ancillary Building 15' min.

Rear 10' min.

Lot Size

Lot Size 21,780 SF min.

Width 150' min.

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

All Buildings 3 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Density 15.0 d.u./acre max.²

Floor Area Ratio^{2,3} 0.37 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

²See Section 4.1.350 for Affordable Housing density bonuses

³Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Accessory dwelling unit 1 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Services or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Bed and breakfast 2 spaces plus 1 per guest room

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Warehousing/distribution 1 per 2,000 GSF

For parking requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

E. C5 Allowed Uses

Land Use Type ¹	Specific Use Regulations	C5
Agriculture		
Agricultural Support Services		P
Forestry		P
Residential		
Dwelling: Single-Family Detached Unit	2.3	TCP
Dwelling: Single-Family Attached Unit	2.3	TCP
Dwelling: Two Family Unit (Duplex)	2.3	TCP
Dwelling: Multi-Family Unit		P
Dwelling: Accessory Unit	2.3	TCP
Dwelling: Family Compound	2.7.40	C
Dwelling: Group Home	2.3	TCP
Community Residence (dorms, convents, assisted living, temporary shelters)	2.3	TCP
Affordable Housing	4.1.350	C
Home Office	4.2.90	C
Home Business	2.3	TCP
Live/Work		P
Retail & Restaurants		
General Retail		P
General Retail with Drive-Through Facilities	4.1.120 4.1.70	C
Bar, Tavern, Nightclub		P
Gas Station/Fuel Sales	4.1.100	C
Open Air Retail		P
Restaurant, Café, Coffee Shop		P
Restaurant, Café, Coffee Shop with Drive-Through Facilities	4.1.70	C
Vehicle Sales & Rental: Light	4.1.260	C

Land Use Type ¹	Specific Use Regulations	C5
Offices & Services		
General Offices & Services		P
General Offices & Services with Drive-Through Facilities	4.1.110 4.1.70	C
Animal Services: Clinic/Hospital		P
Animal Services: Kennel	4.1.40	C
Day Care: Family Home (up to 8 clients)	2.3	TCP
Day Care: Commercial Center (9 or more clients)	4.1.60	C
Lodging: Bed & Breakfast (5 rooms or less)	2.3	TCP
Lodging: Inn (up to 24 rooms)		P
Lodging: Hotel		P
Medical Services: Clinics/Offices		P
Residential Storage Facility	4.1.220	C
Vehicle Services: Minor Maintenance and Repair	4.1.270	C
Vehicle Services: Major Maintenance and Repair	4.1.270	C

Key

P	Permitted Use
C	Conditional Use
S	Special Use Permit Required
TCP	Permitted only as part of a Traditional Community Plan under the requirements in Division 2.3
---	Use Not Allowed

End Notes

¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.

Division 4.1: Specific to Use

4.1.350 Affordable Housing

A. Findings. County Council finds that affordable housing is the essential foundation upon which to build a more sustainable future for Beaufort County and to grow a more competitive workforce to meet the challenges of our regional, state, and global economy. County Council finds that zoning regulations can be an effective tool for implementing the strategies to address the needs for affordable housing stock within Beaufort County. County Council finds that the Regional Center Mixed Use (C5) zone district is an appropriate place for certain incentives provided in this chapter for the development of affordable housing types.

B. Purpose. This chapter is intended to promote a diversity of housing stock by providing certain incentives and regulatory standards for the creation of affordable housing units in the C5 zone district.

C. Availability. The affordable housing incentives and regulations provided in this chapter are available to all landowners in the C5 zone district as a conditional use when an applicant has demonstrated compliance with the conditions provided herein.

D. Definitions. For the purpose of this chapter, the following terms shall mean:

- a. Owner occupied affordable housing unit: A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one-hundred (100%) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development (HUD) as adjusted by the Beaufort County Human Services Department or its successor.
- b. Rental affordable housing unit: A dwelling unit, where occupants have, in the aggregate, household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units. AMI shall be determined annually by HUD as adjusted by the Beaufort County Human Services Department or its successor.
- c. Qualified household: Households where occupants have, in the aggregate, a household income less than or equal to one-hundred (100%) percent of the AMI for owner occupied units, and a household income less than or equal to eighty (80%) percent of the AMI for rental units.

- d. Initial maximum allowable sales price: An amount equal to three (3) times one-hundred (100%) percent of the AMI plus any subsidy available to the buyer.
- e. Affordable rent: Affordable rent is based on an amount not to exceed thirty (30%) percent of eighty (80%) percent of the AMI as published annually by HUD based on household size, inclusive of a utility allowance. Utility allowances are as provided by HUD guidelines.
- f. Household income: All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, pension benefits, or any other sources of financial support.

E. Applicability. Any development or redevelopment within the Regional Center Mixed Use (C5) zone district that includes residential dwelling units may elect to develop the residential portion according to the standards in this chapter provided that the applicant demonstrates strict compliance with conditions stated herein.

F. Land Use Standards. A development or redevelopment within the Regional Center Mixed Use (C5) zone district may elect to provide for Affordable Housing units, in accordance with the following standards:

- a. The number of owner occupied affordable housing units and/or rental affordable housing units per development shall be one of the following at the election of the applicant:
 - i. Thirty (30%) percent of the dwelling units, rounded up to the whole number, shall be restricted by deed as owner occupied affordable housing units and/or rental affordable housing units for a period of at least twenty (20) years; or
 - ii. Twenty (20%) percent of the dwelling units, rounded up to the whole number, shall be restricted by deed as owner occupied affordable housing units and/or rental affordable housing units for a period of at least twenty-five (25) years.
- b. The affordable housing units shall be sized, in terms of square footage and number of bedrooms, comparable and proportional to the square footage and number of bedrooms of the market rate units in the development as a whole. The smallest affordable housing unit by bedroom count shall not be smaller than the

smallest market rate unit with the same number of bedrooms. The affordable housing units shall be integrated and intermixed within the market rate units in a development and may not be clustered together or segregated from the market rate units. When a development contains multiple buildings, it shall incorporate into each building, affordable housing units comparable and in proportion, to the number of market rate units in the building so that affordable housing units are disbursed proportionately throughout the development. Exterior finishes of affordable housing units shall be indistinguishable from exterior finishes of market rate units.

c. Density bonus. Housing developments or re-developments located within the Regional Center Mixed Use (C5) zone district may elect to development land in compliance with this chapter. As an incentive for development under this chapter, there shall be no maximum density or minimum lot size requirements.

d. Impact fees. Impact fees shall be reduced in proportion to the number of affordable housing units being provided in accordance with Beaufort County Code of Ordinances Section 82-32. A project approved under this chapter shall be determined to be a project that creates affordable housing for the purpose of exempting impact fees in proportion to the number of affordable housing units created.

e. All other land use and developments standards of the Regional Center Mixed Use (C5) zone district for multi-family development shall be provided, including but not limited to standards for height, area, setbacks, parking, and buffers.

f. For mixed use projects, the standards and incentives provided in this chapter shall apply only to the housing portions of the mixed use project.

G. Submittal Requirements, Procedures and Enforcement.

a. Prior to receiving a building permit for any portion of a development, the owner thereof shall provide, in writing, in the form of a Memorandum of Understanding to be filed with the Beaufort County Register of Deeds, to the satisfaction of the Beaufort County Human Services Department, or its successor, information identifying the total number of efficiency, one bedroom, two bedroom, etc. and the respective square footage of the same and provide a breakdown of the number, location, size, square footage, bedrooms etc. of the affordable housing units. Prior to the issuance of a certificate of occupancy for any portion of a development, the owner thereof shall identify, in writing, to the Beaufort County Human Services Department, or its successor, the units designated as owner occupied affordable housing units and/or rental affordable housing units. Affordable housing units shall not be changed, modified, or

amended in location, size, square footage etc. without first notifying and receiving in writing, approval from Beaufort County Human Services Department.

b. Prior to the issuance of a certificate of occupancy for any portion of a development permitted pursuant to this chapter, the owner shall execute covenants satisfactory to the County that identifies the owner occupied affordable housing units and/or the rental affordable housing units. The executed covenants shall restrict such units to occupancy or ownership by qualified households for a period of twenty (20) years when thirty (30%) percent of the units are set aside as affordable housing units or twenty-five (25) years when twenty (20%) percent of the units are set aside as affordable housing units pursuant to Section 4.1.350(F)(a)(i-ii) above. The executed covenants shall be filed with the Register of Deeds prior to the issuance of a certificate of occupancy.

c. Prior to the issuance of a development permit, the owner shall submit plans in accordance with Article 7 of the Community Development Code. The plans shall demonstrate compliance with the standards provided in this chapter.

d. The covenants for affordable housing units shall provide:

i. For owner occupied affordable housing units, the covenants shall identify the maximum allowable sales price, and provide that the initial maximum allowable sale price may be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the Beaufort County Human Services Department, or its successor, a verified income report of household income of all members of the household. The covenants shall require notice to the Beaufort County Human Services Department, or its successor, of any transfer of the owner occupied affordable housing units and verification that the purchaser is a qualified household. Owner occupied affordable housing units shall be subject to these resale restrictions for no fewer than the numbers of years elected by the developer provided for in Section 4.1.350(F)(a)(i-ii) above. Such restrictions shall be recorded as deed restrictions for the affordable housing unit identified in the memorandum of understanding executed pursuant to the requirements in this chapter.

ii. For rental affordable housing units, the covenants shall require the owner to provide proof to the Beaufort County Human Services Department, or its successor, at inception of every tenancy, and on an annual basis thereafter, that no more than affordable rent is being charged

for the affordable housing units. The owner or licensed property manager acting on behalf of the owner, shall provide verified income reports of household income of all occupants of rental affordable housing units at the request of Beaufort County Human Services Department, or its successor. Rental affordable housing units shall be subject to these restrictions for no fewer than the number of years elected by the developer provided for in subsections 4.1.350(F)(a)(i-ii) above.

iii. If an affordable housing unit is converted from rental occupied to owner occupied occupancy during the term of the covenants, the unit shall be subject to the owner occupied affordable housing unit requirements as set out in subsection 4.1.350(F)(d)(i) above (to include an Initial Maximum Sales Price) for a term of months equal to the number resulting when subtracting from 300 months, the number of months the unit has been subject to the rental affordable housing covenants.

iv. Conversion of an affordable housing unit from owner occupied to renter occupied occupancy shall not be permitted.

v. Covenants shall require written notice to the Beaufort County Human Services Department prior to any conversion taking place and shall require that the necessary covenant(s) and amendment(s) to the memorandum of understanding be filed with the Register of Deeds.

e. The covenants and memorandum of understanding shall accord to the Beaufort County Human Services Department, or its assignee, successor or agent, rights of enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy, and in all events, writings, agreements or understandings between the developer and Beaufort County, be subject to approval by the Beaufort County Attorney.

f. If the development is to be phased, each phase shall include affordable housing units concurrently with the market rate units in the particular phase in the same proportions in relations to the overall development requirements for affordable housing units. A phasing in plan must make the affordable housing units available concurrently with the market rates in proportions based on the overall percentages elected pursuant to this code.

g. Upkeep and maintenance of affordable housing rental units must be maintained at the same or better level provided to the market rate units.

46 Faculty Drive
Beaufort, SC, 29907
23 April 2018

Mr. Anthony J. Criscitello
Community Development Director
PO Drawer 1228
Beaufort, SC, 29901-1228

Re: Chester C. Williams, LLC letter of 18 April 2018 concerning Appeal MISC 2018-03

The referenced letter raises several issues for consideration by the Planning Commission concerning my appeal of the 7 March 2018 Staff Review Team approval of a 25-lot subdivision within the existing Academy Estates subdivision.

I understand that the Planning Commission is scheduled to hear my appeal on 7 May 2018. Since I did not receive the referenced letter until Friday, 20 April 2018, I don't have sufficient time to prepare an adequate response in the two weeks remaining.

I respectfully request that the Planning Commission delay the hearing of any and all matters concerning my appeal until their June meeting, or later.

Thank you,



Richard S. Bolin

CC
Chester C. Williams, LLC
17 Executive Park Road, Suite 2
Hilton Head Island, SC 29938-6028

Robert Sample
PO Box 228
Beaufort, SC 29907

Eric Greenway
Beaufort County Planning Department



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Eric Greenway, AICP, Community Development Department
DATE: April 20, 2018
SUBJECT: Administrative Appeal of a Staff Review Team (SRT) Decision to Grant Conceptual/Final Approval to a 25-Lot Subdivision on Fairfield Road, Alumni Road, and Faculty Drive, Lady's Island

An application was submitted to the County SRT for Conceptual/Final Approval of a 25-lot single-family subdivision on 3 parcels comprising 17.5 acres located adjacent to Fairfield Road, Alumni Road, and Faculty Drive, on Lady's Island. The properties are zoned Lady's Island Community Preservation (LICP) district.

The application was reviewed by the SRT on March, 7, 2018. At that meeting, the SRT determined that the proposed subdivision met the requirements of the Community Development Code (CDC) for Conceptual/Final Approval, including the zoning standards of the LICP district (e.g., maximum density, minimum lot size, minimum lot width, minimum setbacks). The SRT voted unanimously to grant conceptual approval of the project because the original SRT conceptual approval from 2015 had expired due to no action on the plans for more than two (2) years. Upon conceptual approval, the SRT then voted unanimously to grant final approval of the project.

The appellant maintains that the SRT erred in their decision to grant Conceptual and Final Approvals to this subdivision.



APPLICATION FOR ADMINISTRATIVE APPEALS OF DECISIONS BY THE STAFF REVIEW TEAM (SRT)

DATE OF SRT DECISION BEING APPEALED: 7 MARCH 2018

FOR PLANNING DEPARTMENT USE ONLY

Appeal # MISC 2018-03 Date Rec'd Application: 4/5/18
Planning Commission Hearing Date: 5/7/18 Application Received by: H Spade

Appellant's Name: RICHARD S. BOLIN (AND OTHERS) Phone / Email: 843-524-4307

Appellant's Mailing Address (City, State and Zip Code): 46 FACULTY DRIVE, BEAUFORT, S.C., 29907

RECEIVED APR 05 2018 Community Development Dept.

1. PROPERTY INFORMATION:

A. Address of property affected by this Appeal: LOTS 7, 8, 9 of ACADEMY ESTATES SUBDIVISION

B. Property Identification Number (PIN): 2200 015 000 05580000, 2200150000559000, 2200 015 000 0560 0000

2. SUBMISSION: Please attach a narrative describing in detail the reason for this appeal. Include any supportive information that substantiates your position. If the Appellant is not the owner of the affected property, include a notarized document signed by the property owner authorizing the appellant to represent the property owner in this appeal. Application submission must be received by the Beaufort County Planning office no later than three (3) weeks before a scheduled Planning Commission meeting (call the Beaufort County Planning office at 843-255-2140 for the scheduled meeting dates).

3. FEE: An application processing fee of \$75.00 must accompany this application. Make checks payable to Beaufort County.

4. NOTIFICATION: NO LATER THAN 15 days prior to the hearing, the Appellant must: a. Mail a letter/notify in writing the property owners within 500 feet of the affected property (see the attached sample letter); and b. Give/provide the Planning Department proof of the mailing (including a copy of the letter sent to the property owners; and a list of the property owners notified, including their property identification numbers (PIN) and addresses).

5. HEARING TRANSCRIPTION: If verbatim minutes are required, the Appellant must hire a court reporter for his/her Planning Commission hearing and give a copy of those verbatim minutes to the Planning Department for County files. The Planning Commission will only provide summary, not verbatim, minutes of the proceedings.

I, the undersigned appellant, hereby submit this application with the attached information. The information and documents provided are complete and accurate to the best of my knowledge.

Signature of Appellant: Richard S. Bolin

Date: 2 APRIL 2018

Purpose: to appeal the 7 March 2018 decision of the Staff Review Team approving the plans for a 25 lot subdivision to be developed on lots 7, 8, and 9 of the Academy Estates Subdivision plat dated 10 March 1975.

Attachments:

1. Signature list of appealing parties
2. Academy Estates Subdivision plat of 10 March 1975
3. Academy Estates Subdivision Restrictive Covenants of 12 July 2017
4. Approximate diagram of Academy Estates residences, existing and proposed
5. Partial transcript of Planning Commission Meeting of 7 December 2015

Method: We make the following assertions:

1. The proposed subdivision does not meet the Community Development Code (CDC) purpose and intent concerning character, scale, and density.
2. The Lady's Island Community Preservation District (LICP) standard for minimum lot size was misapplied.
3. The proposed subdivision does not meet the requirements of the Application Specific Review Procedures of CDC Division 7.2.70.G
4. That the CDC specifically provides that the Planning Commission has the duty and authority to correct the Planning Department's errors in judgment or fact.

Background: The Academy Estates Subdivision was established in 1975 when a 126-acre tract bordering on Fairfield and Little Capers roads was divided into 25 lots, each about 5 acres in size. For the next 25 years, covenants restricted further subdivision of the lots to lots not less than 1 acre in size. Over the next 40 years, a few lots were subdivided, so that there are now 43 lots, with houses built on 31 of them, as demonstrated in Attachment #3. This gives an average lot size of about 3 acres (all lots being larger than 1 acre) with an average density of 1 residence per 4 acres.

The proposed subdivision would provide for 25 houses on ¼-acre lots, altogether occupying about 7 acres, and would almost double the number of houses in the Academy Estates Subdivision. A visual demonstration of the extreme difference in density is illustrated in Attachment #2.

Discussion:

Assertion #1. The proposed subdivision with its' 25 quarter-acre lots does not meet the Beaufort County Development Code (CDC) purpose and intent of Paragraph 1.2.10 "to promote the public health, safety, order, appearance, prosperity, and general welfare of the landowners and residents of the County, and other members of the public." and in Subparagraph D "more specifically to: Within Neighborhoods: 1. Preserve, Protect, and Enhance the Character of Established Neighborhoods."

Attachment #2 confirms the long-established Academy Estates Subdivision, (including lots 7, 8, 9) as a large-lot, low-density subdivision. Attachment 4 provides a graphical illustration of the stark contrast between the proposed subdivision, (with a net lot density 12 times greater) and the existing Academy Estates Subdivision. This will certainly detract from all of the above desired characteristics of the surrounding Academy Estates Subdivision.

and

CDC Paragraph 6.1.10 requires that “new subdivisions are consistent with the County's Comprehensive Plan and community oriented character to:

- A. Create Neighborhood or Community. The subdivision plat contributes to the creation of a neighborhood or community rather than the development of an isolated project.
- B. Enhance Character and Quality. The subdivision plat preserves or enhances the character and the quality of the County and its neighborhoods.

Again, Attachment #4 provides a graphical illustration that the proposed subdivision will certainly create an isolated higher density project surrounded by the large wooded lots of Academy Estates and will certainly not preserve or enhance the character and the quality of the County and its neighborhoods, specifically that of the Academy Estates Subdivision.

and

The Lady's Island Community Preservation District (LICP) Paragraph A.2.10 purpose “is to maintain or improve the livability and character of existing residential neighborhoods” and “to accommodate housing types which will relate well with existing neighborhood character, scale and density.”

Again, Attachment #4 provides a graphical illustration that the proposed subdivision will certainly do neither. Attachment #2 demonstrates that the proposed subdivision is within an existing subdivision of long standing.

Assertion #2: The Lady’s Island Community Preservation District standards for minimum lot size was misapplied:

We assert that the Staff Review Team determined that since the proposed high-density lots apparently meet the minimum size requirements of the Lady’s Island Community Preservation District, they are satisfactory. It is our assertion that because of the purpose and intent of the Community Development Code discussed in Assertion #1, the minimum lot size cannot be applied in Academy Estates.

There are places in Beaufort County where the minimum lot size can be appropriately used, such as in the Oyster Bluff, Newpoint, Celadon, and Fairfield Estates subdivisions.

They are self-contained planned units having their own access to major throughfares, and were, from their beginnings, planned, built, and sold as high-density developments, whereas Academy Estates was not.

Assertion #3. The proposed subdivision does not meet the requirements of the Application Specific Review Procedures of CDC Division 7.2.70.G that “the proposed subdivision: 1. is consistent with the Comprehensive plan.”. The Beaufort County Comprehensive Plan (Adopted 9 May 2016) Chapter 4, Land Use Amendments, reads “future development in the community preservation areas shall occur under the following guidelines:

- New development should infill around and in between existing homes with a similar density and character.
- The character of new homes should be based on the height, massing, and setback of the surrounding homes.
- Greenway buffers should be maintained between existing communities and new developments that may occur around the community preservation areas.”

The proposed higher-density development with lot sizes approximately 1/12 of the average 3-acre lot size of the Academy Estates Subdivision will not come anywhere close to the required matching of the density, character, massing and setback of Academy Estates, nor will it contribute to Greenway Buffers.

For further emphasis, the legislative intent of the County Council cannot be in question, because the requirement that new developments be similar to their neighbors is mentioned approximately 65 times in the Community Preservation District codes. The sheer number of repetitions makes the intent obvious.

Additional discussions pertinent to assertions both #2 and #3:

1. In meetings concerning an earlier version of this 25 quarter-acre lot subdivision, the Planning Commission was told by the Planning Department employees that, since the original Academy Estates restrictive covenants had expired, there was no justification for requiring a lot size larger than the minimum. The public minutes of the 7 December 2015 meeting state “The staff did caution the neighborhood prior to conceptual approval that the neighborhood should develop their covenants and restrictions, since it was critical to maintain the character of their neighborhood.”, which we have now done. Since that time, 2/3 of the residents of Academy Estates have reestablished restrictive covenants (Attachment 3) including the requirement that none of their lots can be subdivided into lots smaller than 1 acre. This clearly establishes the intent of a supermajority of the residents to maintain the current character, scale, and density of our neighborhood.
2. In the same meeting, the county lawyer told the Planning Commission that in effect, any attempt by the Commission to impose a lot size larger than the minimum could be considered arbitrary and capricious. It is our assertion that the

reinstated covenants above establish a reasonable and defensible standard by which density in Academy Estates can rationally and legally be used.

3. Attachment #5 provides discussion by the past Commission members justifying their thinking about this question, and the role that covenants should play.

Assertion #4 That the CDC subparagraphs 7.3.70.c.6.a.2 and 3 specifically provide that the Planning Commission has the duty and authority to correct errors in judgement or fact in the Planning Department's decisions:

subparagraph 2 provides for "Modification of the decision or interpretation (in whole or in part)"

subparagraph 3 provides for "Reversal of the decision or interpretation (in whole or in part)"

As the above analyses demonstrate, the Planning Department neglected the plainly and repetitiously stated intent of the County Council that new developments must match neighboring subdivisions in character, scale, and density, and erroneously decided that the minimum lot size is to be the standard for the whole county. It is the function of the Planning Commission, in its oversight role, to correct these errors.

Summary: We assert that we have established that:

1 - we have, by establishing the new covenants, established a logical, defensible, and legal standard for the character, scale, and density of the Academy Estates neighborhood, that it is not arbitrary and capricious, and therefore can be legally upheld.

2 – the legislative intent of the County Council in reference to character, scale, and density is clear and unambiguous.

3 – demonstrated that the proposed higher-density subdivision certainly does not meet that intent, as required by the Comprehensive Plan, the Community Development Code, and the Lady's Island Community Preservation Plan.

4 – The Planning Commission has both the duty and the power to disallow the lot sizes of the proposed subdivision

Conclusion: If this proposed subdivision is approved, it will set a definitive precedent that the county will forever accept quarter-acre lot sizes as being appropriate throughout the county, no matter what the surrounding area contains, and the Planning Commission will have relinquished its power to enforce matching character, scale and density.

We do not ask that the proposed development be stopped, nor that the lot size meet the average 3-acre size of the Academy Estates Subdivision. We ask only that the lot sizes be


increased to a size equal to or larger than the 1 acre-minimum established by the current restrictive covenants of the neighborhood.


Signatures

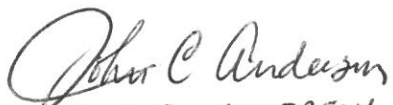
Jill V. Bolin
Jill V. Bolin 46 Faculty Dr.
Beaufort, SC 29907

Glynda B. Hughes
Glynda B. Hughes 53 Alumni Rd
Beaufort SC 29907

Ronald C. Hughes
Ronald C. Hughes 53 Alumni Rd
Beaufort, SC 29907


Anthony Jones 36 Varsity St.
Beaufort, SC 29907


Heather J. Piontek 36 Varsity St.
Beaufort, SC 29907


JOHN C. ANDERSON 29 VARSITY ST
BEAUFORT, SC 29907

Judy Bowers
JUDY BOWERS 37 Varsity St.
Beaufort, SC 29907


FELIX L GASTON 31 FACULTY DR
BEAUFORT SC 29907

Brenda A. Gaston
Brenda A. Gaston 31 Faculty Dr
Beaufort SC 29907


Beth Ann Bower
Beth Ann Bower 37 VARSITY ST

Signatures

Sheila Trimmier
Sheila Trimmier
45 Varsity St
Beaufort, SC 29907

Susan R. Orlando
Susan R. Orlando
28 Varsity Street
Beaufort, SC 29907

Marco A. Orlando
MARCO A. ORLANDO
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BEAUFORT, SC 29907

Kristi Courtney
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Joseph L. Courtney
JOSEPH L. COURTNEY
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William J. Murtagh
WILLIAM J. MURTAGH
23 VARSITY STREET
BEAUFORT, SC 29907

Renee E. Murtagh
Renee E. Murtagh
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Beaufort SC 29907

Patricia Dowling
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Mike Kuhn
MIKE KUHN
65 Faculty Dr
BEAUFORT SC 29907

Signatures

Tina Kuhn
Tina Kuhn
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Port Royal, SC 29935

Sara L Lemstrom
Sara L. Lemstrom
55 Faculty Dr.
Beaufort, SC 29907

Mark A. Lemstrom
Mark A. Lemstrom
55 Faculty Drive
Beaufort, SC 29907

SUSAN MORGAN DAUGS
Susan Morgan Daus
25 alumni Rd.
Beaufort SC 29907

Emil Joya Daus
Emil Joya Daus
25 Alumni Rd
Beaufort S. C 29907

5. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

6. No mobile home, trailer, basement, tent, shack, garage, barn or other outbuilding erected on any lot shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary nature be used as a residence.

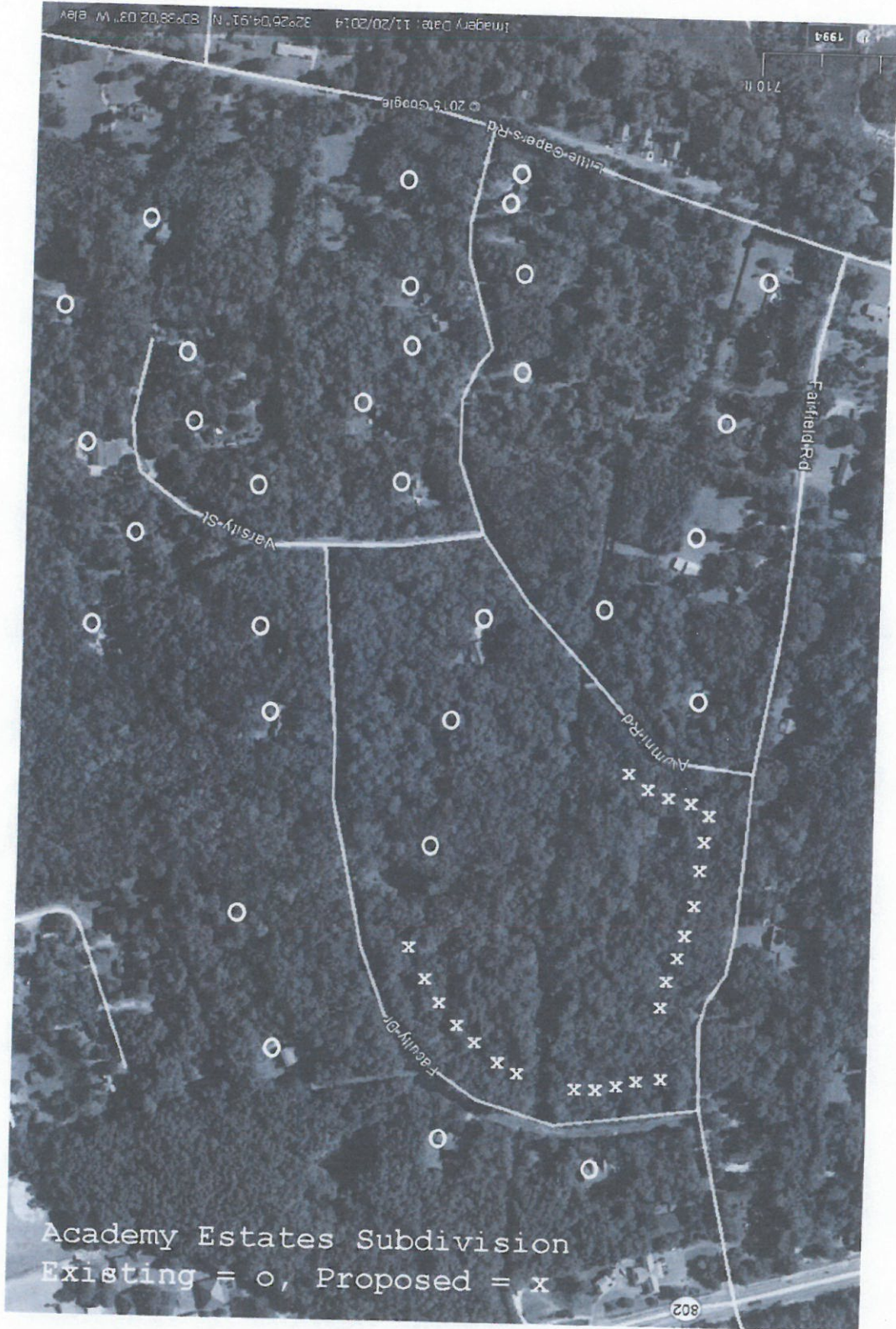
7. The ground floor area of the main structure, exclusive of one-story porches and garages, shall not be less than fifteen hundred (1500) square feet in the case of one-story structures, nor less than one thousand (1,000) square feet in the case of one and one-half, two or two and one-half story structures. Said construction must be in accordance with or exceed the minimum standards as adopted from time to time by the Federal Housing Administration for residential construction.

8. Each lot owner shall provide receptacles for garbage in a screened area not generally visible from the road or highway, or provide underground garbage receptacles or similar facilities in accordance with the reasonable standards to assure that garbage and refuse will not be obnoxious to other persons in said subdivision.

9. No sewage shall be emptied or discharged into any lake, stream, or river, creek or marsh, and all sewage must be disposed of by means of a septic tank or tanks constructed on each lot for that purpose, or in the event that sewer mains are available, by connection into said sewer mains.

10. These covenants are to run with the land and shall be binding on all parties claiming by, through or under them until January 31, 2046; after which time said covenants and restrictions shall be automatically extended for periods of successive periods of ten years, unless an instrument signed by sixty (60%) percent of the then property owners within Academy Estates has been recorded agreeing to change these covenants in whole or in part or terminate same.

If the parties hereto, or any of their heirs or assigns, shall violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situate in said area or subdivision, to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate such covenants and either to prevent him or them from so doing by injunctive measures or to recover damages or other dues for such violations, but the violation of any condition or restriction shall not be cause for forfeiture and shall not impair the title of any person, firm or corporation who shall lend money secured by any mortgage on any of the land hereby conveyed. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.



STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
) FOURTEENTH JUDICIAL
COUNTY OF BEAUFORT) CIRCUIT

Richard S. Bolin, Renee Murtagh,) CIVIL ACTION NO.
)
Joe Courtney, William J. Murtagh,) 2016-CP-07-00325
Michael J. Kuhn, Tina M. Kuhn,)
Mark A. Lemstrom, Sara L. Lemstrom,)
Patricia Dowling, Susan R. Orlando,)
Jill V. Bolin, Dennis Bywater,)
David D. Prekop, Marco Orlando, Jr.,)
Susan M. Prekop, Jacob D. Bywater,)
)
Appellants,)
)
v.)
)
Beaufort County Planning)
Commission,)
)
Respondent.)
-----)

PARTIAL TRANSCRIPT OF
VIDEO RECORDING OF

**BEAUFORT COUNTY
PLANNING COMMISSION MEETING**

Monday, December 7, 2015



CREEL COURT REPORTING, INC.
1230 Richland Street / Columbia, SC 29201
(803) 252-3445 / (800) 822-0896

1 **FEMALE SPEAKER:** Yeah, you would have to announce
2 what the rule is with regard to split
3 decisions.

4 **CHAIRMAN:** Hmm. What's the rule? Okay, on the
5 appeal -- on the appeal of the Southern
6 Beaufort County -- excuse me -- the
7 administrative appeal of a decision by the
8 Staff Review Team, this Commission finds three
9 to affirm and three to reverse, that's a split
10 decision:

11 **MALE SPEAKER:** (Inaudible.)

12 **CHAIRMAN:** And that means it stands, okay, with what
13 the staff did and it goes forward. With that
14 said, and although it's -- the ruling has been
15 made, I gotta be -- I gotta be honest, the --
16 I found it very, very, very hard to do that.

17 **MR. RILEY:** I did too.

18 **CHAIRMAN:** I -- and it -- and we kept coming right
19 back to the covenants. The -- I think if they
20 had been in place it would have been different.
21 But for a -- for a developer to take three and
22 five-acre lots that are there and have been
23 there for a while, a traditional neighborhood,
24 and to develop that into 25 little homes, okay,
25 I personally wouldn't want you for a neighbor.



COUNTY OF BEAUFORT

STAFF REVIEW TEAM

ACTION FORM

MEMBERS PRESENT– Hillary (Present/2nd Motion), Nancy (Present/For), Chuck (Present/1st Motion), Eric (Present/Abstain)
STAFF PRESENT – Tony Criscitiello (Planning Director), Tamekia Judge (Zoning Analyst III), Eric Greenway (Assistant Director), Tanner Powell (Stormwater), Ryan Lyle (AES Representative), Amanda Flake (Natural Resource Planner)

PROJECT NAME

Academy Park Subdivision

PROJECT TYPE

Residential Subdivision

APPLICANT/DEVELOPER NAME, ADDRESS, PHONE NUMBER

Robert Sample, P.O. Box 228, Beaufort SC 29901

PROJECT LOCATION

Lady's Isl.

PIN

200-015-558/559/560

LAND AREA (ACRES)

17.5

LOTS/UNITS

25

BLDG AREA (SQ FT)

DATE OF REVIEW

3/7/2018

OVERLAY DISTRICT

HCOD

FIRE DISTRICT

LISH

ZONING DISTRICT

LICP

TYPE OF SRT REVIEW (CHECK ONE TO RIGHT): CONCEPTUAL PRELIMINARY FINAL

SRT ACTION (CHECK ONE BELOW):

APPROVED NO CONDITIONS:

DISAPPROVED / REASON(S):

APPROVED WITH CONDITIONS / CONDITIONS:

APPROVED SUBJECT TO CONDITIONS / LIST OF CONDITIONS:

- Applicant shall submit Covenants and Restrictions addressing open space, Natural Resource Protection and Wetlands ownership.
- The Tree Reforestation fund amount is \$44,240.00 to be split between the Applicant and Beaufort County per the Stormwater agreement.

DEFERRED / PLEASE SUBMIT THE FOLLOWING:



ZONING AND DEVELOPMENT ADMINISTRATOR

3/7/2018

DATE

Remaining to Mitigate
OR PAY

03/15/2018

LO's = 246"
Mags = 214"
Pines = 160"
Cherry = 9"
Syc = $\frac{21"}{650"} \div 2.5 = 260$ trees.

New.

$$260 (\$140.00) \\ = \$36,400.00$$

3/15/18

when we receive Robert
money let Carolyn know
so she can fix/correct
the difference for the
Funds for Tree Reformation
for Academy Pond.

Trees Removed.

03/15/2018

LO
 19
 17
 16
 18
 18
 19
 22
 19
 27
 30
 20
 21

 246"

WO
 25

 25"

Pine
 26
 25
 24
 24
 25
 24
 24
 26
 25
 28
 24
 24

 299"

MAG
 11
 11
 11
 8
 8
 12
 11
 9
 9
 9
 8
 9
 8
 8
 8
 11
 9
 15
 8
 8
 12
 8
 11
 9

 214"

LAO
 31
 28
 25
 31

 115"

CHERRY
 19

 19"

SYC
 21"

 21"

Removed a Total
 of 127" from last
 Count because they
 were labeled
 "Fallen"

H. Aust

Mitigation

SG
 8
 16

 24" ✓

WO
 17
 10
 8
 10
 10
 13

 68" ✓

LAO
 23
 20
 15
 20
 13
 12
 12

 115" ✓

Pine
 23
 19
 21
 9

 72" ✓

Cherry
 10"

 10" ✓

$$\begin{array}{r} \text{LO} \\ 246'' - \text{Removed} \\ \underline{0} - \text{Mitigated} \\ 246'' - \text{Remaining} \end{array}$$

$$\begin{array}{r} \text{WO} \\ 25'' - \text{Removed} \\ - 25'' - \text{Mitigated} \\ \underline{0} - \text{Remaining} \end{array}$$

$$\begin{array}{r} \text{MAG} \\ 214'' - \text{Removed} \\ - 0'' - \text{Mitigated} \\ \underline{214''} - \text{Remaining} \end{array}$$

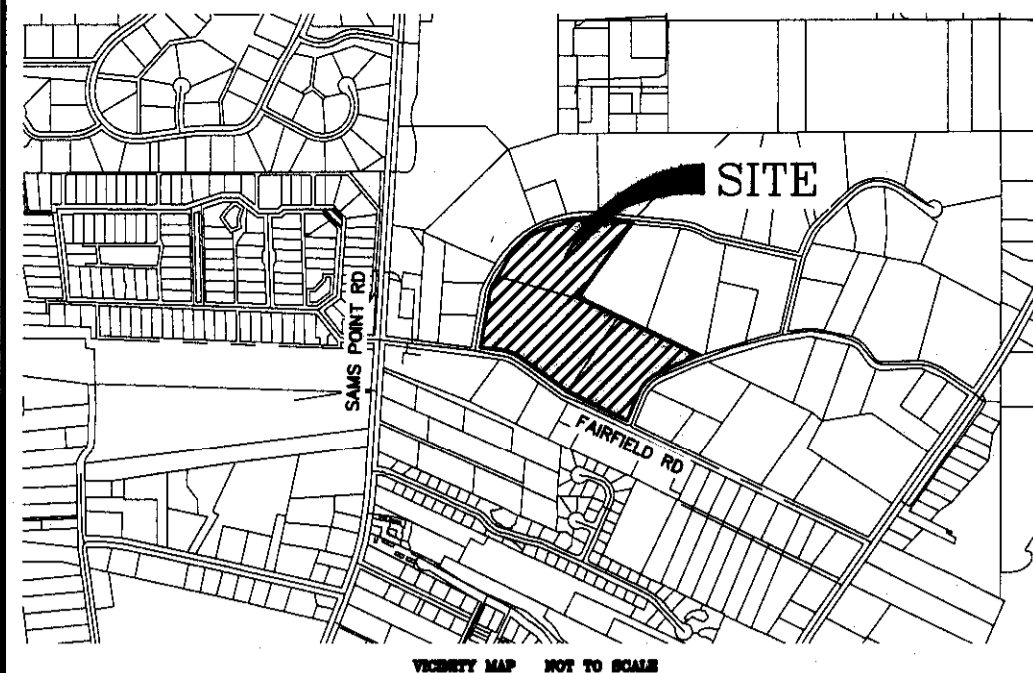
$$\begin{array}{r} \text{Pine} \\ 299'' - \text{Removed} \\ - 72'' - \text{Mitigated} \\ \underline{227''} - \text{Remaining} \end{array}$$

$$\begin{array}{r} \text{Pine} - 227'' \\ \text{SG} - \underline{-24''} \\ 203 \\ \text{WO} - \underline{-43''} \\ 160'' \text{ Remaining} \end{array}$$

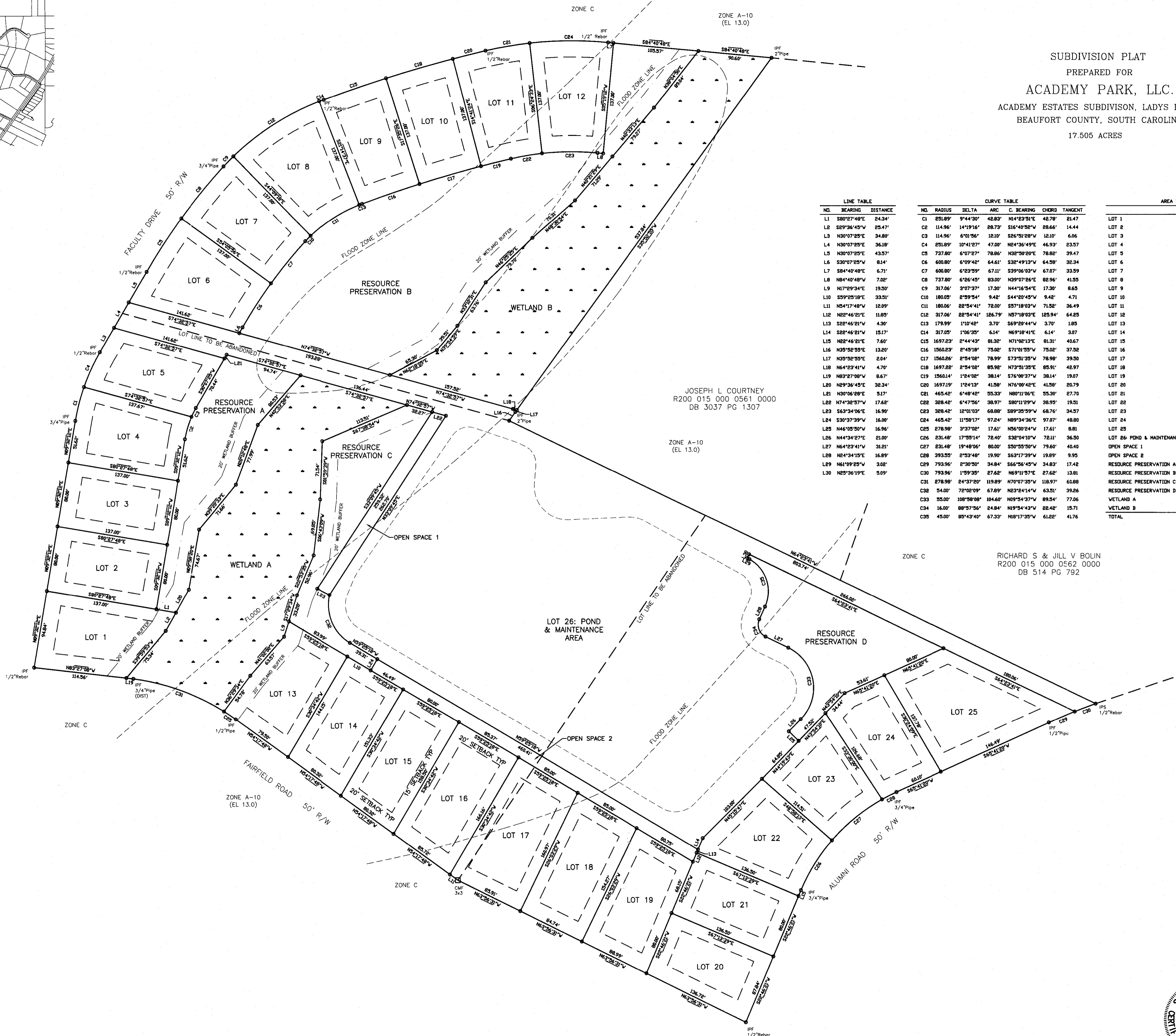
$$\begin{array}{r} \text{LAD} \\ 115'' - \text{Removed} \\ - 115'' - \text{Mitigated} \\ \underline{0''} - \text{Remaining} \end{array}$$

$$\begin{array}{r} \text{CHERRY} \\ 19'' - \text{Removed} \\ - 10'' - \text{Mitigated} \\ \underline{9''} - \text{Remaining} \end{array}$$

$$\begin{array}{r} \text{SYC} \\ 21'' - \text{Removed} \\ - 0'' - \text{Mitigated} \\ \underline{21''} - \text{Remaining} \end{array}$$



SUBDIVISION PLAT
PREPARED FOR
ACADEMY PARK, LLC.
ACADEMY ESTATES SUBDIVISION, LADYS ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
17.505 ACRES



- LEGEND:**
- PP - POWER POLE
 - SD - STORM DRAIN
 - RCP - REINFORCED CONC PIPE
 - CATV - TELE COMM BOX
 - TB - TELE BOY
 - SAT - DISH ANTENNA
 - LP - LIGHT POLE
 - CMF - CONCRETE MONUMENT FOUND
 - IPF - IRON PIN FOUND
 - IPS - IRON PIN SET

NOTES:

BEARINGS ARE BASED ON SC STATE PLANE COORDINATE SYSTEM (NAD 83).

THIS PARCEL IS LOCATED IN FLOOD ZONES C & A-10 (ELEV=13.0) AS DETERMINED BY FEMA, FIRM COMMUNITY-PANEL 450025 0100 D, DATED 9-29-86.

FIELDWORK COMPLETED: MARCH 4, 2015

THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.

LOT 26 IS NOT SUBJECT TO COVENANTS AND RESTRICTIONS.

OWNER OF RECORD: ACADEMY PARK, LLC

OPEN SPACE AND NATURAL PROTECTION AREAS ARE DEEDED TO PROPERTY OWNERS, 1/25 INTEREST.

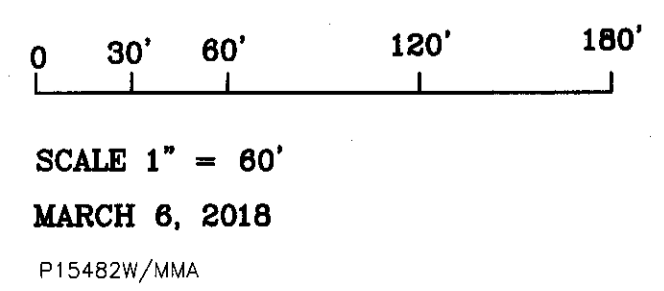
REFERENCE DEEDS:

DEED BOOK 3422, PAGE 1184
DEED BOOK 3616, PAGE 1590
DEED BOOK 230, PAGE 2031

REFERENCE MAPS:

PLAT BOOK 35, PAGE 46
PLAT BOOK 42, PAGE 130

PIN: R200-015-000-0558-0000
R200-015-000-0559-0000
R200-015-000-0560-0000



LINE TABLE

NO.	BEARING	DISTANCE
L1	S80°27'48"E	24.34'
L2	S29°36'45"W	25.47'
L3	N30°07'25"E	34.89'
L4	N30°07'25"E	36.18'
L5	N30°07'25"E	43.57'
L6	S30°07'25"W	8.14'
L7	S84°40'48"E	6.71'
L8	N84°40'48"W	7.02'
L9	N17°29'34"E	19.50'
L10	S39°28'18"E	33.51'
L11	N54°17'48"W	18.09'
L12	N82°46'21"E	11.85'
L13	S28°46'21"W	4.30'
L14	S28°46'21"W	15.17'
L15	N82°46'21"E	7.60'
L16	N39°38'55"E	13.20'
L17	N39°38'55"E	2.04'
L18	N64°23'41"W	4.78'
L19	N89°27'08"W	8.67'
L20	N89°36'45"E	38.24'
L21	N39°06'28"E	5.17'
L22	N74°38'57"W	17.62'
L23	S63°34'46"E	16.90'
L24	S33°37'39"W	16.00'
L25	N44°25'50"W	16.96'
L26	N44°24'27"E	21.00'
L27	N64°23'41"W	31.21'
L28	N84°34'15"E	16.89'
L29	N64°23'41"W	3.02'
L30	N25°36'19"E	5.09'

CURVE TABLE

NO.	RADIUS	DELTA	ARC C. BEARING	CHORD	TANGENT
C1	231.89'	9°44'30"	42.82'	N4°23'51"E	42.78'
C2	114.96'	14°19'16"	28.73'	S16°40'58"W	28.66'
C3	114.96'	6°01'56"	12.10'	S26°31'28"W	12.10'
C4	231.89'	10°41'27"	47.00'	N84°36'49"E	46.93'
C5	737.80'	6°07'27"	78.86'	N38°59'20"E	78.82'
C6	600.80'	6°09'42"	64.61'	S38°49'13"W	64.58'
C7	600.80'	6°23'09"	67.11'	S39°06'03"W	67.07'
C8	737.80'	6°26'45"	83.00'	N39°07'26"E	82.96'
C9	317.06'	3°07'37"	17.30'	N44°16'54"E	17.30'
C10	180.06'	2°59'54"	9.42'	S44°20'45"W	9.42'
C11	180.06'	2°54'41"	7.00'	S37°18'03"W	7.152'
C12	317.06'	2°54'41"	126.79'	N57°18'03"E	125.94'
C13	179.99'	1°10'42"	3.70'	S69°20'44"W	3.70'
C14	317.06'	1°06'35"	6.14'	N69°18'41"E	6.14'
C15	1697.23'	2°44'43"	81.32'	N71°08'13"E	81.31'
C16	1697.23'	2°45'18"	75.02'	S71°01'55"W	75.02'
C17	1560.28'	2°54'02"	78.99'	S73°51'35"W	78.98'
C18	1697.23'	2°54'02"	85.92'	N73°51'35"E	85.91'
C19	1560.14'	1°24'02"	38.14'	S76°00'37"W	38.14'
C20	1697.19'	1°24'13"	41.58'	N76°00'42"E	41.58'
C21	465.42'	6°48'42"	53.33'	N80°11'06"E	53.30'
C22	208.42'	6°47'56"	38.97'	S80°11'09"W	38.95'
C23	208.42'	11°01'03"	68.88'	S89°35'59"W	68.76'
C24	465.42'	11°59'17"	97.24'	N89°34'26"E	97.07'
C25	278.98'	3°37'02"	17.61'	N56°00'24"W	17.61'
C26	831.48'	17°55'14"	72.40'	S32°34'10"W	72.11'
C27	831.48'	19°48'06"	80.00'	S30°25'50"W	79.60'
C28	293.52'	2°53'48"	19.90'	S63°17'39"W	19.89'
C29	793.96'	2°30'30"	34.84'	S66°56'45"W	34.83'
C30	793.96'	1°59'35"	27.62'	N69°11'57"E	27.62'
C31	278.98'	24°37'29"	119.89'	N70°07'35"W	118.97'
C32	54.00'	72°02'09"	6.789'	N82°44'14"W	6.551'
C33	55.00'	108°58'08"	104.60'	N09°54'37"W	89.54'
C34	16.00'	88°57'56"	24.84'	N19°54'43"W	22.42'
C35	45.00'	85°43'40"	67.33'	N18°17'25"W	61.82'

AREA TABLE

NO.	ACREAGE	SQ. FT.
LOT 1	0.293	12766
LOT 2	0.252	10960
LOT 3	0.252	10960
LOT 4	0.275	11973
LOT 5	0.258	11259
LOT 6	0.307	13370
LOT 7	0.278	12113
LOT 8	0.313	13617
LOT 9	0.261	11384
LOT 10	0.259	11296
LOT 11	0.274	11920
LOT 12	0.283	12320
LOT 13	0.284	12380
LOT 14	0.271	11819
LOT 15	0.285	12393
LOT 16	0.318	13850
LOT 17	0.345	15022
LOT 18	0.307	13356
LOT 19	0.294	12790
LOT 20	0.263	11455
LOT 21	0.251	10920
LOT 22	0.287	12518
LOT 23	0.258	11248
LOT 24	0.259	11281
LOT 25	0.410	17865
LOT 26 POND & MAINTENANCE AREA	4.867	209380
OPEN SPACE 1	0.101	4380
OPEN SPACE 2	0.170	7384
RESOURCE PRESERVATION A	0.449	19572
RESOURCE PRESERVATION B	1.614	70302
RESOURCE PRESERVATION C	0.466	17677
RESOURCE PRESERVATION D	0.436	18975
WETLAND A	1.139	49635
WETLAND B	1.248	54363
TOTAL	17.505	762513

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 2 SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



DAVID S. YOUMANS RLS 9765
BEAUFORT SURVEYING, INC.
1613 PARIS AVENUE
PORT ROYAL, S.C. 29935
PHONE (843) 624-3261

SITE DEVELOPMENT PLAN
FOR
ACADEMY PARK SUBDIVISION
FAIRFIELD ROAD
ACADEMY ESTATES, LADYS ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA

BEAUFORT COUNTY COMMUNITY DEVELOPMENT
-APPROVAL TO CONSTRUCT ONLY-

This site development design shown herein has been approved for construction only by the Beaufort County Staff Development Team.

Date of Staff Approval: 3/14/2018
Development Permit #: 5437

Certified By: [Signature]



VICINITY MAP
NOT TO SCALE

N.P.D.E.S. NUMBER: SCR10Y190

N.P.D.E.S. DISTURBED AREA = 8.0 Acres

DATUM: NGVD29 VERTICAL / NAD83 HORZ.

APPROXIMATE LOCATION OF SITE:
LONGITUDE: 80°-38'-16"
LATITUDE: 32°-26'-01"

DEVELOPER NAME:
ROBERT SAMPLE
ACADEMY PARK, LLC
PO BOX 228
BEAUFORT, SC 29901
PHONE#: (843) 476-9639

PROJECT DATA INFORMATION:
ACADEMY PARK SUBDIVISION
DISTRICT #: R200
MAP #: 15
PARCEL #: 0558, 0559, 0560
PROJECT ZONING: LICPD
ZONING BOUNDARIES: LICPD
FEMA FLOOD ZONE: A10, C

3 DAYS BEFORE DIGGING IN SOUTH CAROLINA
CALL 1-888-721-7877
PALMETTO UTILITY PROTECTION SERVICE

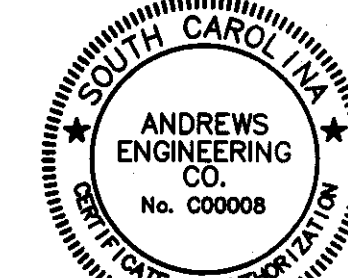
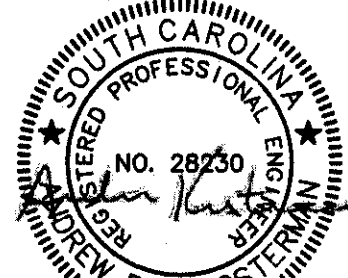
PHONE #:	PERMIT#:
B.J.W.S.A. 843.987.9250	-----
D.H.E.C. 843.522.3345	-----
O.C.R.M. 843.744.5898	-----
S.C.D.O.T. 843.524.7255	-----
S.C.E.&G. 843.525.7712	-----
PAL. ELEC. 843.208.5512	-----

APPROVED FOR CONSTRUCTION
BY: _____ / / _____
DATE

2712 Bull Street Suite A
Beaufort, SC 29902
843.379.2222
Fax 843.379.2223

Andrews Engineering

& Surveying

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INDEX OF DRAWINGS	
SHEET #	DESCRIPTION
	TITLE
A	LEGEND & NOTES SHEET
1	DEMOLITION & EXISTING SITE PLAN
2	OVERALL SITE PLAN
3	SEDIMENT & EROSION CONTROL PLAN A
4	SEDIMENT & EROSION CONTROL PLAN B
5	TREE PROTECTION & REMOVAL PLAN
6	DRAINAGE & GRADING PLAN
7	DRAINAGE PLAN & PROFILE
8	WATERLINE PLAN
9	SEDIMENT & EROSION CONTROL DETAILS
10	DRAINAGE & GRADING DETAILS
11	WATERLINE DETAILS
1 OF 2	EXISTING SITE CAPACITY
2 OF 2	PROPOSED SITE CAPACITY

DRAWING RELEASED FOR:

<input type="checkbox"/> PLAN REVIEW	____/____/____
<input checked="" type="checkbox"/> PERMIT DRAWINGS	<u>03</u> / <u>04</u> / <u>2018</u>
<input type="checkbox"/> CONSTRUCTION DRAWINGS	____/____/____
<input type="checkbox"/> BID SET	____/____/____
<input type="checkbox"/> RECORD DRAWINGS	____/____/____
<input type="checkbox"/> OTHER: _____	____/____/____

PLAN REVISIONS

NO.	DESCRIPTION:	DATE:	BY:
▲	-	-	-
▲	-	-	-
▲	-	-	-
▲	-	-	-
▲	-	-	-
▲	-	-	-
▲	-	-	-
▲	-	-	-

RECEIVED
ACADEMY ESTATES SD
BJWSA No. 2016-043
My copy
New for permit?

TYPICAL LINETYPES	
	CONSTRUCTED SWALE
	ROAD CENTERLINE (PROP & EXIST)
	CABLE TV LINE
	FIBER OPTICS
	CHAIN LINK FENCE
	SQUARE WOODEN FENCE
	SILTY FENCE
	TREE PROTECTION FENCE
	EXISTING PVC FORCE MAIN
	PROPOSED 1" PVC (C900-DR25) FORCE MAIN
	PROPOSED 2" PVC (C900-DR25) FORCE MAIN
	PROPOSED 4" PVC (C900-DR25) FORCE MAIN
	PROPOSED 6" PVC (C900-DR25) FORCE MAIN
	PROPOSED 8" PVC (C900-DR25) FORCE MAIN
	OVERHEAD POWERLINE
	EXISTING SANITARY SEWER LINE
	PROPOSED 10" SANITARY SEWER LINE
	PROPOSED 12" SANITARY SEWER LINE
	PROPOSED 6" SANITARY SEWER LINE
	PROPOSED 8" SANITARY SEWER LINE
	FUTURE SANITARY SEWER LINE
	EXISTING GAS LINE
	4" DIP (DUCTILE IRON PIPE)
	6" DIP
	8" DIP
	10" DIP
	EXISTING PROPERTY LINE
	FUTURE PROPERTY LINE
	EXISTING RIGHT OF WAY
	FUTURE RIGHT OF WAY
	EXISTING SETBACK
	FUTURE SETBACK
	TELEPHONE LINE
	UNDERGROUND POWER LINE
	PROPOSED 1" PE (SDR17) WATERLINE
	PROPOSED 10" PVC C900 WATERLINE
	PROPOSED 12" PVC C900 WATERLINE
	PROPOSED 2" PVC (SDR21-CL200) WATERLINE
	PROPOSED 30" PVC C900 WATERLINE
	PROPOSED 4" PVC C900 WATERLINE
	PROPOSED 6" PVC C900 WATERLINE
	PROPOSED 8" PVC C900 WATERLINE
	EXISTING WATERLINE
	EXISTING 10" PVC WATERLINE
	EXISTING 12" PVC WATERLINE
	EXISTING 2" PVC WATERLINE
	EXISTING 4" PVC WATERLINE
	EXISTING 20" PVC WATERLINE
	EXISTING 6" PVC WATERLINE
	EXISTING 8" PVC WATERLINE
	1" PVC CONDUIT (SCH 40)
	2" PVC CONDUIT (SCH 40)
	4" PVC CONDUIT (SCH 40)

TYPICAL ABBREVIATIONS	
AC	AIR CONDITIONER
BB	BOTTOM OF BANK
BC	BUILDING CORNER
BD	BOTTOM OF DITCH
BENCH	TEMP. BENCHMARK
BFC	BOTTOM FACE OF CURB
BOC	BACK OF CURB
BS#	BACKSIGHT (POINT#)
BSW	BACK OF SIDEWALK
BW	BOTTOM OF WALL
CA	CORNER OF ASPHALT
CB	CATCH BASIN
CC	CORNER OF CONCRETE
CDK	CORNER OF DECK
CG	CORNER OF GRAVEL
CI	CURB INLET
CLBP	CENTERLINE OF BIKE PATH
CLCP	CENTERLINE CART PATH
CLCR	CENTERLINE OF CREEK
CLD	CENTERLINE OF DITCH
CLINT	CENTERLINE OF INTERSECTION
CLP	CENTERLINE OF PAVEMENT
CLR	CENTERLINE OF ROAD
CLSW	CENTERLINE OF SIDEWALK
CMF	CONCRETE MONUMENT FOUND
CMP	CORRUGATED METAL PIPE
CMS	CONCRETE MONUMENT SET
CO	CLEAN OUT
COGO	CALCULATED POINT
COL	COLUMN
CP	CONTROL PANEL
CPL	CORNER OF POOL
CPP	CORRUGATED PLASTIC PIPE
CRT	S.C. COASTAL CRITICAL LINE
CSW	CORNER OF SIDEWALK
CTV	CABLE TELEVISION BOX
DK	DECK
EA	EDGE OF ASPHALT
EB	ELECTRIC BOX
EBP	EDGE OF BIKE PATH
EC	EDGE OF CONCRETE
ECON	ELECTRIC CONDUIT
EDK	EDGE OF DECK
EDR	EDGE OF DRIVE ROAD
EDW	EDGE OF DRIVEWAY(DIRT/GRASS)
EG	EDGE OF GRAVEL
EM	EDGE OF MARSH
EMET	ELECTRIC METER
ECP	EDGE OF CART PATH
ESTUB	PROPOSED 6" PVC C900 WATERLINE
ESW	EDGE OF SIDEWALK
EW	EDGE OF WATER
F	FENCE
FC	FENCE CORNER
FFE	FINISHED FLOOR ELEVATION
FH	FIRE HYDRANT
FL	FENCE LINE
FOM	FIBER OPTIC MARKER
FP	FLAG POLE
FS	FORESIGHT
GI	GRATE INLET
GL	GROUND LIGHT
GPS#	GPS CONTROL (POINT#)
GRV	GRAVE
GT	GAS TANK
GUT	GUTTER LINE
GV	GAS VALVE
GW	GUY WIRE
HPS	HANDICAP PARKING STRIPE
HSB	HOSE BIB
HT#	HUB & TACK (POINT#)
IM	IRRIGATION METER
INV	INVERT ELEVATION
IPC	IRON PIN CALCULATED(CORNER)
IPF	IRON PIN FOUND
IPS	IRON PIN SET
IV	IRRIGATION VALVE
LI	LANDSCAPE ISLAND
LP	LIGHT POLE/LAMP POST
MB	MAIL BOX
MW	MONITOR WELL
NWL	NORMAL WATER LEVEL

TYPICAL ABBREVIATIONS	
OHP	OVER HEAD WIRE
PC	PORCH CORNER
PI	POINT OF INTERSECTION
PK#	P/K NAIL (AS SETUPS)
PP	POWER POLE
PS	PARKING STRIPE
PVC	POLYVINYL CHLORIDE PIPE
PKS	PK NAIL SET
RCP	REINFORCED CONCRETE PIPE
RIM	MANHOLE RIM
RIP	EDGE OF RIP-RAP
RP	RADIUS POINT
SB	SETBACK
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SGN/DESC	SIGN (THEN A DESC.)
SH	SPRINKLER HEAD
SLAT	SEWER LATERAL
SLM	SEWER LINE MARKER
SSMH	SANITARY SEWER MANHOLE
STOP	STOP BAR
STEP	STEP
SV	SETUP NAIL#
SUN#	SEWER VALVE
SVM	SEWER VALVE MARKER
SWB	BACK OF SIDEWALK
T	TOPO SHOT (ELEVATION)
TB	TOP OF BANK
TBC	TOP BACK OF CURB
TBM	TEMPORARY BENCHMARK
TEL	TELEPHONE PEDESTAL
TE#	TIE TO SETUP NAIL
TL	TREE LINE
TMH	TELEPHONE MANHOLE
TOP	TOP OF PIPE
TP	TRAVERSE POINT
TRNF	TRANSFORMER
TSB	TRAFFIC STOP BAR
TW	TOP OF WALL
UC	UNDERGROUND CABLE TV
UE	UNDERGROUND ELECTRIC
UFO	UNDERGROUND FIBER OPTIC
UGG	UNDERGROUND GAS LINE
UGM	UNDERGROUND GAS MARKER
USS	UNDERGROUND SANITARY SEWER
UT	UNDERGROUND TELEPHONE
UW	UNDERGROUND WATER
VCP	VERIFIED CLAY PIPE
WELL	WATER WELL
WF	WATER FOUNTAIN
WL	WHITE LINE
WLAT	WATER LATERAL
WLM	WHITE LINE MARKER
WM	WATER METER
WP	WATER PIPE
WT	WATER TANK
WV	WATER VALVE
WVM	WATER VALVE MARKER
YL	YELLOW LINE
SUFFIXES	
END	END (EX. BFC_END)
OL	ON LINE (EX. BFC_OL)

TYPICAL LEGEND UNLESS OTHERWISE NOTED	
WETLANDS	
DEMOLITION	
LAGOON/POND	
MED. ASPHALT PAVEMENT	
HEAVY ASPHALT PAVEMENT	
CRUSHED AGGREGATE	
EXISTING ASPHALT PAVEMENT	
CONCRETE PAVEMENT	
STONE RIP RAP ON ENGR FABRIC	
EDGE OF PAVEMENT EP	
TOP OF BANK TB	
EXISTING SPOT ELEVATION	
GRATE INLET	
WATER VALVE	
DRAINAGE MANHOLE	
SANITARY SEWER MANHOLE	
SANITARY SEWER CLEAN OUT	
DRAINAGE ARROWS	
CATCH BASIN	
TRANSFORMER	
WATER METER	
CONCRETE MARKER	
LIGHT POLE	
AIR CONDITIONER	
TEMPORARY BENCHMARK	
GROUND LIGHT	
UNDERGROUND GAS MARKER	
MONITORING WELL	
FIBER OPTIC MANHOLE	
ELECTRIC BOX	
DIP CROSSING	
PROP. STORM DRAIN	
EXISTING STORM DRAIN	
TOP OF PAVEMENT	
TOP OF CURB	
TOP OF SIDEWALK	
FINISHED GRADE	
EXISTING CONTOUR	
PROPOSED CONTOUR	
EDGE OF GRAVEL EG	
BOTTOM OF BANK BB	
GRASS	
SHRUB	
PROP FIRE HYDRANT	
EXIST FIRE HYDRANT	
SIGN	
CURB INLET	
EXISTING POWER POLE	
TELEPHONE PEDESTAL	
WATER VALVE MARKER	
IRON PIN	
GUY WIRE	
CABLE TV BOX	
MAILBOX	
SEWER VALVE	
GAS VALVE	
IRRIGATION METER	
FLAG POLE	
SIGNAL BOX	
TP15.50	
TC16.00	
TS15.25	
FD13.50	
18.00	

GENERAL NOTES:

- NO SITE WORK SHALL BEGIN ON A REGULATED SITE UNTIL THE OCRM LAND DISTURBANCE PLAN IS POSTED ON SITE. ALL TREE PROTECTION IS IN PLACE AND ALL REQUIRED SILT FENCE HAS BEEN INSTALLED.
- A HORIZONTAL & VERTICAL CONTROL MONUMENT HAS BEEN DESIGNATED BY THE ENGINEER. THE VERTICAL DATUM IS NGVD-29, AND THE HORIZONTAL DATUM IS NAD 83.
- ALL PAVEMENT DIMENSIONS (I.e.: ROAD WIDTHS, PARKING LOTS, LANDSCAPE ISLANDS, etc.) ARE GIVEN TO THE EDGE OF PAVEMENT OR BACK OF CURB, AS SITE DICTATES.
- ALL BUILDING TIES ARE PERPENDICULAR TO THE PROPERTY LINES.
- CONTRACTOR TO IDENTIFY AND LOCATE ALL UNDERGROUND UTILITIES PRIOR TO STARTING CONSTRUCTION.
- CONTRACTOR RESPONSIBLE FOR TRAFFIC CONTROL AND SAFETY DURING CONSTRUCTION.
- CONTRACTOR RESPONSIBLE FOR SECURING SITE DURING NON-WORKING HOURS TO ENSURE TRAFFIC AND PEDESTRIAN SAFETY.
- THE GENERAL CONTRACTOR AND SUB-CONTRACTORS SHALL BE AWARE THAT SOME PART OR ALL OF THE CONSTRUCTION OF THIS SITE MAY FALL UNDER THE JURISDICTION OF SPECIFIC CONDITIONS RELEVANT TO A SODOT OR BEAUFORT COUNTY ENCROACHMENT PERMIT, UNITED STATES ARMY CORPS PERMIT, SETBACKS/BUFFERS PERTINENT TO THE ESTABLISHED ZONING ORDINANCES, SC-DHEC PERMITS, DHEC-OCRM PERMITS OR THE WATER AND SEWER AUTHORITY OF JURISDICTION. IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO CONFIRM THE EXISTENCE AND CONDITIONS OF ALL PERMITS RELEVANT TO THIS PROJECT PRIOR TO THE COMMENCEMENT OF THE IMPACTED PHASE(S) OF CONSTRUCTION.
- CONTRACTOR IS MADE AWARE THAT OSHA REQUIRES A PROTECTIVE SYSTEM DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER FOR EXCAVATIONS DEEPER THAN 20 FT.
- CONTRACTOR MUST TAKE NECESSARY ACTION TO MINIMIZE THE TRACKING OF MUD ONTO EXISTING ROADWAYS FROM CONSTRUCTION AREAS.
- TEMPORARY CONTROL OF STORM WATER DRAINAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR, AND SHALL BE MAINTAINED THROUGHOUT THE PERIOD OF CONSTRUCTION.
- WHERE EXISTING PAVEMENT IS SHOWN TO BE MATCHED, THE EDGE OR CONTACT FACE WITH THE EXISTING PAVEMENT SHALL BE SAW CUT (A CLEAN EDGE) 1" INTO EXISTING PAVEMENT TO AVOID THE NEW PAVEMENT SEAM FROM MATCHING THE OLD BASE/NEW BASE JOINT.
- ALL TRAFFIC CONTROL DEVICES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF: SOUTH CAROLINA DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, THE SOUTH CAROLINA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS

SEDIMENT & EROSION CONTROL NOTES:

- IF NECESSARY, SLOPES, WHICH EXCEED EIGHT (8) VERTICAL FEET SHOULD BE STABILIZED WITH SYNTHETIC OR VEGETATIVE MATS. IN ADDITION TO HYDROSEEDING, IT MAY BE NECESSARY TO INSTALL TEMPORARY SOPE DRAINS DURING CONSTRUCTION. TEMPORARY BERMS MAY BE NEEDED UNTIL THE SLOPE IS BROUGHT TO GRADE.
- STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE MORE THAN FOURTEEN (14) DAYS AFTER WORK HAS CEASED, EXCEPT AS STATED BELOW.
 - WHERE STABILIZATION BY THE 14TH DAY IS PRECLUDED BY SNOW COVER OR FROZEN GROUND CONDITIONS STABILIZATION MEASURES MUST BE INITIATED AS SOON AS PRACTICABLE.
 - WHERE CONSTRUCTION ACTIVITY ON A PORTION OF THE SITE IS TEMPORARILY CEASED, AND EARTH-DISTURBING ACTIVITIES WILL BE RESUMED WITHIN 14 DAYS, TEMPORARY STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE.
- ALL SEDIMENT AND EROSION CONTROL DEVICES SHALL BE INSPECTED ONCE EVERY CALENDAR WEEK. IF PERIODIC INSPECTION OR OTHER INFORMATION INDICATES THAT A BMP HAS BEEN INAPPROPRIATELY OR INCORRECTLY INSTALLED, THE PERMITTEE MUST ADDRESS THE NECESSARY REPLACEMENT OR MODIFICATION REQUIRED TO CORRECT THE BMP WITHIN 48 HOURS OF IDENTIFICATION.
- PROVIDE SILT FENCE AND/OR OTHER CONTROL DEVICES, AS MAY BE REQUIRED, TO CONTROL SOIL EROSION DURING UTILITY CONSTRUCTION. ALL DISTURBED AREAS SHALL BE CLEANED, GRADED, AND STABILIZED WITH GRASSING IMMEDIATELY AFTER THE UTILITY INSTALLATION, FILL, COVER, AND TEMPORARY SEEDING AT THE END OF EACH DAY ARE RECOMMENDED. IF WATER IS ENCOUNTERED WHILE TRENCHING, THE WATER SHOULD BE FILTERED TO REMOVE SEDIMENT BEFORE BEING PUMPED BACK INTO ANY WATERS OF THE STATE.
- ALL EROSION CONTROL DEVICES SHALL BE PROPERLY MAINTAINED DURING ALL PHASES OF CONSTRUCTION UNTIL THE COMPLETION OF ALL CONSTRUCTION ACTIVITIES AND ALL DISTURBED AREAS HAVE BEEN STABILIZED. ADDITIONAL CONTROL DEVICES MAY BE REQUIRED DURING CONSTRUCTION IN ORDER TO CONTROL EROSION AND/OR OFFSITE SEDIMENTATION. ALL TEMPORARY CONTROL DEVICES SHALL BE REMOVED ONCE CONSTRUCTION IS COMPLETE AND THE SITE IS STABILIZED.
- THE CONTRACTOR MUST TAKE NECESSARY ACTION TO MINIMIZE THE TRACKING OF MUD ONTO PAVED ROADWAY(S) FROM CONSTRUCTION AREAS AND THE GENERATION OF DUST. THE CONTRACTOR SHALL DAILY REMOVE MUD/SOIL FROM PAVEMENT, AS MAY BE REQUIRED.
- RESIDENTIAL SUBMISSIONS REQUIRE EROSION CONTROL FEATURES FOR INFRASTRUCTURE AS WELL AS FOR INDIVIDUAL PROPERTY CONSTRUCTION. INDIVIDUAL OWNERS SHALL FOLLOW THESE PLANS DURING CONSTRUCTION OR OBTAIN APPROVAL OF AN INDIVIDUAL PLAN IN ACCORDANCE WITH S.C. REG. 72-300 ET SEQ. AND SCR100000.
- TEMPORARY DIVERSION BERMS AND/OR DITCHES WILL BE PROVIDED AS NEEDED DURING CONSTRUCTION TO PROTECT WORK AREAS FROM UPSLOPE RUNOFF AND/OR TO DIVERT SEDIMENT-LADEN WATER TO APPROPRIATE TRAPS OR STABLE OUTLETS.
- ALL WATERS OF THE STATE (WOS), INCLUDING WETLANDS, ARE TO BE FLAGGED OR OTHERWISE CLEARLY MARKED IN THE FIELD. A DOUBLE ROW OF SILT FENCE IS TO BE INSTALLED IN ALL AREAS WHERE A 50-FOOT BUFFER CAN'T BE MAINTAINED BETWEEN THE DISTURBED AREA AND ALL WOS. A 10-FOOT BUFFER SHOULD BE MAINTAINED BETWEEN THE LAST ROW OF SILT FENCE AND ALL WOS.
- LITTER, CONSTRUCTION DEBRIS, OILS, FUELS, AND BUILDING PRODUCTS WITH SIGNIFICANT POTENTIAL FOR IMPACT (SUCH AS STOCKPILES OF FRESHLY TREATED LUMBER) AND CONSTRUCTION CHEMICALS THAT COULD BE EXPOSED TO STORM WATER MUST BE PREVENTED FROM BECOMING A POLLUTANT SOURCE IN STORM WATER DISCHARGES.
- A COPY OF THE SWPPP, INSPECTIONS RECORDS, AND RAINFALL DATA MUST BE RETAINED AT THE CONSTRUCTION SITE OR A NEARBY LOCATION EASILY ACCESSIBLE DURING NORMAL BUSINESS HOURS, FROM THE DATE OF COMMENCEMENT OF CONSTRUCTION ACTIVITIES TO THE DATE THAT FINAL STABILIZATION IS REACHED.
- INITIATE STABILIZATION MEASURES ON ANY EXPOSED STEEP SLOPE (3H:1V OR GREATER) WHERE LAND-DISTURBING ACTIVITIES HAVE PERMANENTLY OR TEMPORARILY CEASED, AND WILL NOT RESUME FOR A PERIOD OF 7 CALENDAR DAYS.
- MINIMIZE SOIL COMPACTION AND, UNLESS INFEASIBLE, PRESERVE TOPSOIL.
- MINIMIZE THE DISCHARGE OF POLLUTANTS FROM EQUIPMENT AND VEHICLE WASHING, WHEEL WASH WATER, AND OTHER WASH WATERS. WASH WATERS MUST BE TREATED IN A SEDIMENT BASIN OR ALTERNATIVE CONTROL THAT PROVIDES EQUIVALENT OR BETTER TREATMENT PRIOR TO DISCHARGE.
- MINIMIZE THE DISCHARGE OF POLLUTANTS FROM DEWATERING OF TRENCHES AND EXCAVATED AREAS. THESE DISCHARGES ARE TO BE ROUTED THROUGH APPROPRIATE BMPs (SEDIMENT BASIN, FILTER BAG, ETC.).
- THE FOLLOWING DISCHARGES FROM SITES ARE PROHIBITED:
 - WASTEWATER FROM WASHOUT OF CONCRETE, UNLESS MANAGED BY AN APPROPRIATE CONTROL;
 - WASTEWATER FROM WASHOUT AND CLEANOUT OF STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS AND OTHER CONSTRUCTION MATERIALS;
 - FUELS, OILS OR OTHER POLLUTANTS USED IN VEHICLE AND EQUIPMENT OPERATION AND MAINTENANCE; AND
 - SOAPS OR SOLVENTS USED IN VEHICLE AND EQUIPMENT WASHING.
- AFTER CONSTRUCTION ACTIVITIES BEGIN, INSPECTIONS MUST BE CONDUCTED AT A MINIMUM OF AT LEAST ONCE EVERY CALENDAR WEEK AND MUST BE CONDUCTED UNTIL FINAL STABILIZATION IS REACHED ON ALL AREAS OF THE CONSTRUCTION SITE.
- IF EXISTING BMPs NEED TO BE MODIFIED OR IF ADDITIONAL BMPs ARE NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THIS PERMIT AND/OR SC'S WATER QUALITY STANDARDS, IMPLEMENTATION MUST BE COMPLETED BEFORE THE NEXT STORM EVENT WHENEVER PRACTICABLE. IF IMPLEMENTATION BEFORE THE NEXT STORM EVENT IS IMPRACTICABLE, THE SITUATION MUST BE DOCUMENTED IN THE SWPPP AND ALTERNATIVE BMPs MUST BE IMPLEMENTED AS SOON AS REASONABLY POSSIBLE.
- A PRE-CONSTRUCTION CONFERENCE MUST BE HELD FOR EACH CONSTRUCTION SITE WITH AN APPROVED ON-SITE SWPPP PRIOR TO THE IMPLEMENTATION OF CONSTRUCTION ACTIVITIES. FOR NON-LINEAR PROJECTS THAT DISTURB 10 ACRES OR MORE THIS CONFERENCE MUST BE HELD ON-SITE UNLESS THE DEPARTMENT HAS APPROVED OTHERWISE.

CONSTRUCTION SEQUENCE

- RECEIVE NPDES COVERAGE FROM DHEC
- PRE-CONSTRUCTION MEETING
- NOTIFY DHEC EOC REGIONAL OFFICE OR OCRM 48 HOURS PRIOR TO BEGINNING LAND-DISTURBING ACTIVITIES
- INSTALLATION OF CONSTRUCTION ENTRANCE(S)
- CLEARING & GRUBBING ONLY AS NECESSARY FOR INSTALLATION OF PERIMETER CONTROLS
- INSTALLATION OF PERIMETER CONTROLS (E.G., SILT FENCE)
- CLEARING & GRUBBING ONLY IN AREAS OF BASIN/TRAPS/PONDS
- INSTALLATION OF BASINS/TRAPS/PONDS AND INSTALLATION OF DIVERSIONS TO THOSE STRUCTURES (OUTLET STRUCTURES MUST BE COMPLETELY INSTALLED AS SHOWN ON THE DETAILS BEFORE PROCEEDING TO NEXT STEP; AREAS DRAINING TO THESE STRUCTURES CANNOT BE DISTURBED UNTIL THE STRUCTURES AND DIVERSIONS TO THE STRUCTURES ARE COMPLETELY INSTALLED)
- CLEARING & GRUBBING OF SITE OR DEMOLITION (SEDIMENT & EROSION CONTROL MEASURES FOR THESE AREAS MUST ALREADY BE INSTALLED)
- ROUGH GRADING
- INSTALLATION OF STORM DRAIN SYSTEM AND PLACEMENT OF INLET PROTECTION AS EACH INLET IS INSTALLED
- FINE GRADING, PAVING, ETC.
- PERMANENT/ FINAL STABILIZATION
- CLEAN-OUT OF DETENTION BASINS THAT WERE USED AS SEDIMENT CONTROL STRUCTURES AND RE-GRADING OF DETENTION POND BOTTOMS; IF NECESSARY, MODIFICATION OF SEDIMENT BASIN RISER TO CONVERT TO DETENTION BASIN OUTLET STRUCTURE
- REMOVAL OF TEMPORARY SEDIMENT & EROSION CONTROL MEASURES AFTER ENTIRE AREA DRAINING TO THE STRUCTURE IS FINALLY STABILIZED (THE DEPARTMENT RECOMMENDS THAT THE PROJECT OWNER/OPERATOR HAVE THE SWPPP PREPARED OR REGISTRATION EQUIVALENT APPROVE THE REMOVAL OF TEMPORARY STRUCTURES)
- PERFORM AS-BUILT SURVEYS OF ALL DETENTION STRUCTURES AND SUBMIT TO DHEC OR MS4 FOR ACCEPTANCE
- SUBMIT NOTICE OF TERMINATION (NOT) TO DHEC AS APPROPRIATE

DEMOLITION NOTES:

- CONTRACTOR TO ENSURE ALL SEDIMENT AND EROSION CONTROL MEASURES ARE INSTALLED PRIOR TO PERFORMING DEMOLITION.
- WHEN REMOVING EXISTING CULVERT PIPES, CONTRACTOR TO REPAIR DRIVEWAY TO MAINTAIN ACCESS TO PROPERTY.

UTILITY NOTES:

- SHOWN ON PLAN ARE KNOWN UNDERGROUND UTILITY LOCATIONS, HOWEVER, NOT SHOWN BUT POSSIBLY ENCOUNTERED IN THE AREA OF THE SITE ARE OTHER BURIED UTILITIES INCLUDING, BUT NOT NECESSARILY LIMITED TO:
 - TELEPHONE
 - FIBER OPTICS
 - CABLE TELEVISION
 - POTABLE WATER
 - SANITARY SEWER
 - GAS PIPELINE / TRANSMISSION LINE
 STORM SEWER (NOTE: ALL UTILITIES ENCOUNTERED TO BE PROTECTED DURING CONSTRUCTION)
- CONTRACTOR RESPONSIBLE FOR CONTACTING NECESSARY UTILITY COMPANIES AND COORDINATING UTILITY RELOCATES AS SHOWN ON SITE PLANS.
- WHEN ENCOUNTERED, THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH WRITTEN GRAPHICAL INFORMATION PERTAINING TO THE VERTICAL & HORIZONTAL ALIGNMENT OF UTILITY LOCATIONS BEFORE PROCEEDING WITH CONSTRUCTION.
- THE COST ASSOCIATED WITH THE LOCATING AND RELOCATING OF UTILITIES WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- FOR UTILITIES ENCOUNTERED BUT NOT SHOWN ON PLANS, THE CONTRACTOR'S COST WILL BE BASED ON THE UNIT BID PRICE OR A NEGOTIATED FEE.

STORM SEWER NOTES:

- RCP IS TO BE (CLUI). UNLESS OTHERWISE NOTED.
- HOPE IS TO BE N-12 UNLESS OTHERWISE NOTED.
- ALL PIPE LENGTHS IN THE PLAN AND PROFILE VIEWS ARE TO THE CENTERLINE OF THE STRUCTURE. FOR REFERENCE PURPOSES ONLY.
- SUBGRADE DRAIN IS TO BE 4" PERFORATED HOPE WITH GEOTEXTILE SOCK.
- WRAP ALL JOINTS W/GEOTEXTILE FABRIC

UTILITY CONTACTS:

- COMCAST
GARY TOAL
4400 BELLE OAKS DR.
N. CHARLESTON, SC 29405
(843) 266-3010
- SCE&G
KERRY BUNTON
PO BOX 1188
BEAUFORT, SC 29901
(843) 525-7731
- CENTURYLINK
DAVID STILES
PO DRAWER 1859
BEAUFORT, SC 29902
(843)-525-7979
- HARGRAY COMMUNICATIONS GROUP, INC.
DEBORAH COOLER
PO BOX 346
BLUFFTON, SC 29910
(843) 683-1687
- BWSA
DICK DEUEL
6 SNAKE RD.
OKATIE, SC 29909
987-9251

PLAN REVISIONS	
NO.	DESCRIPTION:
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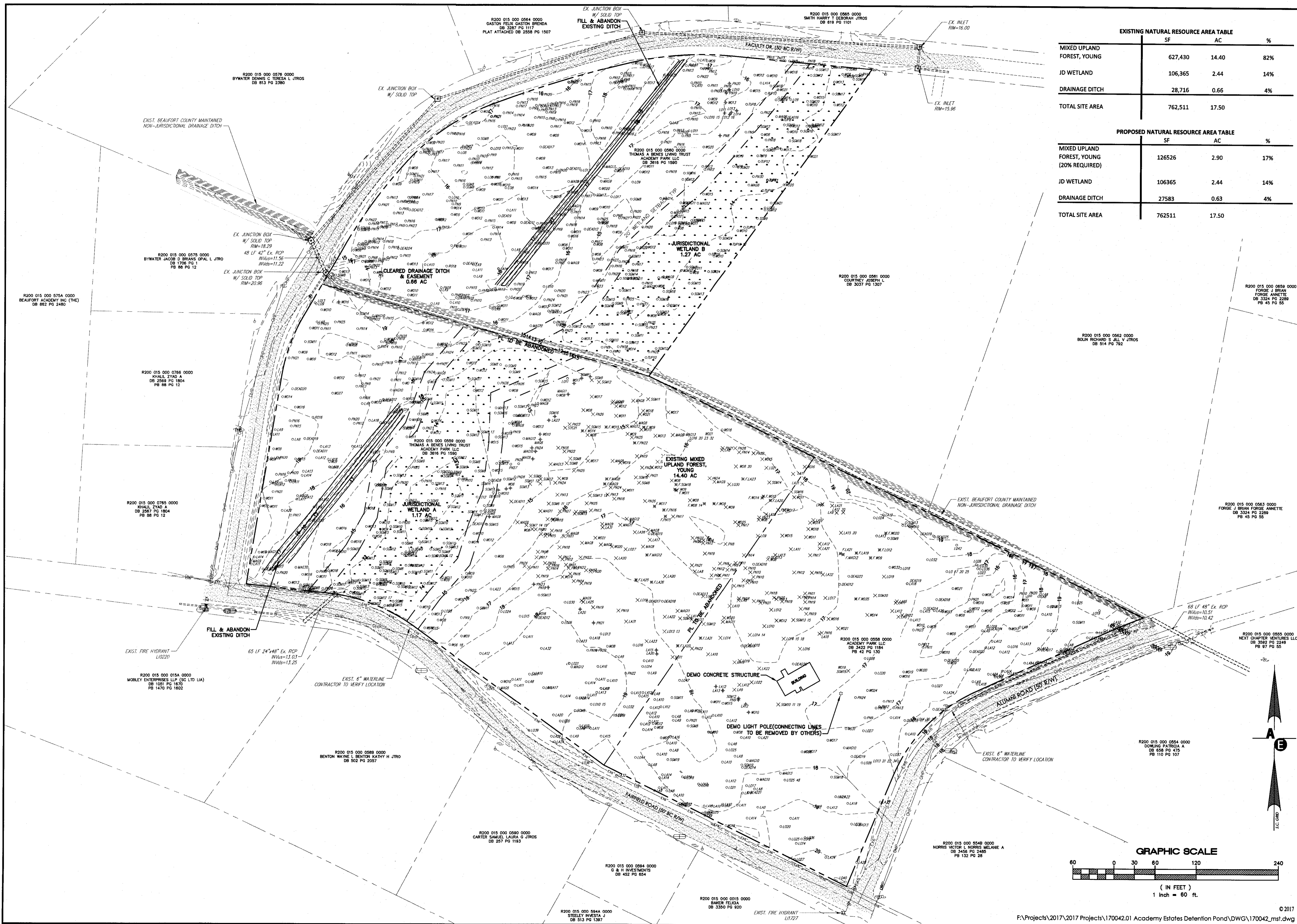
Site Development Plan For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Legend & Notes Sheet

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
A

JOB: 170042



EXISTING NATURAL RESOURCE AREA TABLE

	SF	AC	%
MIXED UPLAND FOREST, YOUNG	627,430	14.40	82%
JD WETLAND	106,365	2.44	14%
DRAINAGE DITCH	28,716	0.66	4%
TOTAL SITE AREA	762,511	17.50	

PROPOSED NATURAL RESOURCE AREA TABLE

	SF	AC	%
MIXED UPLAND FOREST, YOUNG (20% REQUIRED)	126,526	2.90	17%
JD WETLAND	106,365	2.44	14%
DRAINAGE DITCH	27,583	0.63	4%
TOTAL SITE AREA	762,511	17.50	

PLAN REVISIONS

NO.	DATE	DESCRIPTION
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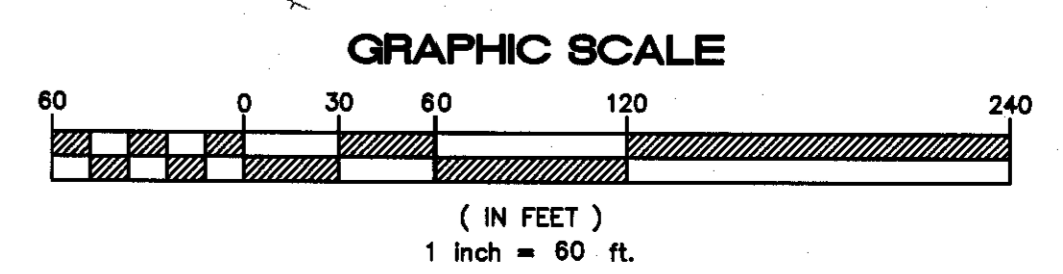
Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladies Island
Beaufort County, SC

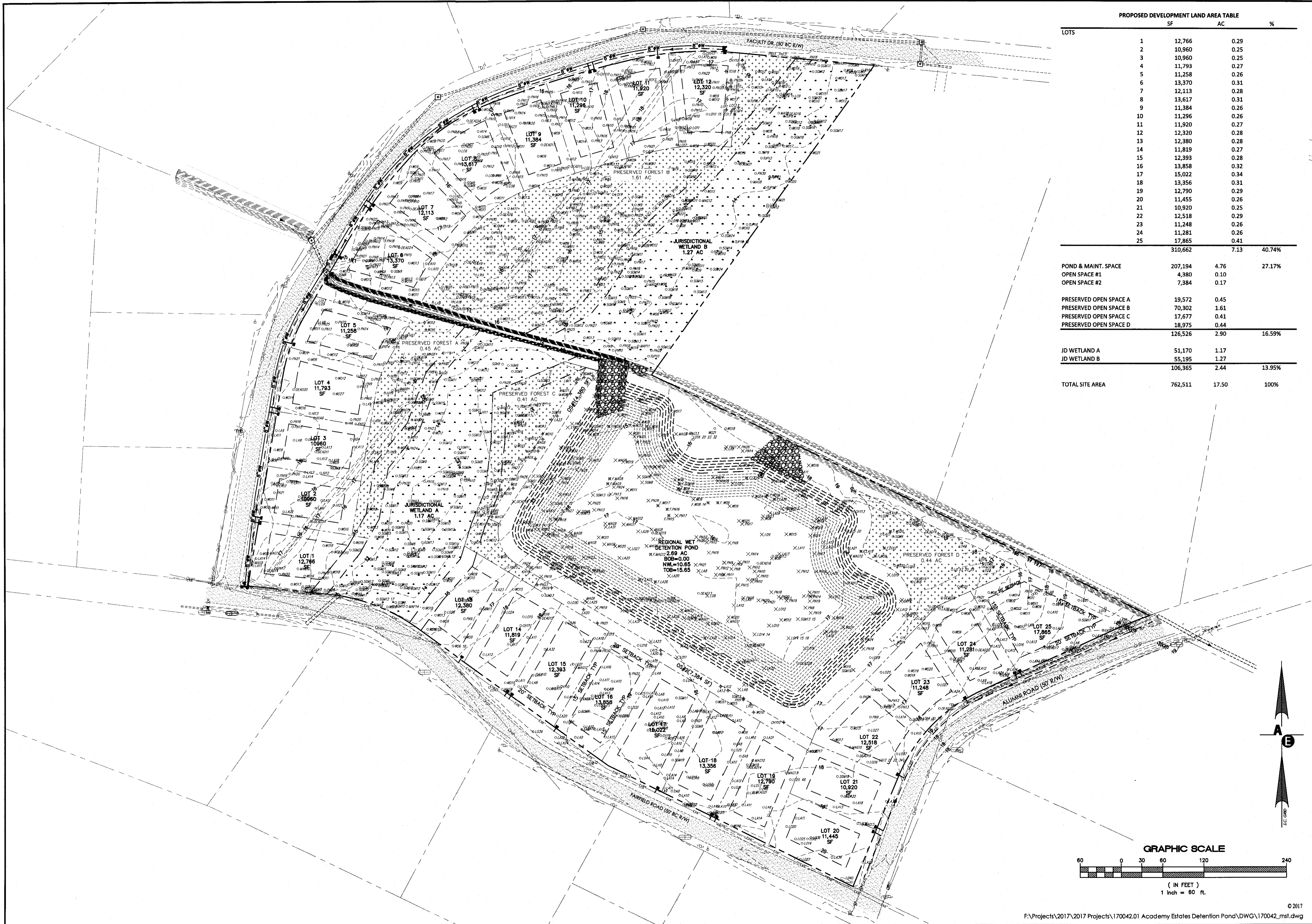
Demolition
& Existing
Site Plan

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

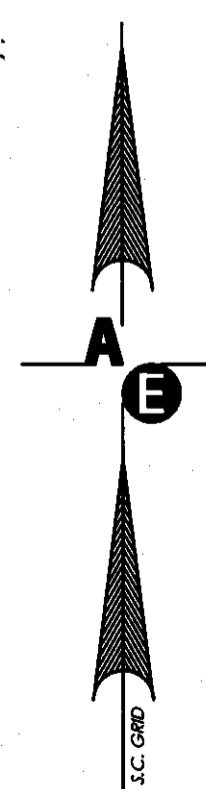
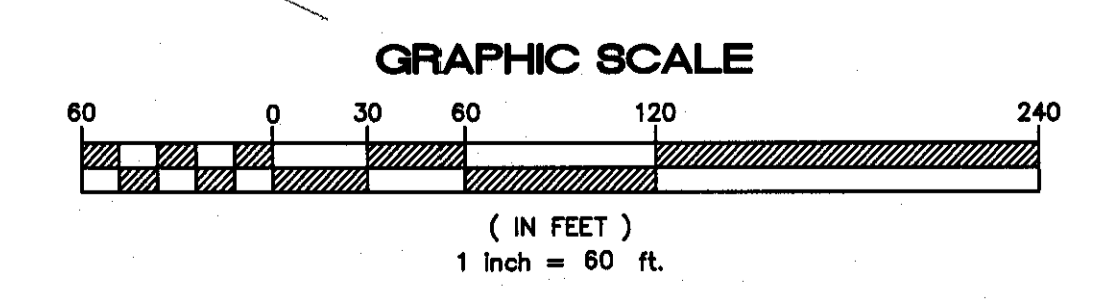
SHEET #:
1

JOB: 170042





PROPOSED DEVELOPMENT LAND AREA TABLE			
	SF	AC	%
LOTS			
1	12,766	0.29	
2	10,960	0.25	
3	10,960	0.25	
4	11,793	0.27	
5	11,258	0.26	
6	13,370	0.31	
7	12,113	0.28	
8	13,617	0.31	
9	11,384	0.26	
10	11,296	0.26	
11	11,920	0.27	
12	12,320	0.28	
13	12,380	0.28	
14	11,819	0.27	
15	12,393	0.28	
16	13,858	0.32	
17	15,022	0.34	
18	13,356	0.31	
19	12,790	0.29	
20	11,455	0.26	
21	10,920	0.25	
22	12,518	0.29	
23	11,248	0.26	
24	11,281	0.26	
25	17,865	0.41	
	310,662	7.13	40.74%
POND & MAINT. SPACE			
OPEN SPACE #1	4,380	0.10	27.17%
OPEN SPACE #2	7,384	0.17	
PRESERVED OPEN SPACE A			
PRESERVED OPEN SPACE B	70,302	1.61	
PRESERVED OPEN SPACE C	17,677	0.41	
PRESERVED OPEN SPACE D	18,975	0.44	
	126,526	2.90	16.59%
JD WETLAND A			
JD WETLAND B	51,170	1.17	
	55,195	1.27	13.95%
TOTAL SITE AREA			
	762,511	17.50	100%



PLAN REVISIONS	
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Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Overall
Site Plan

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
2

JOB: 170042

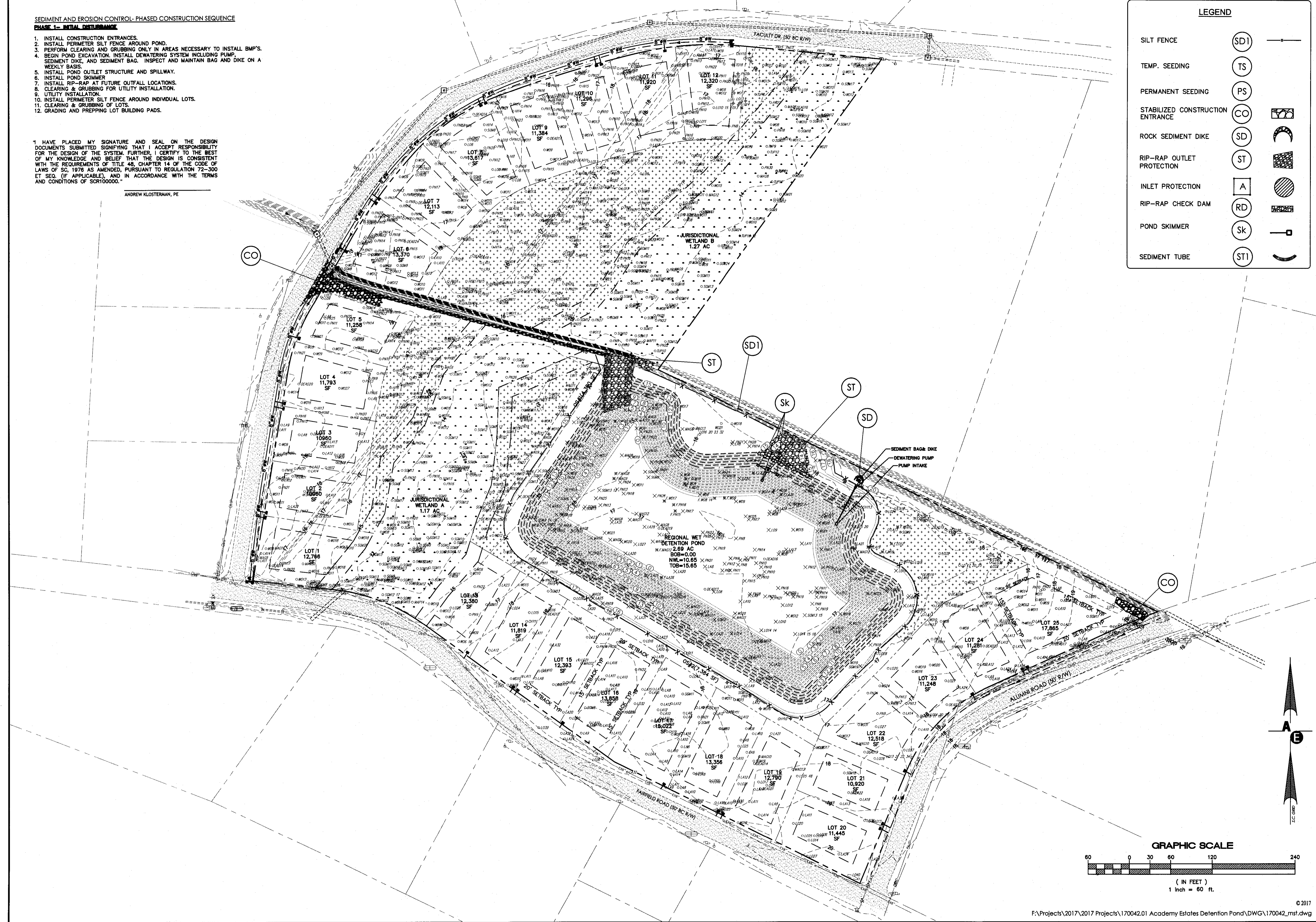
SEDIMENT AND EROSION CONTROL- PHASED CONSTRUCTION SEQUENCE

PHASE 1- INITIAL DISTURBANCE

1. INSTALL CONSTRUCTION ENTRANCES.
2. INSTALL PERIMETER SILT FENCE AROUND POND.
3. PERFORM CLEARING AND GRUBBING ONLY IN AREAS NECESSARY TO INSTALL BMP'S.
4. BEGIN POND EXCAVATION. INSTALL Dewatering SYSTEM INCLUDING PUMP, SEDIMENT DIKE, AND SEDIMENT BAG. INSPECT AND MAINTAIN BAG AND DIKE ON A WEEKLY BASIS.
5. INSTALL POND OUTLET STRUCTURE AND SPILLWAY.
6. INSTALL POND SKIMMER.
7. INSTALL RIP-RAP AT FUTURE OUTFALL LOCATIONS.
8. CLEARING & GRUBBING FOR UTILITY INSTALLATION.
9. UTILITY INSTALLATION.
10. INSTALL PERIMETER SILT FENCE AROUND INDIVIDUAL LOTS.
11. CLEARING & GRUBBING OF LOTS.
12. GRADING AND PREPPING LOT BUILDING PADS.

"I HAVE PLACED MY SIGNATURE AND SEAL ON THE DESIGN DOCUMENTS SUBMITTED SIGNIFYING THAT I ACCEPT RESPONSIBILITY FOR THE DESIGN OF THE SYSTEM. FURTHER, I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE DESIGN IS CONSISTENT WITH THE REQUIREMENTS OF TITLE 48, CHAPTER 14 OF THE CODE OF LAWS OF SC, 1976 AS AMENDED, PURSUANT TO REGULATION 72-300 ET SEQ. (IF APPLICABLE), AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF SCR100000."

ANDREW KLOSTERMAN, PE



LEGEND

SILT FENCE	SD1	
TEMP. SEEDING	TS	
PERMANENT SEEDING	PS	
STABILIZED CONSTRUCTION ENTRANCE	CO	
ROCK SEDIMENT DIKE	SD	
RIP-RAP OUTLET PROTECTION	ST	
INLET PROTECTION	A	
RIP-RAP CHECK DAM	RD	
POND SKIMMER	Sk	
SEDIMENT TUBE	ST1	

PLAN REVISIONS

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Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Sediment & Erosion
Control Plan A
(Initial Disturbance)

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wlien
Engineer: A. Klosterman

SHEET #:
3

JOB: 170042

SEDIMENT AND EROSION CONTROL-PHASED CONSTRUCTION SEQUENCE

PHASE 2- CONSTRUCTION PHASE

1. INSPECT AND MAINTAIN SILT FENCING, SEDIMENT DIKE, AND BAG AS NECESSARY.
2. INSTALL DRAINAGE INFRASTRUCTURE AND SWALES. INSTALL AND MAINTAIN SEDIMENT TUBES.
3. FINE GRADE SITE, POND, AND LOTS.
4. INSTALL TEMPORARY AND PERMANENT STABILIZATION AS NEEDED ON SITE & INDIVIDUAL LOTS.
5. REMOVE SILT FENCE AROUND INDIVIDUAL LOTS ONCE LOTS ARE PERMANENTLY STABILIZED.
6. GRADE POND TO FINAL DEPTH AND AREA.
7. PERFORM AS-BUILT SURVEYS OF ALL DETENTION STRUCTURES AND ADJUST AS NECESSARY.
8. REMOVE DEWATERING SYSTEM.
9. INSTALL PERMANENT STABILIZATION MEASURES AROUND POND BANKS.
10. REMOVE PERIMETER SILT FENCE ONCE SITE IS FULLY STABILIZED.
11. REMOVE PERIMETER SILT FENCE ONCE SITE IS FULLY STABILIZED.
12. REMOVE CONSTRUCTION ENTRANCE.
13. IF LOT BUILDING CONTINUES AFTER FULL STABILIZATION OF POND AND DRAINAGE INFRASTRUCTURE, SILT FENCE SHALL CONTINUE TO BE INSTALLED AROUND THE PERIMETER OF THE LOT. TEMPORARY AND PERMANENT STABILIZATION MEASURES SHALL BE IMPLEMENTED AS NECESSARY. POND SKIMMER TO REMAIN IN PLACE UNTIL LOTS ARE BUILT OUT.

I HAVE PLACED MY SIGNATURE AND SEAL ON THE DESIGN DOCUMENTS SUBMITTED SIGNIFYING THAT I ACCEPT RESPONSIBILITY FOR THE DESIGN OF THE SYSTEM. FURTHER, I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE DESIGN IS CONSISTENT WITH THE REQUIREMENTS OF TITLE 48, CHAPTER 14 OF THE CODE OF LAWS OF SC, 1976 AS AMENDED, PURSUANT TO REGULATION 72-300 ET SEQ. (IF APPLICABLE), AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF SCR100000."

ANDREW KLOSTERMAN, PE

LEGEND	
SILT FENCE	(SD1)
TEMP. SEEDING	(TS)
PERMANENT SEEDING	(PS)
STABILIZED CONSTRUCTION ENTRANCE	(CO)
ROCK SEDIMENT DIKE	(SD)
RIP-RAP OUTLET PROTECTION	(ST)
INLET PROTECTION	(A)
RIP-RAP CHECK DAM	(RD)
POND SKIMMER	(SK)
SEDIMENT TUBE	(ST1)

PLAN REVISIONS	
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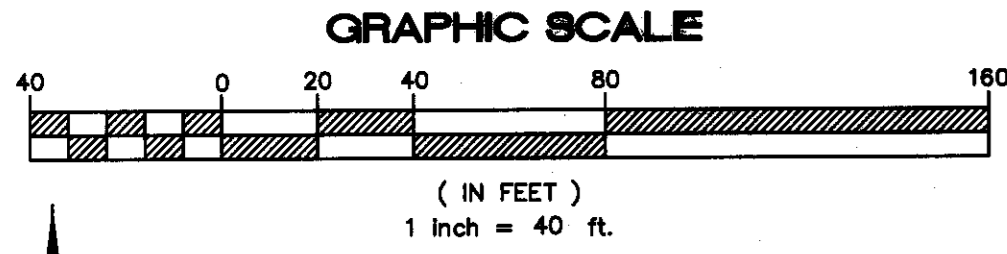
Site Development Plan For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Sediment & Erosion
Control Plan B
(Construction)

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

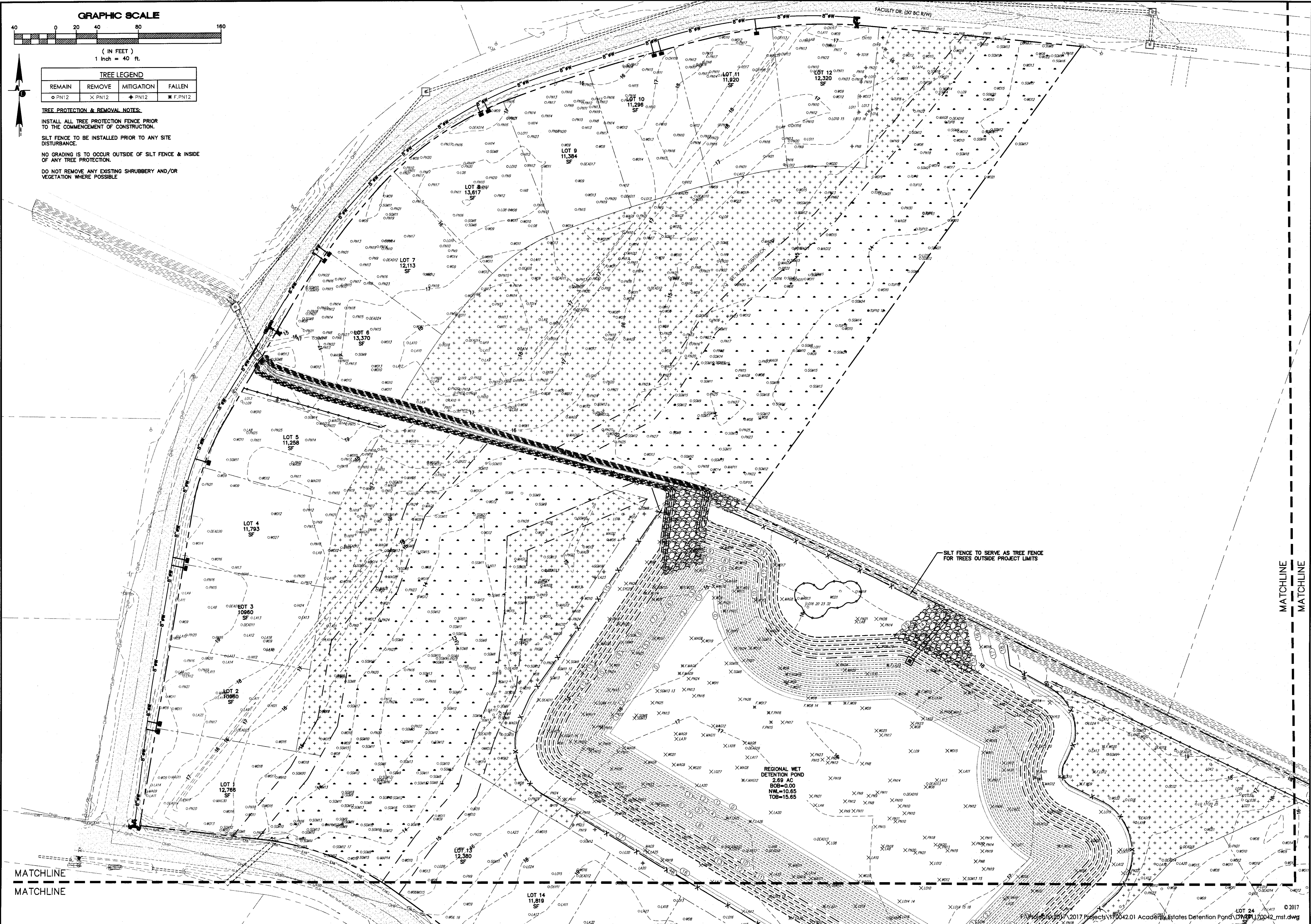
SHEET #:
4
JOB: 170042





TREE LEGEND			
○ PN12	× PN12	◆ PN12	■ F.PN12
REMAIN	REMOVE	MITIGATION	FALLEN

TREE PROTECTION & REMOVAL NOTES:
 INSTALL ALL TREE PROTECTION FENCE PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 SILT FENCE TO BE INSTALLED PRIOR TO ANY SITE DISTURBANCE.
 NO GRADING IS TO OCCUR OUTSIDE OF SILT FENCE & INSIDE OF ANY TREE PROTECTION.
 DO NOT REMOVE ANY EXISTING SHRUBBERY AND/OR VEGETATION WHERE POSSIBLE.



PLAN REVISIONS	
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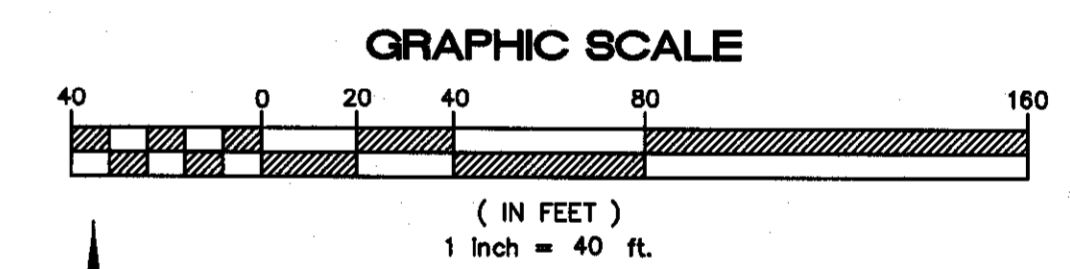
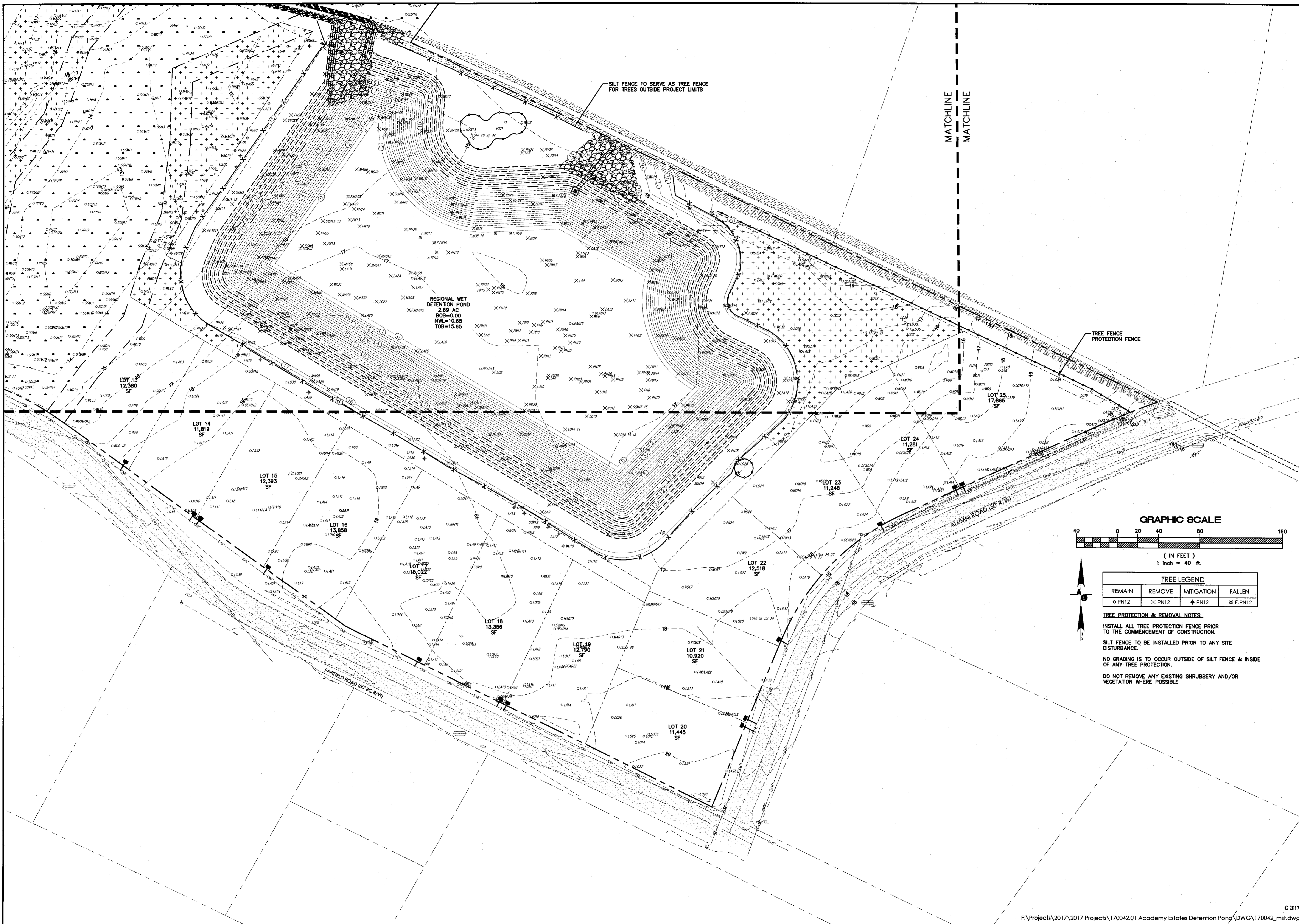
Site Development Plan
 For
 Academy Park S/D
 Fairfield Road
 Ladys Island
 Beaufort County, SC

Tree Protection
 & Removal Plan A

Date Drawn: 09/27/17
 Last Revised: 01/31/18
 Drawn By: L. Wilen
 Engineer: A. Klosterman

SHEET #:
5a

JOB: 170042



TREE LEGEND			
REMAIN	REMOVE	MITIGATION	FALLEN
○ PN12	× PN12	◆ PN12	■ F.PN12

TREE PROTECTION & REMOVAL NOTES:

INSTALL ALL TREE PROTECTION FENCE PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

SILT FENCE TO BE INSTALLED PRIOR TO ANY SITE DISTURBANCE.

NO GRADING IS TO OCCUR OUTSIDE OF SILT FENCE & INSIDE OF ANY TREE PROTECTION.

DO NOT REMOVE ANY EXISTING SHRUBBERY AND/OR VEGETATION WHERE POSSIBLE.

PLAN REVISIONS

NO.	DATE:	DESCRIPTION:	BY:
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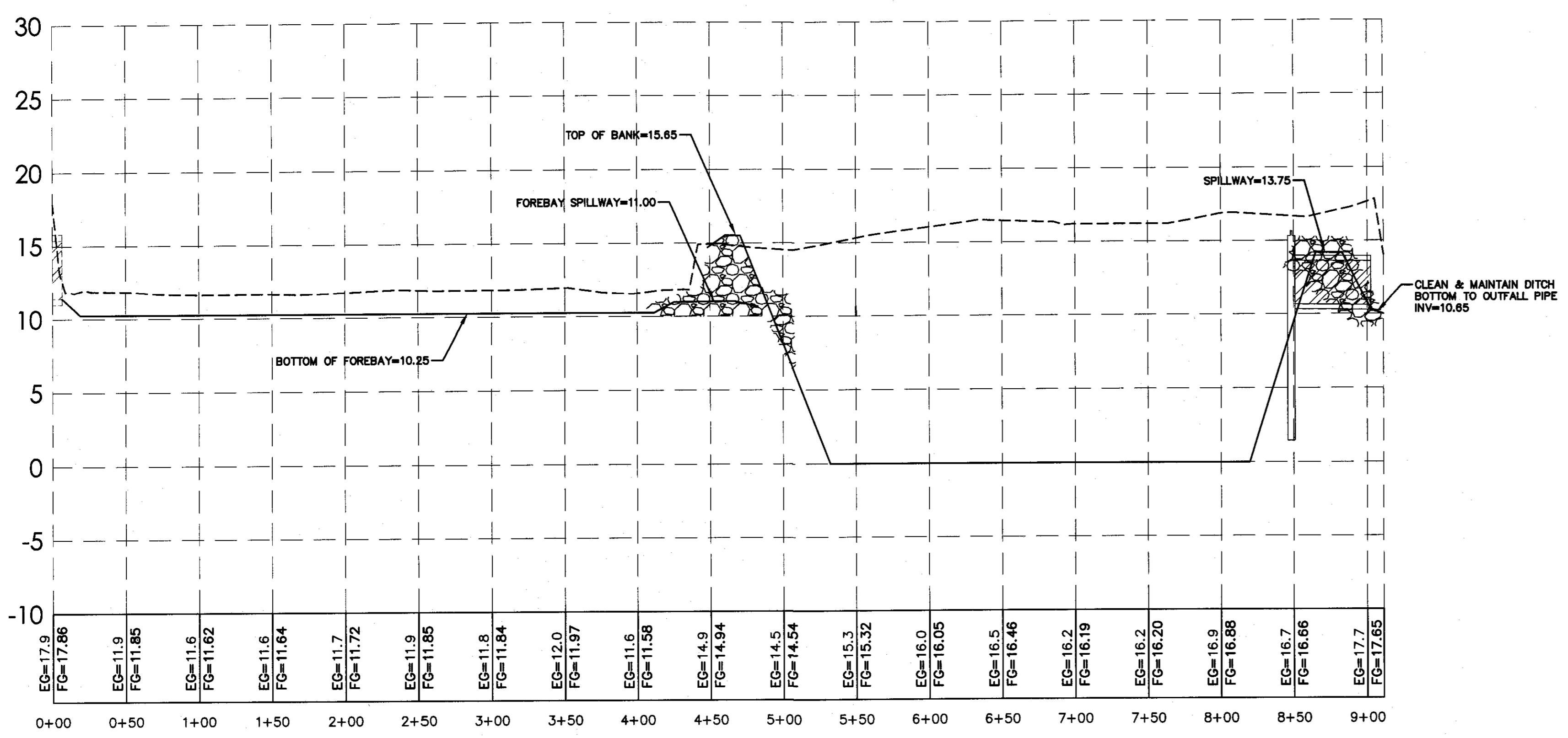
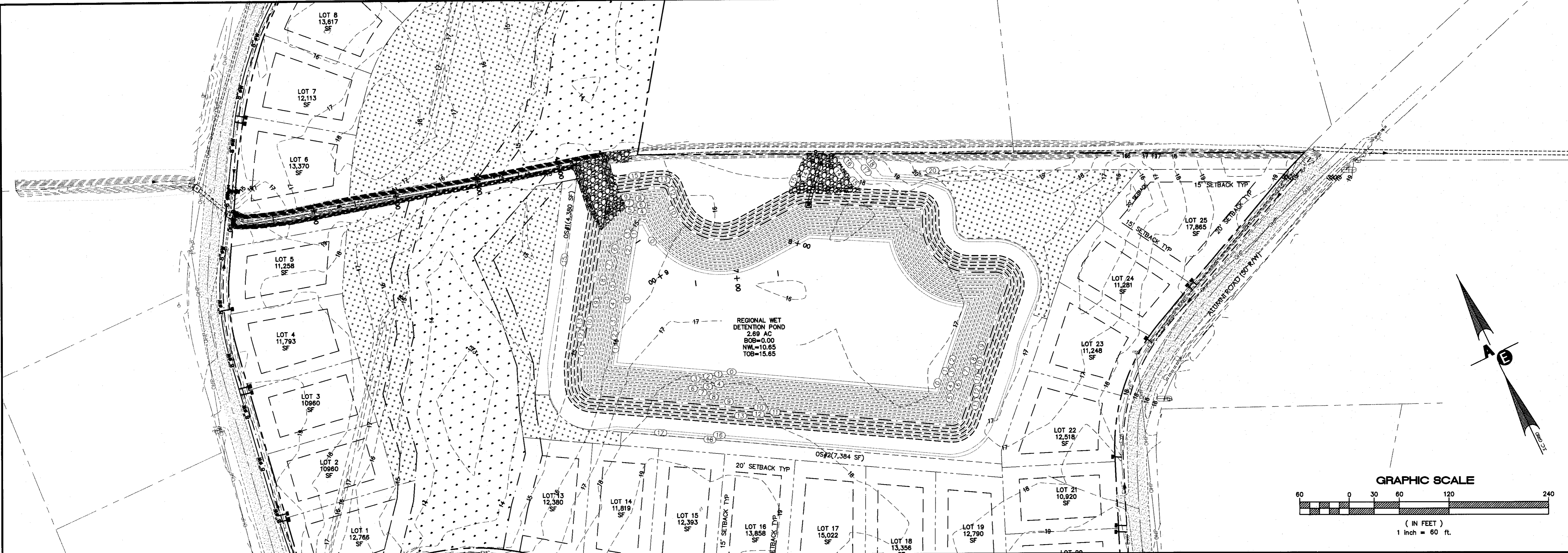
Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Tree Protection
& Removal Plan B

Date Drawn: 09/27/17
Last Revised: 01/31/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
5b

JOB: 170042



ALIGNMENT - PROPOSED DRAINAGE PROFILE
SCALE: VERT 1"=6' HORZ 1"=60'

PLAN REVISIONS

NO.	DESCRIPTION:	DATE:	BY:
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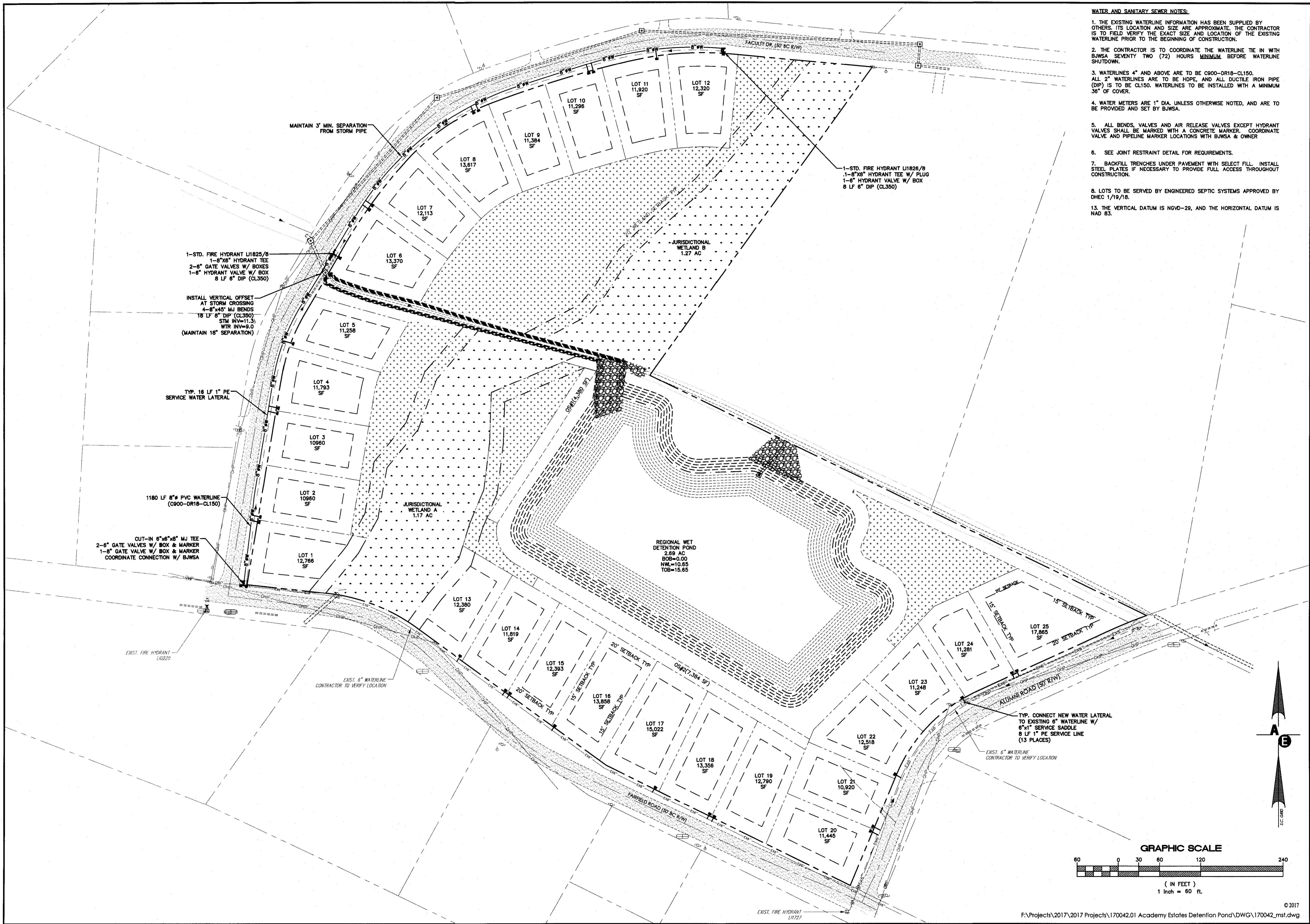
Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Drainage Plan
& Profile

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
7

JOB: 170042



- WATER AND SANITARY SEWER NOTES:**
1. THE EXISTING WATERLINE INFORMATION HAS BEEN SUPPLIED BY OTHERS. ITS LOCATION AND SIZE ARE APPROXIMATE. THE CONTRACTOR IS TO FIELD VERIFY THE EXACT SIZE AND LOCATION OF THE EXISTING WATERLINE PRIOR TO THE BEGINNING OF CONSTRUCTION.
 2. THE CONTRACTOR IS TO COORDINATE THE WATERLINE TIE IN WITH BJWSA SEVENTY TWO (72) HOURS MINIMUM BEFORE WATERLINE SHUTDOWN.
 3. WATERLINES 4" AND ABOVE ARE TO BE C900-DR18-CL150. ALL 2" WATERLINES ARE TO BE HDPE, AND ALL DUCTILE IRON PIPE (DIP) IS TO BE CL150. WATERLINES TO BE INSTALLED WITH A MINIMUM 36" OF COVER.
 4. WATER METERS ARE 1" DIA. UNLESS OTHERWISE NOTED, AND ARE TO BE PROVIDED AND SET BY BJWSA.
 5. ALL BENDS, VALVES AND AIR RELEASE VALVES EXCEPT HYDRANT VALVES SHALL BE MARKED WITH A CONCRETE MARKER. COORDINATE VALVE AND PIPELINE MARKER LOCATIONS WITH BJWSA & OWNER.
 6. SEE JOINT RESTRAINT DETAIL FOR REQUIREMENTS.
 7. BACKFILL TRENCHES UNDER PAVEMENT WITH SELECT FILL. INSTALL STEEL PLATES IF NECESSARY TO PROVIDE FULL ACCESS THROUGHOUT CONSTRUCTION.
 8. LOTS TO BE SERVED BY ENGINEERED SEPTIC SYSTEMS APPROVED BY DHEC 1/19/18.
 13. THE VERTICAL DATUM IS NGVD-29, AND THE HORIZONTAL DATUM IS NAD 83.

PLAN REVISIONS

NO.	DESCRIPTION	DATE	BY
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ANDREWS ENGINEERING CO. No. 000008

REGISTERED PROFESSIONAL ENGINEER
STATE OF SOUTH CAROLINA
NO. 15330

REGISTERED PROFESSIONAL ENGINEER
STATE OF NORTH CAROLINA
NO. 000008

2712 Bull Street Suite A
Beaufort, SC 29902
Fax: 843.379.2223

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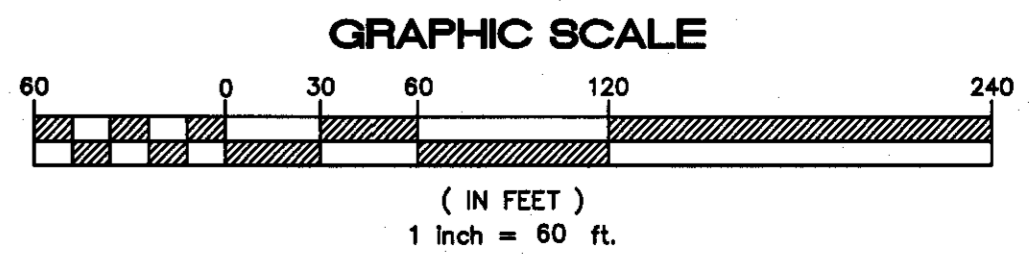
Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

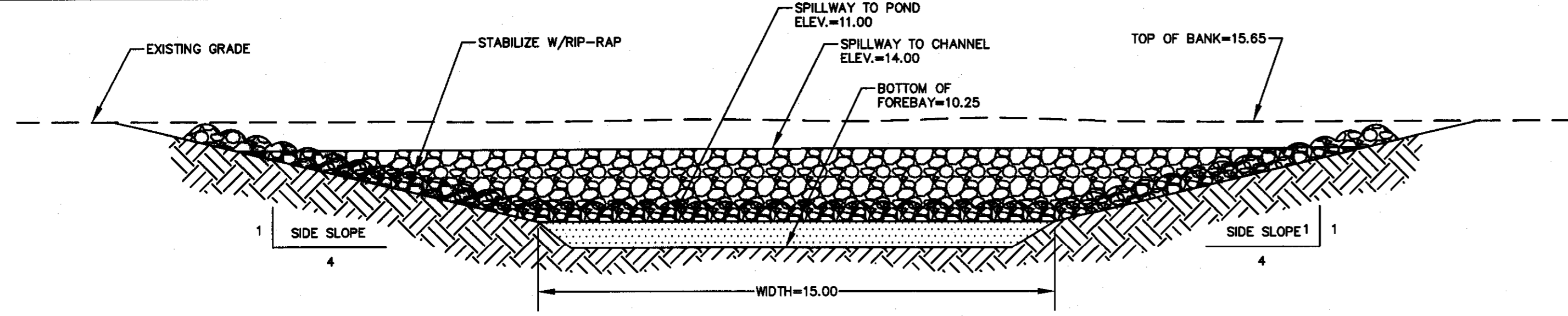
Waterline Plan

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

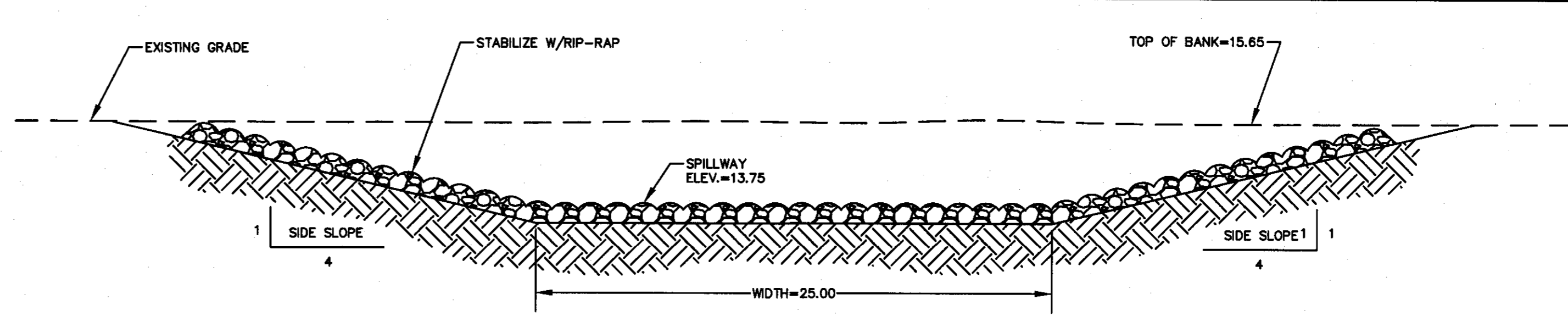
SHEET #:
8

JOB: 170042

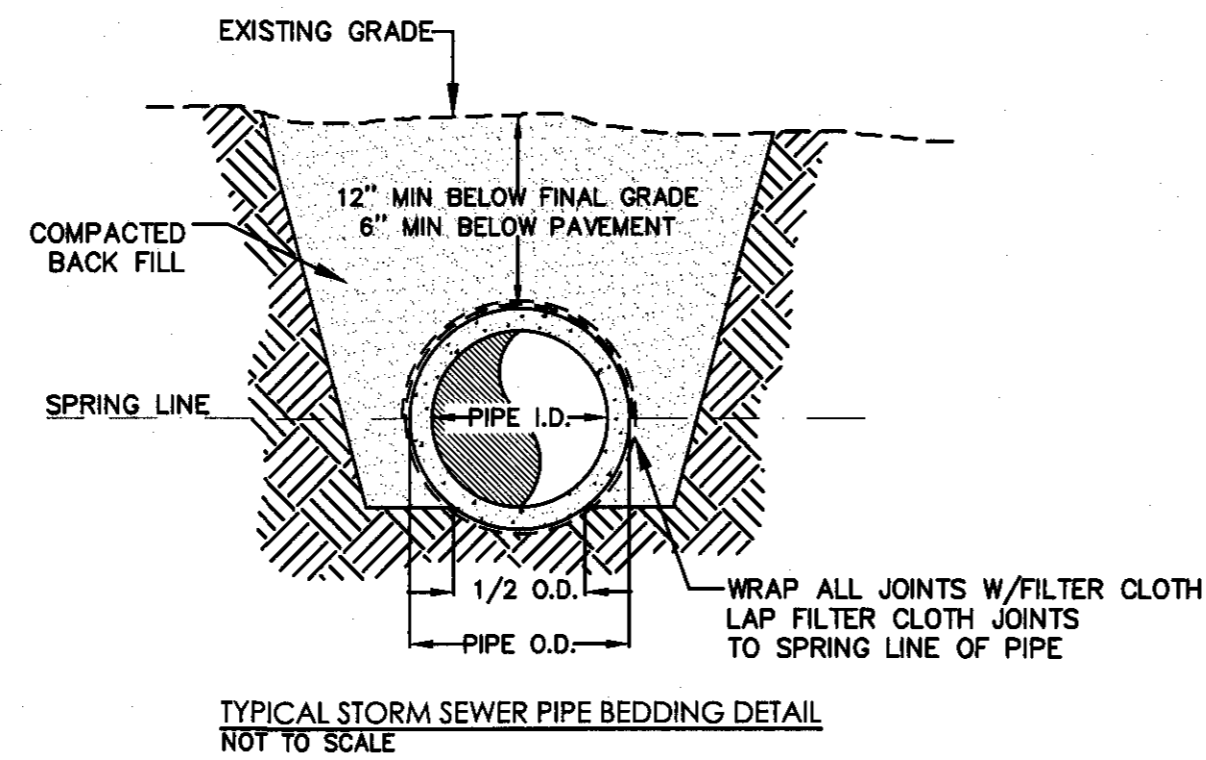




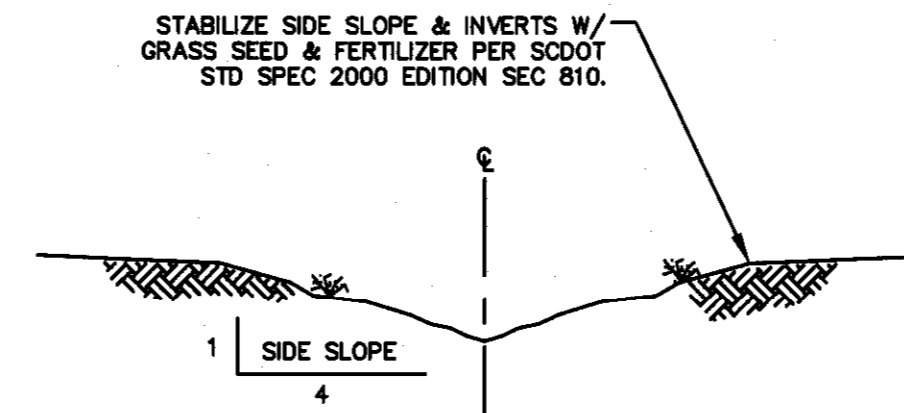
RIP-RAP FLOW DIVERSION TO POND (TYPICAL SECTION)
N.T.S.



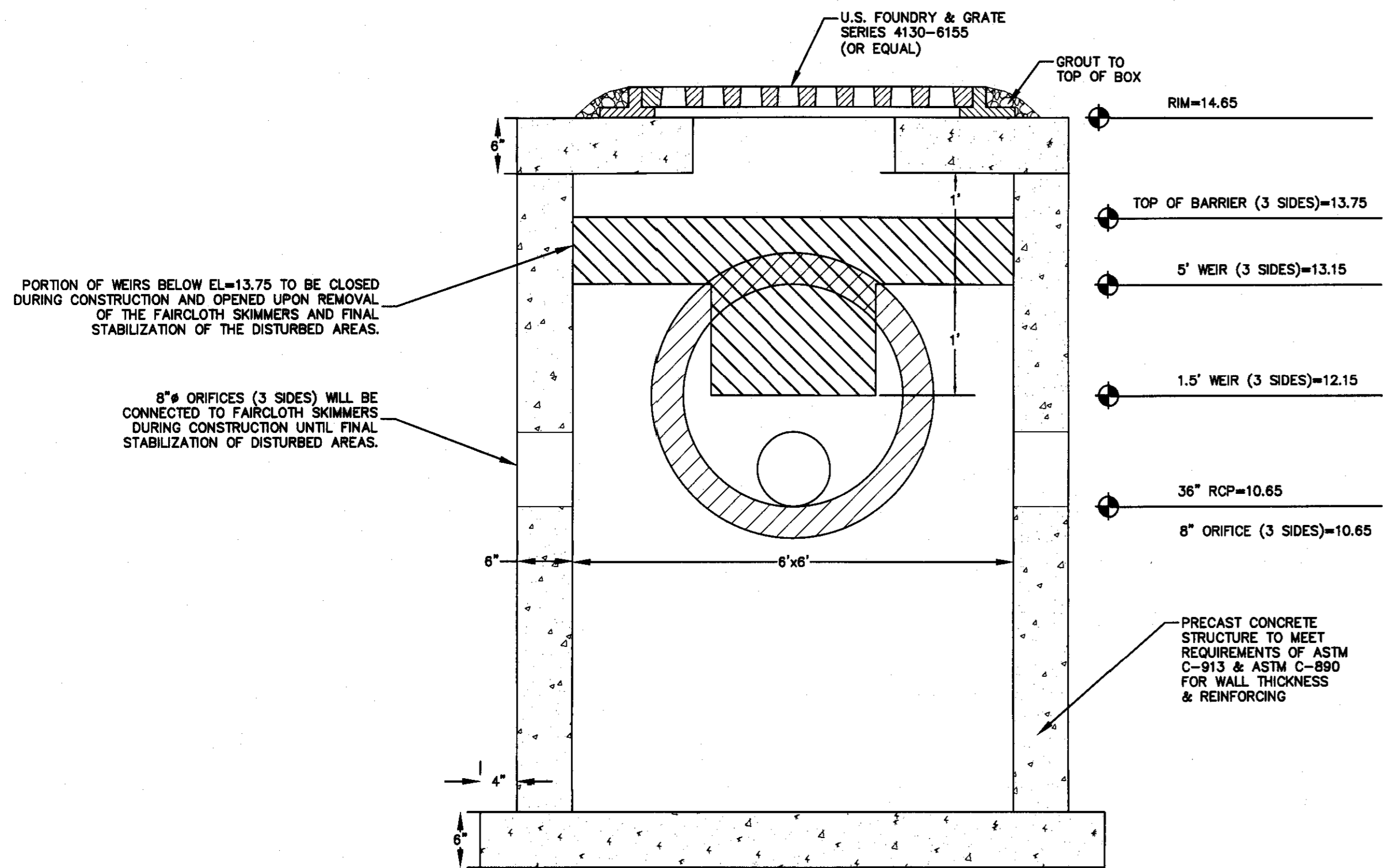
POND RIP-RAP OVERFLOW SPILLWAY (TYPICAL SECTION)
N.T.S.



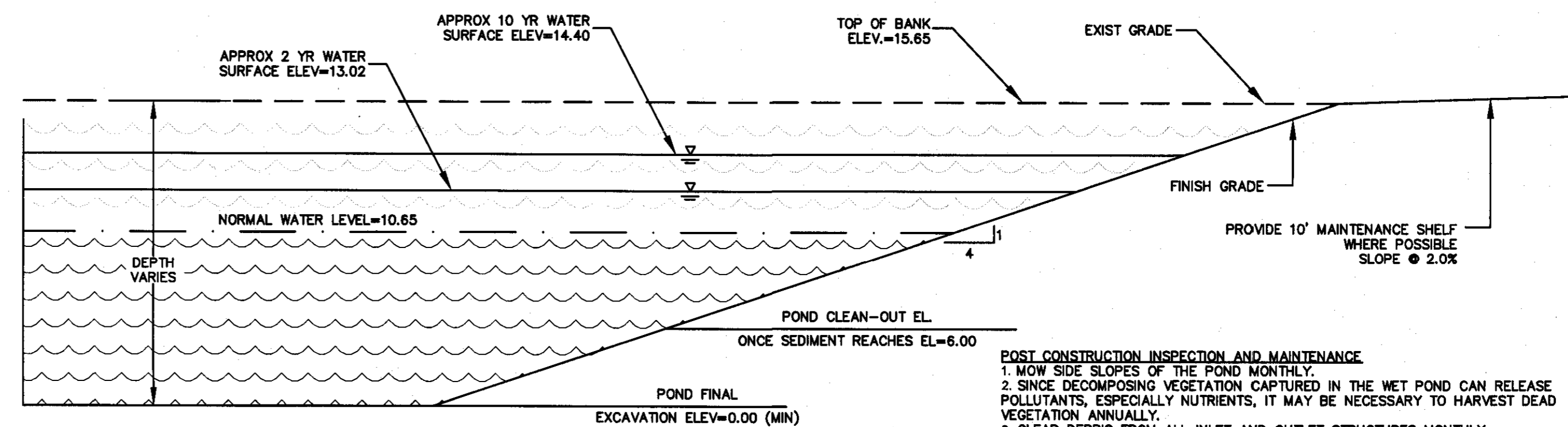
TYPICAL STORM SEWER PIPE BEDDING DETAIL
NOT TO SCALE



TYPICAL SECTION
GRASS SWALE
N.T.S.



6'x6' OUTFALL CONTROL STRUCTURE (SECTION)
N.T.S.



TYPICAL CROSS SECTION
POND
N.T.S.

- POST CONSTRUCTION INSPECTION AND MAINTENANCE
1. MOW SIDE SLOPES OF THE POND MONTHLY.
 2. SINCE DECOMPOSING VEGETATION CAPTURED IN THE WET POND CAN RELEASE POLLUTANTS, ESPECIALLY NUTRIENTS, IT MAY BE NECESSARY TO HARVEST DEAD VEGETATION ANNUALLY.
 3. CLEAR DEBRIS FROM ALL INLET AND OUTLET STRUCTURES MONTHLY.
 4. REPAIR ALL ERODED OR UNDERCUT AREAS AS NEEDED.
 5. MONITOR SEDIMENT ACCUMULATIONS IN THE MAIN POND AREA AND REMOVE SEDIMENT WHEN THE PERMANENT POOL VOLUME HAS BEEN SIGNIFICANTLY FILLED AND/OR THE POND BECOMES EUTROPHIC.

PLAN REVISIONS		NO.	DESCRIPTION:	DATE:	BY:
1		1			
2		2			
3		3			
4		4			
5		5			
6		6			
7		7			
8		8			

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No. 000008

ANDREWS ENGINEERING & SURVEYING
No. 29280

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Beaufort, SC 29902
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843.379.2223

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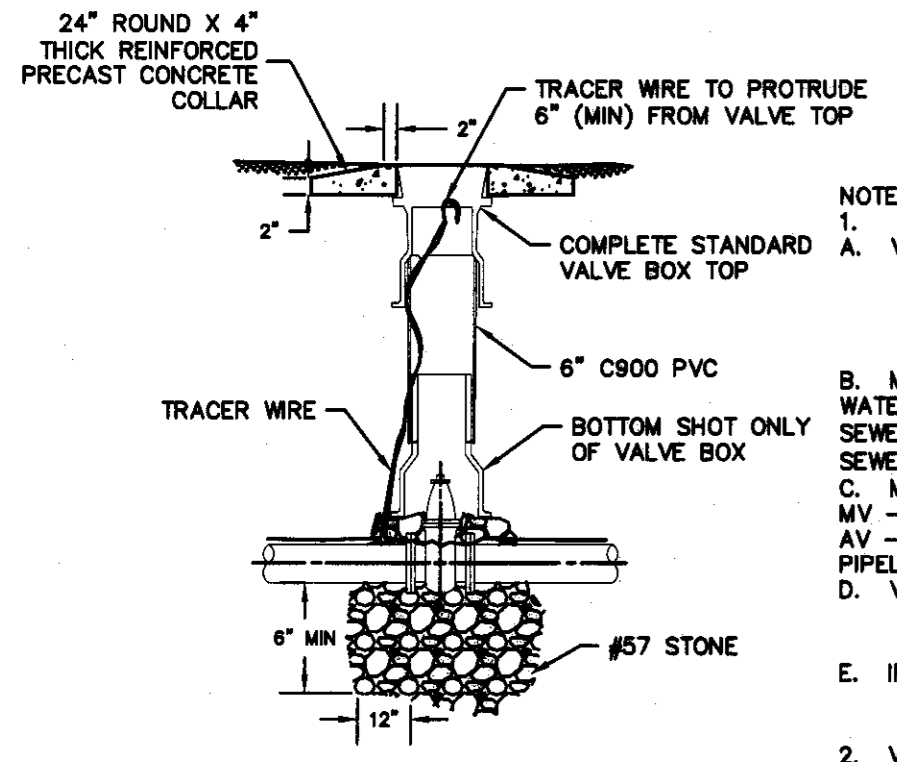
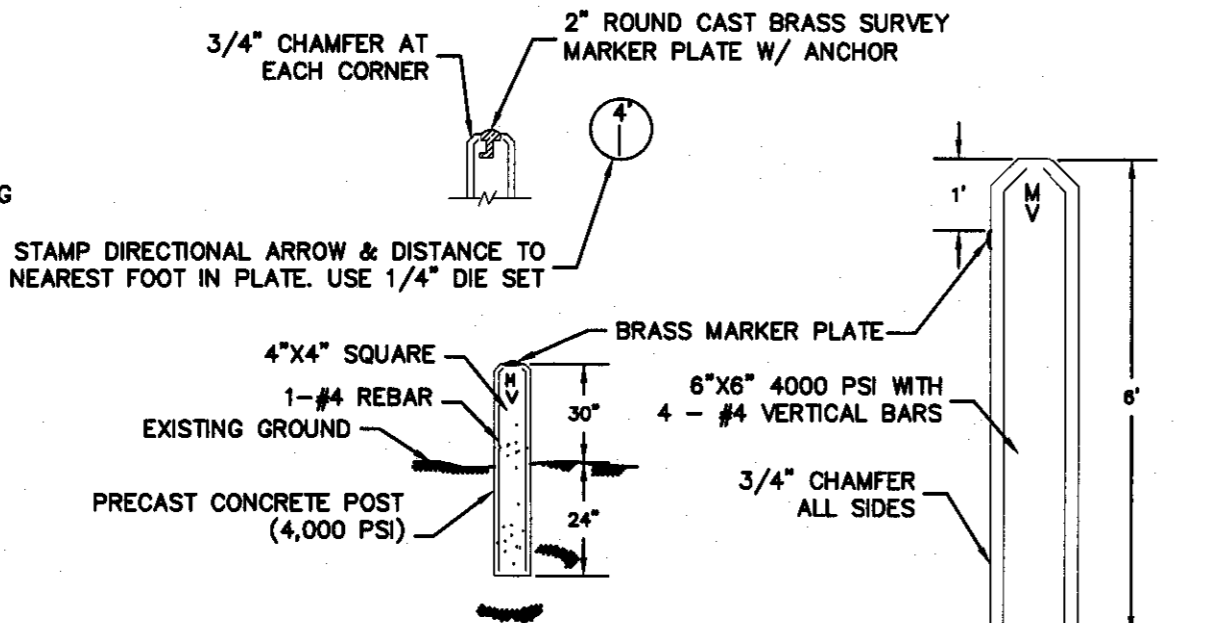
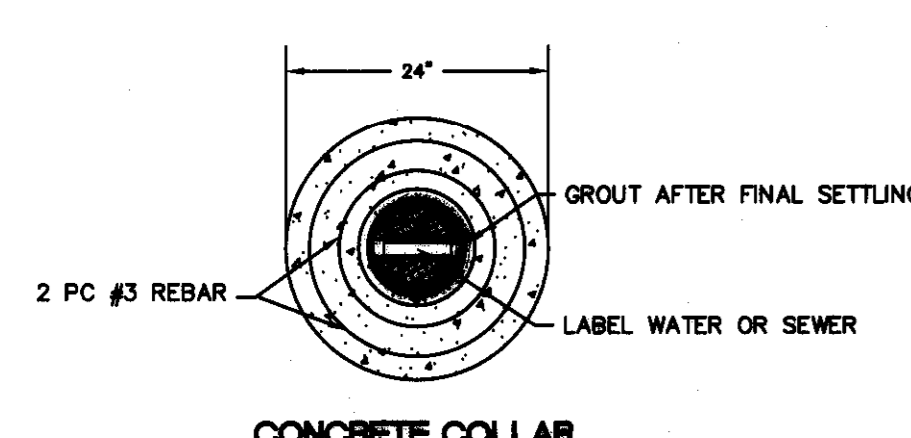
Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Drainage &
Grading Details

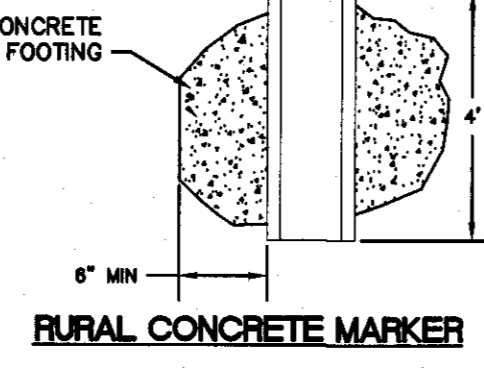
Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
10

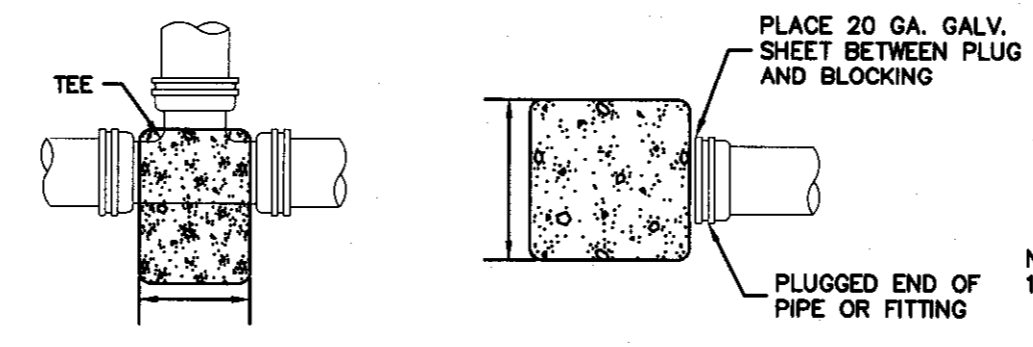
JOB: 170042



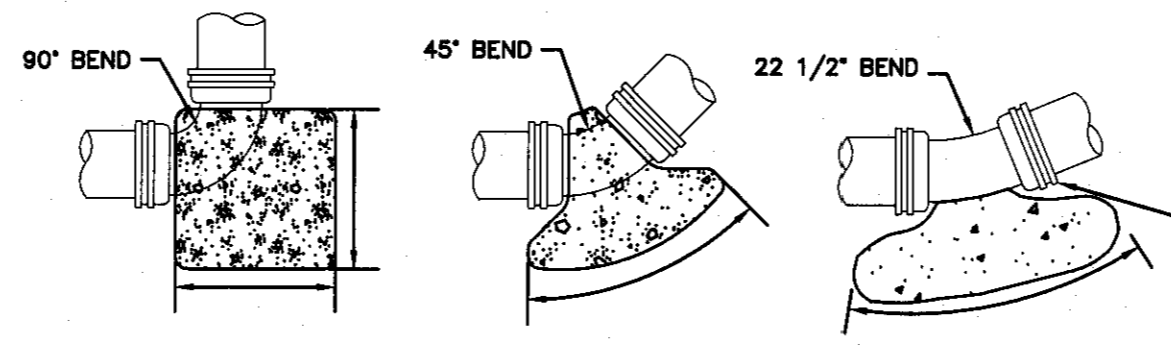
- NOTES:**
1. MARKERS
 - A. VALVE MARKERS ARE REQUIRED FOR EACH VALVE (EXCEPT HYDRANT VALVES). PIPE LINE MARKERS ARE REQUIRED AT FITTINGS AND EACH 700' WHERE LINES RUN THROUGH AN UNDEVELOPED AREA. A MANHOLE REQUIRES MANHOLE.
 - B. MARKER PAINTING WATER - PAINTING NOT REQUIRED SEWER EFFLUENT - TOP 4" GREEN SEWER EFFLUENT - TOP 4" PURPLE
 - C. MARK MARKERS AS FOLLOWS:
 - MV - MAIN VALVE
 - AV - AIR RELEASE VALVE
 - PIPELINE - PIPELINE MARKER
 - D. VALVE AND PIPELINE MARKERS IN MOWED AREAS TO BE SET TO AN EXPOSURE OF NOT MORE THAN 18" OR LESS THAN 6" ABOVE FINAL GRADE.
 - E. IF SOILS ARE NOT STABLE ENOUGH TO MAINTAIN THE URBAN MARKERS VERTICAL, CONCRETE FOOTINGS ARE TO BE INSTALLED.
 2. VALVE BOX LID SHALL BE WITHIN 3" OF COLLAR TOP. COLLAR TOP IS TO BE NO MORE THAN 1" ABOVE FINAL GRADE AND NO LOWER THAN 1" BELOW FINAL GRADE.
 3. CONCRETE COLLAR NOT REQUIRED IN PAVEMENT. VALVE BOX TOP IS TO BE TRAFFIC RATED.



STANDARD VALVE DETAIL



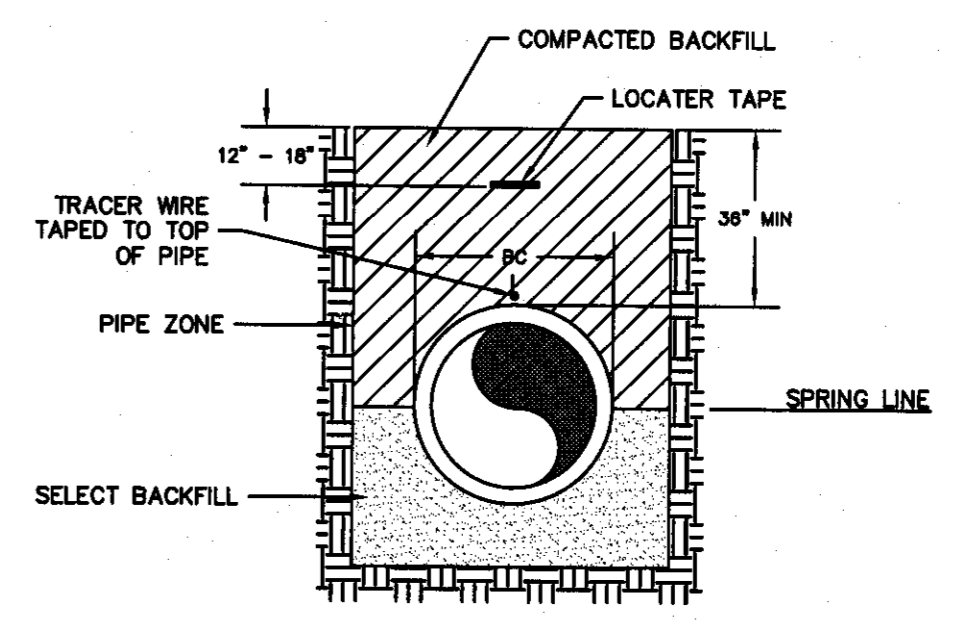
PIPE	AREA AGAINST UNDISTURBED SOIL	PIPE	AREA AGAINST UNDISTURBED SOIL
4"	1'-2" X 1'-2"	4"	1'-2" X 1'-2"
6"	1'-6" X 1'-6"	6"	1'-6" X 1'-6"
8"	1'-9" X 1'-9"	8"	1'-9" X 1'-9"
10"	2'-2" X 2'-2"	10"	2'-2" X 2'-2"
12"	2'-8" X 2'-8"	12"	2'-8" X 2'-8"



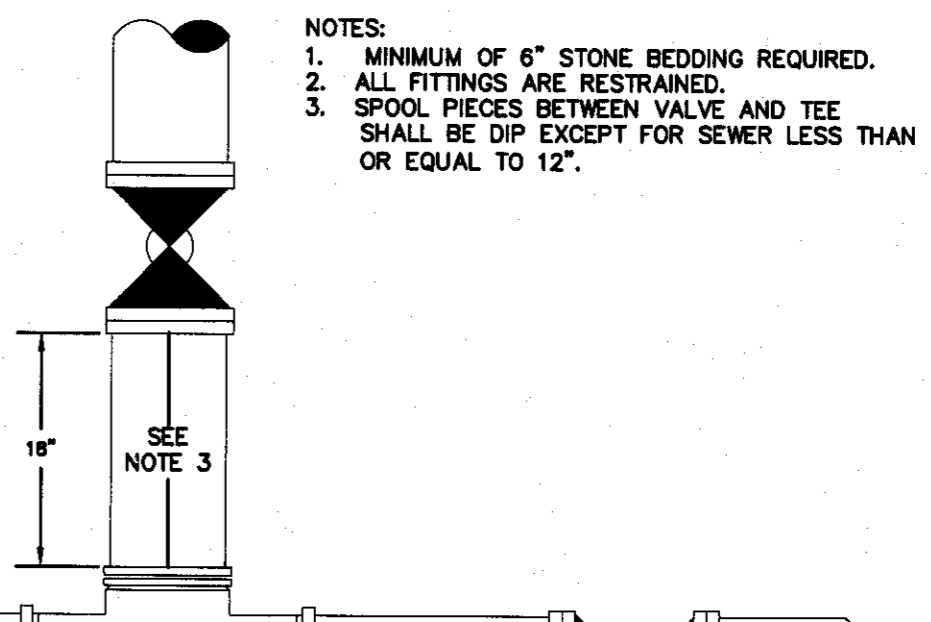
PIPE	AREA AGAINST UNDISTURBED SOIL	PIPE	AREA AGAINST UNDISTURBED SOIL	PIPE	AREA AGAINST UNDISTURBED SOIL
4"	1'-0" X 1'-0"	4"	1'-0" X 1'-0"	4"	1'-0" X 1'-0"
6"	1'-3" X 1'-3"	6"	1'-3" X 1'-3"	6"	1'-0" X 1'-0"
8"	2'-0" X 2'-0"	8"	1'-6" X 1'-6"	8"	1'-0" X 1'-0"
10"	2'-6" X 2'-6"	10"	2'-0" X 2'-0"	10"	1'-6" X 1'-6"
12"	3'-0" X 3'-0"	12"	2'-3" X 2'-3"	12"	1'-8" X 1'-8"

RESTRAINT, THRUST BLOCKING

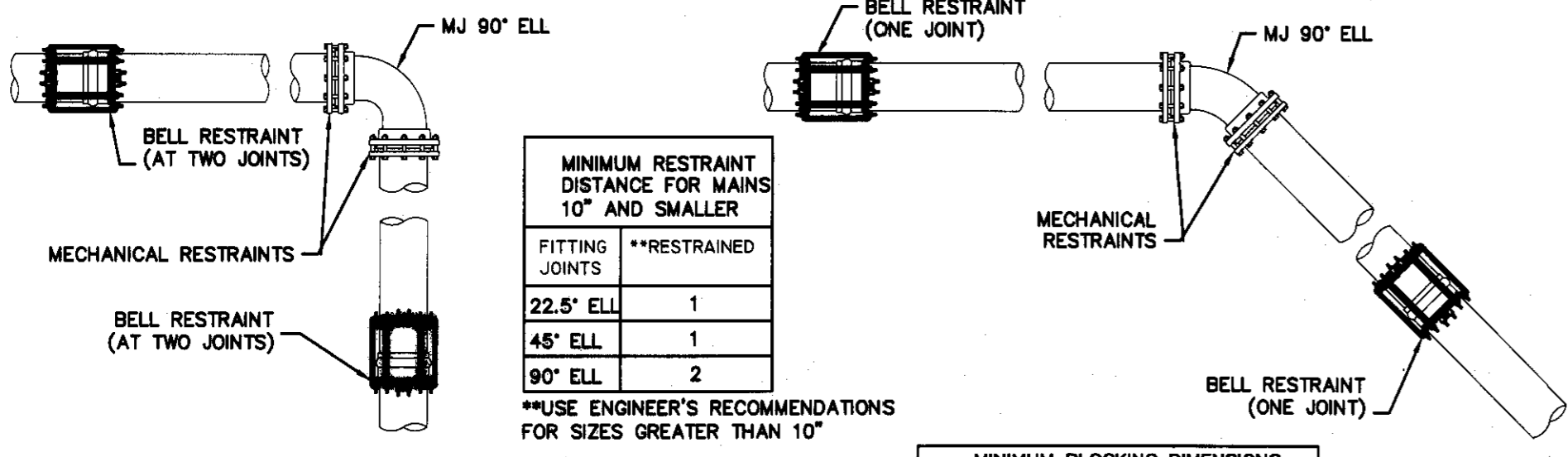
NOTE:
1. CONCRETE THRUST BLOCKING SHALL ONLY BE USED WHERE MECHANICAL RESTRAINTS ARE NOT FEASIBLE. PRIOR APPROVAL MUST BE OBTAINED FROM BWSA PRIOR TO USING THRUST BLOCKING.



TYPICAL PRESSURE PIPE BEDDING DETAIL



TEE AND VALVES

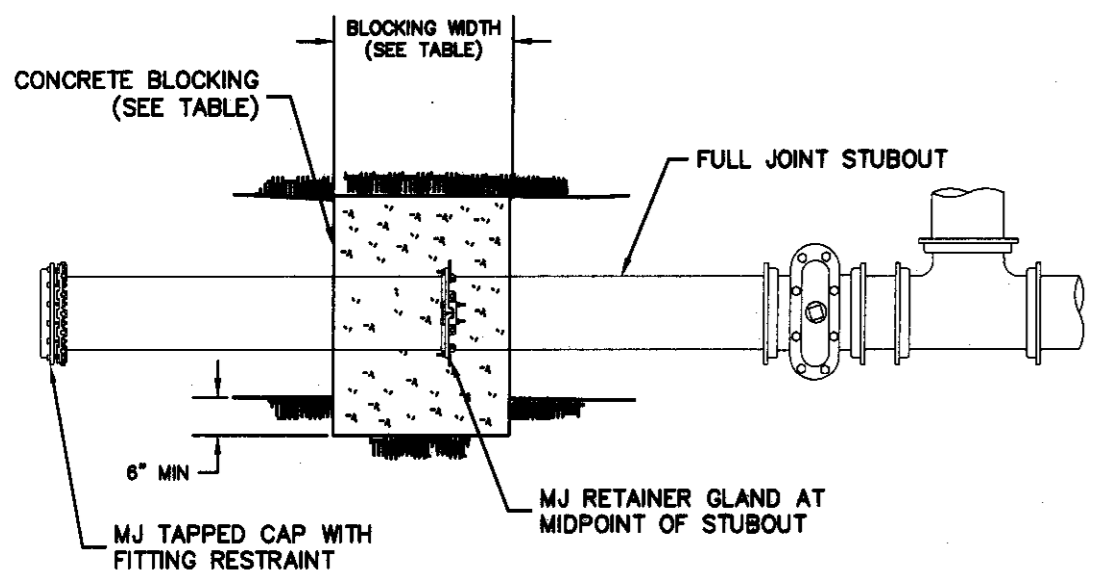


MINIMUM RESTRAINT DISTANCE FOR MAINS 10" AND SMALLER

FITTING JOINTS	**RESTRAINED
22.5° ELL	1
45° ELL	1
90° ELL	2

**USE ENGINEER'S RECOMMENDATIONS FOR SIZES GREATER THAN 10"

TYPICAL FITTING AND JOINT RESTRAINT



TYPICAL FUTURE STUBOUT

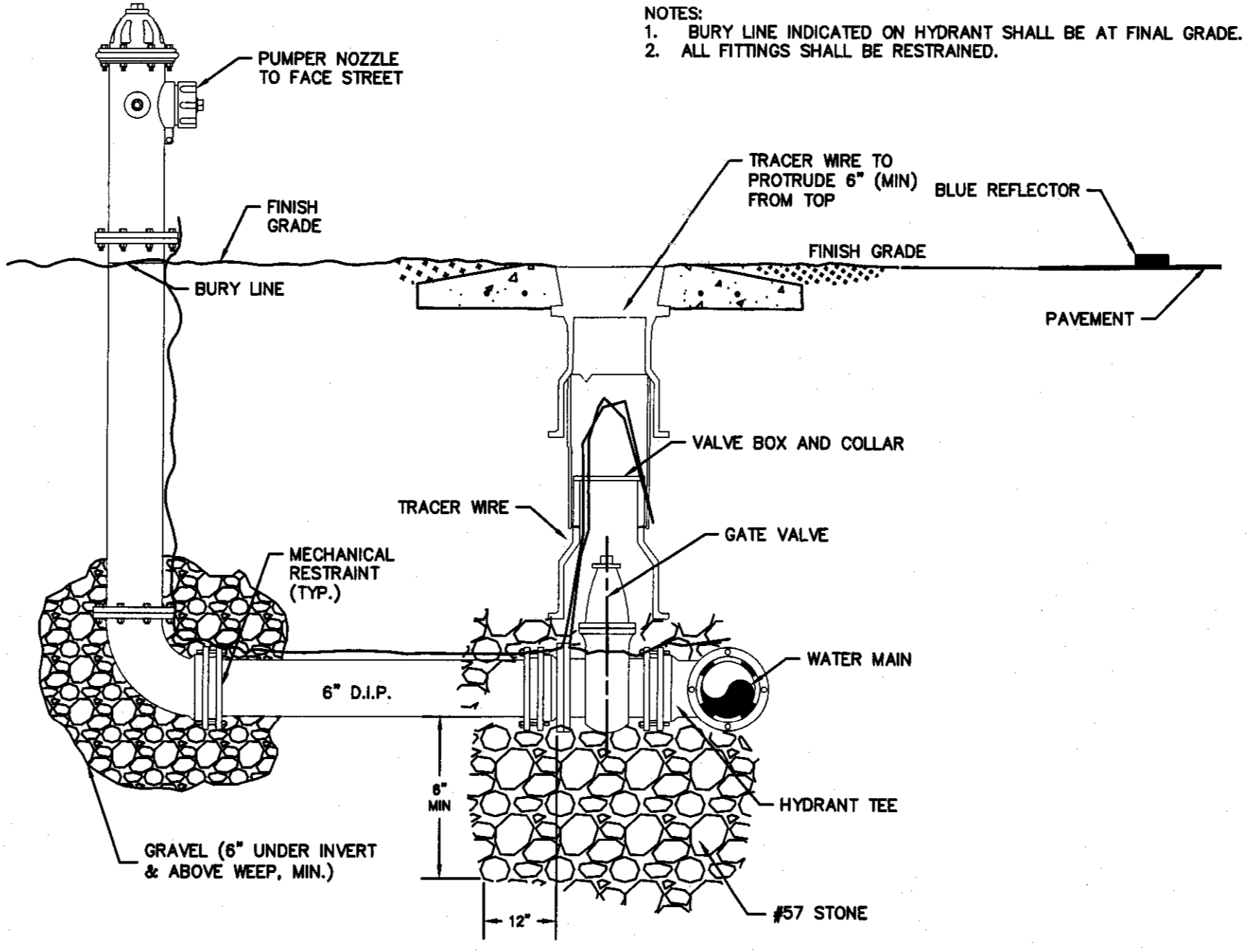
MINIMUM BLOCKING DIMENSIONS

PIPE SIZE (IN)	BLOCKING BEARING AREA (FT²)	BLOCKING WIDTH (IN)
4	2	24
6	4	24
8	7	36
10	11	36
12	15	36

OVER 12" BY THE DESIGN ENGINEER

NOTE:
1. THE MINIMUM DIMENSIONS TABLE IS BASED ON AN ASSUMED SOIL BEARING OF 2000 LBS PER SQ. FT. IF BEARING VALUE FOR SOIL IS LESS THAN AREA SHOWN HEREIN SHOULD BE INCREASED ACCORDINGLY.
2. JOINT IS DEFINED TO BE A MINIMUM OF 18" IN LENGTH.

MECHANICAL RESTRAINT

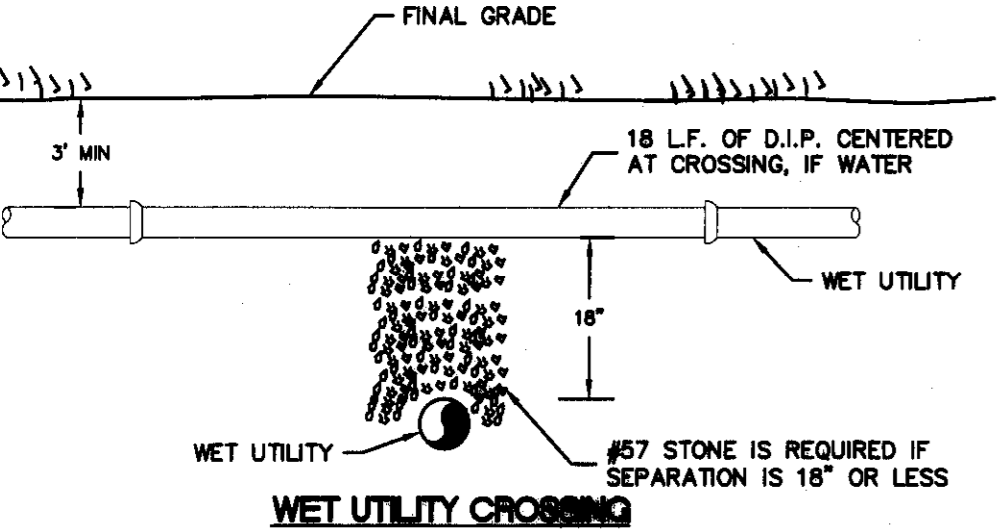
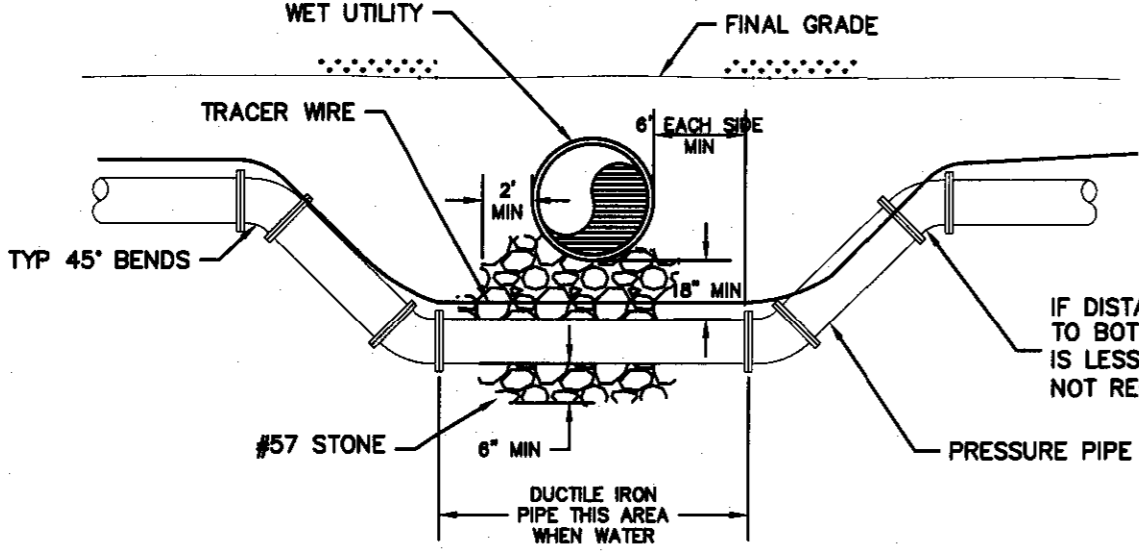


STANDARD FIRE HYDRANT

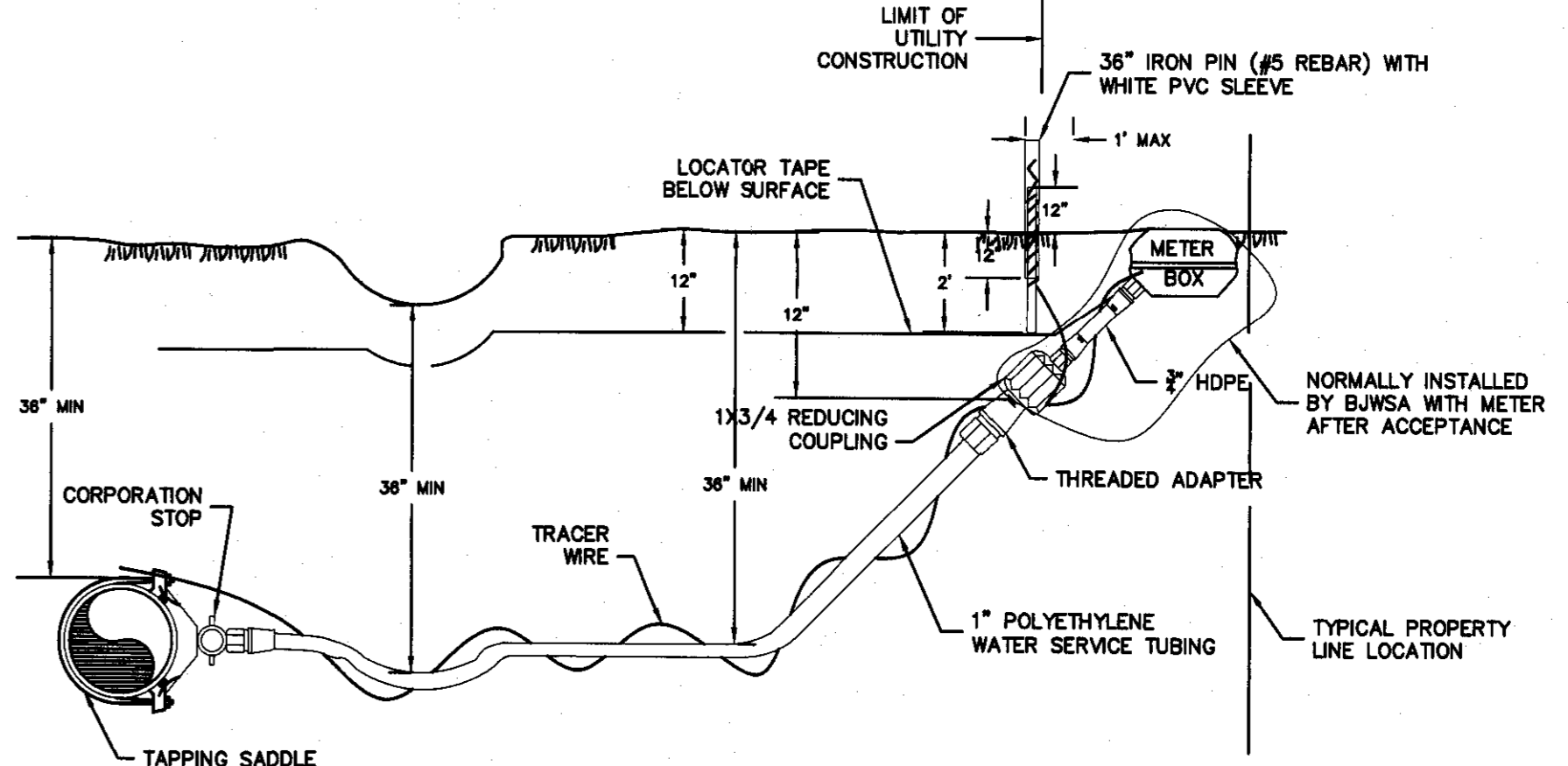
NOTES:
1. WRITTEN AUTHORIZATION FROM BWSA IS REQUIRED FOR LESS THAN 18" SEPARATION.
2. NORMAL JOINT RESTRAINT IS REQUIRED.

IF DISTANCE FROM FINAL GRADE TO BOTTOM OF MAIN AT STORM DRAIN IS LESS THAN 5', THEN 45° BENDS ARE NOT REQUIRED. (SEE NOTE 2)

PRESSURE PIPE UNDER WET UTILITY FOR FINAL DEPTH 5' OR GREATER

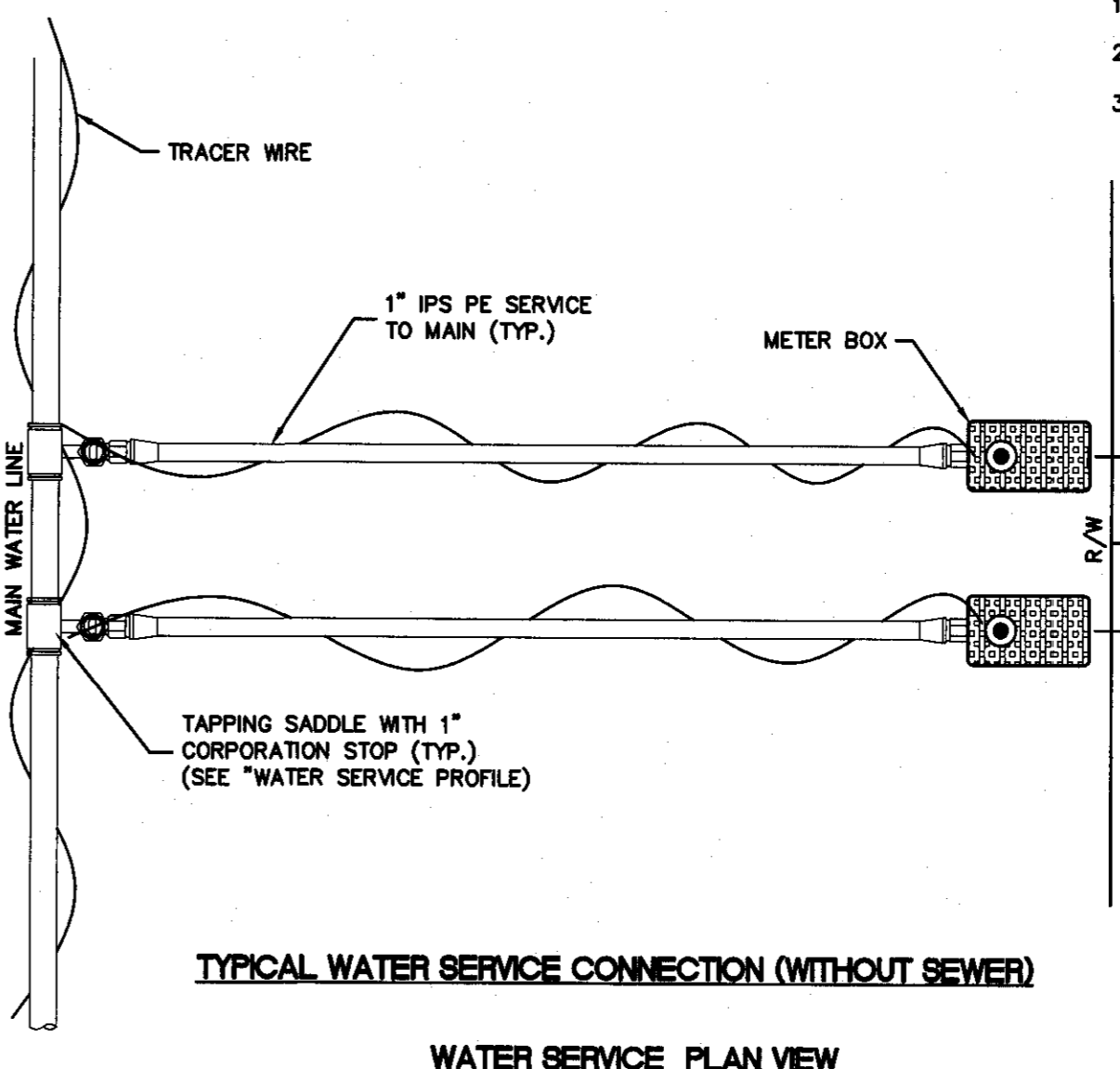


WET UTILITY CROSSING



WATER SERVICE PROFILE

NOTES:
1. WATER SERVICES SHALL BE INSTALLED TO COMMON PROPERTY LINES, WHERE POSSIBLE.
2. ALL SERVICE PIPING SHALL BE WRAPPED WITH TRACER WIRE AND TERMINATED WITHIN METER BOX.
3. INSTALL LOCATOR TAPE 1' BELOW SURFACE ABOVE SERVICE LINE.



TYPICAL WATER SERVICE CONNECTION (WITHOUT SEWER)

WATER SERVICE PLAN VIEW

PLAN REVISIONS

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			
7			
8			

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No. 00008
CERTIFICATE OF PROFESSIONAL ENGINEERING
STATE OF CAROLINA
Professional Engineer
No. 29280
EXPIRES 12/31/2024

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Beaufort, NC 28520
843.379.2222
Fax 843.379.2223

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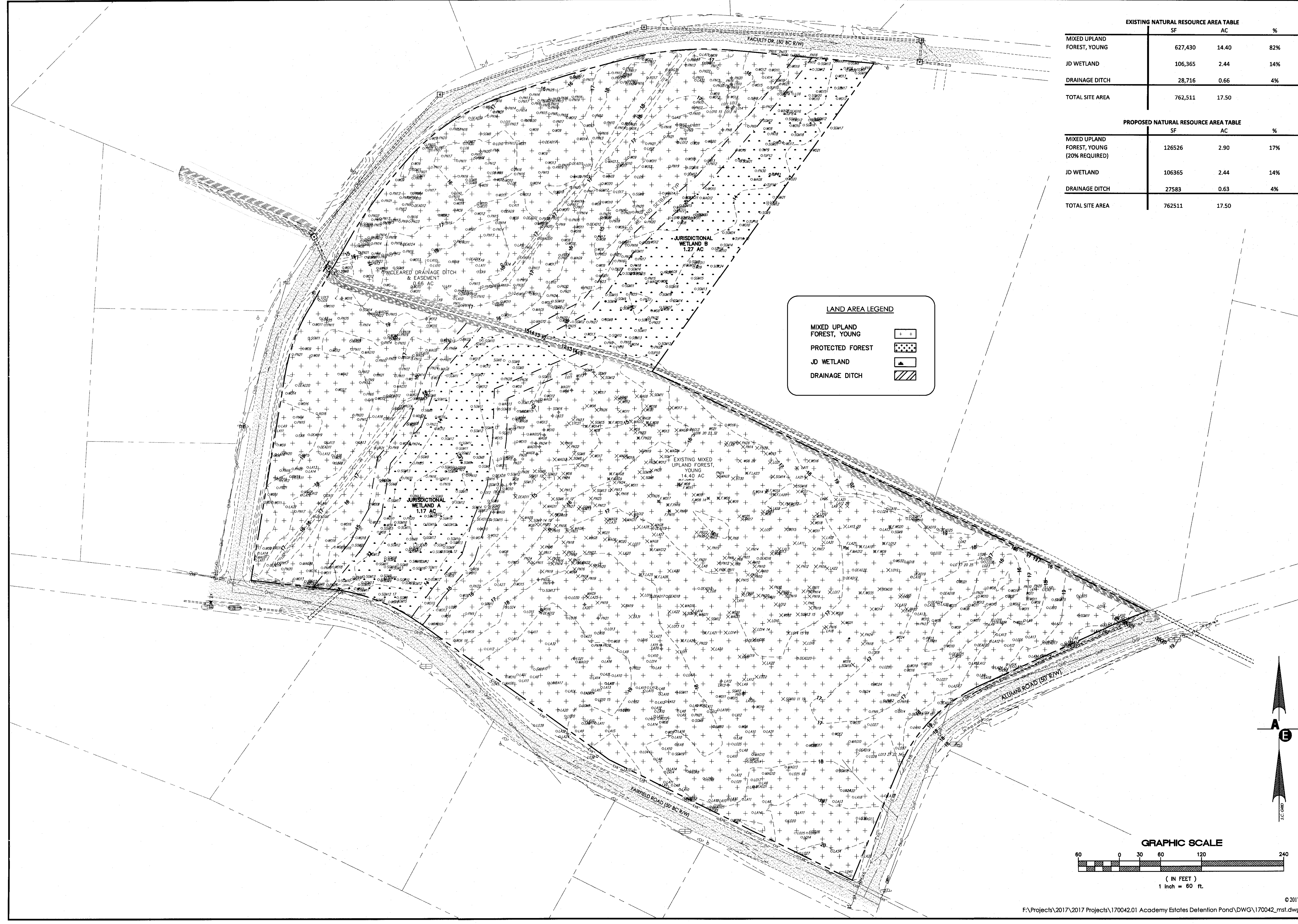
Site Development Plan For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

Waterline Details

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wifen
Engineer: A. Klosterman

SHEET #: 11

JOB: 170042



EXISTING NATURAL RESOURCE AREA TABLE			
	SF	AC	%
MIXED UPLAND FOREST, YOUNG	627,430	14.40	82%
JD WETLAND	106,365	2.44	14%
DRAINAGE DITCH	28,716	0.66	4%
TOTAL SITE AREA	762,511	17.50	

PROPOSED NATURAL RESOURCE AREA TABLE			
	SF	AC	%
MIXED UPLAND FOREST, YOUNG (20% REQUIRED)	126,526	2.90	17%
JD WETLAND	106,365	2.44	14%
DRAINAGE DITCH	27,583	0.63	4%
TOTAL SITE AREA	762,511	17.50	

LAND AREA LEGEND

- MIXED UPLAND FOREST, YOUNG
- PROTECTED FOREST
- JD WETLAND
- DRAINAGE DITCH

PLAN REVISIONS		BY:	DATE:						
NO.	DESCRIPTION:								
1									
2									
3									
4									
5									
6									
7									
8									

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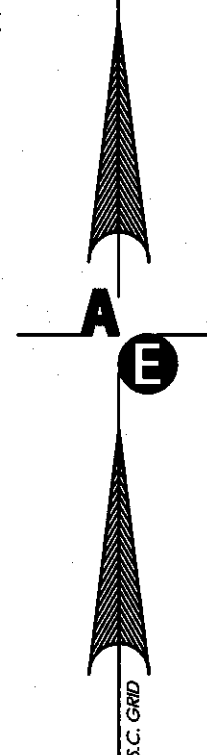
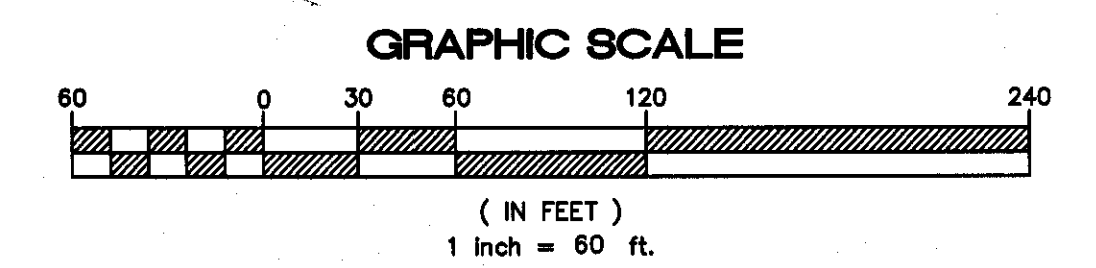
Site Development Plan
For
Academy Park S/D
Fairfield Road
Ladys Island
Beaufort County, SC

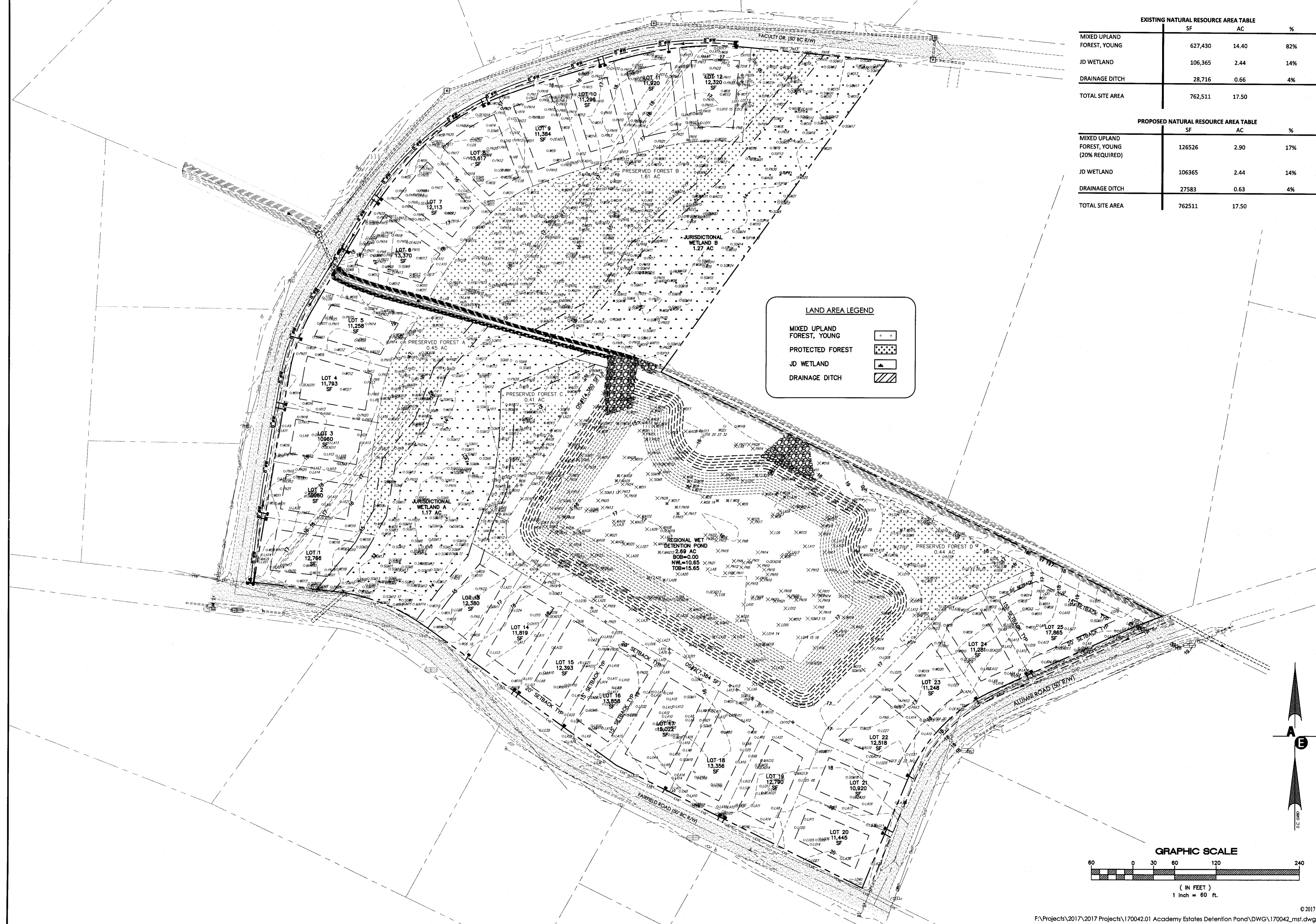
Existing Site Capacity

Date Drawn: 09/27/17
Last Revised: 03/04/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
1
of 2

JOB: 170042





LAND AREA LEGEND

MIXED UPLAND FOREST, YOUNG	[Symbol: Dotted pattern]
PROTECTED FOREST	[Symbol: Cross-hatched pattern]
JD WETLAND	[Symbol: Stippled pattern]
DRAINAGE DITCH	[Symbol: Parallel lines]

EXISTING NATURAL RESOURCE AREA TABLE

	SF	AC	%
MIXED UPLAND FOREST, YOUNG	627,430	14.40	82%
JD WETLAND	106,365	2.44	14%
DRAINAGE DITCH	28,716	0.66	4%
TOTAL SITE AREA	762,511	17.50	

PROPOSED NATURAL RESOURCE AREA TABLE

	SF	AC	%
MIXED UPLAND FOREST, YOUNG (20% REQUIRED)	126526	2.90	17%
JD WETLAND	106365	2.44	14%
DRAINAGE DITCH	27583	0.63	4%
TOTAL SITE AREA	762511	17.50	

PLAN REVISIONS

NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			
7			
8			

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Site Development Plan For Academy Park S/D Fairfield Road Ladys Island Beaufort County, SC

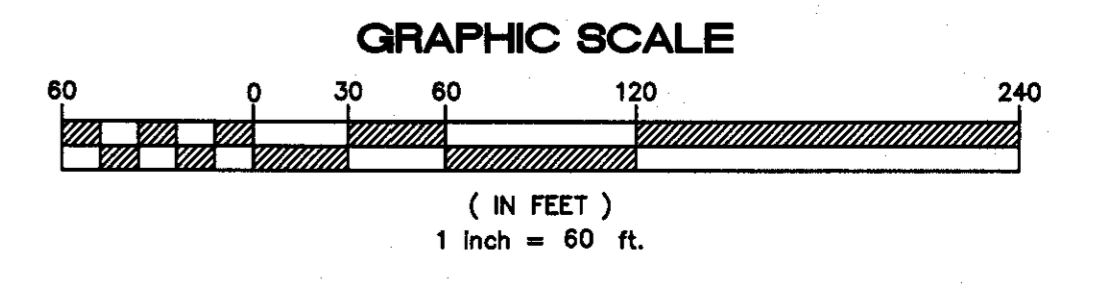
Proposed Site Capacity

Date Drawn: 09/27/17
 Last Revised: 03/04/18
 Drawn By: L. Wilen
 Engineer: A. Klosterman

SHEET #:

2 of 2

JOB: 170042



PARTIAL TREE & TOPO SURVEY
 PREPARED FOR

ACADEMY PARK SUBDIVISION

LOTS 7, 8 & 9, ACADEMY ESTATES, LADYS ISLAND

BEAUFORT COUNTY, SOUTH CAROLINA

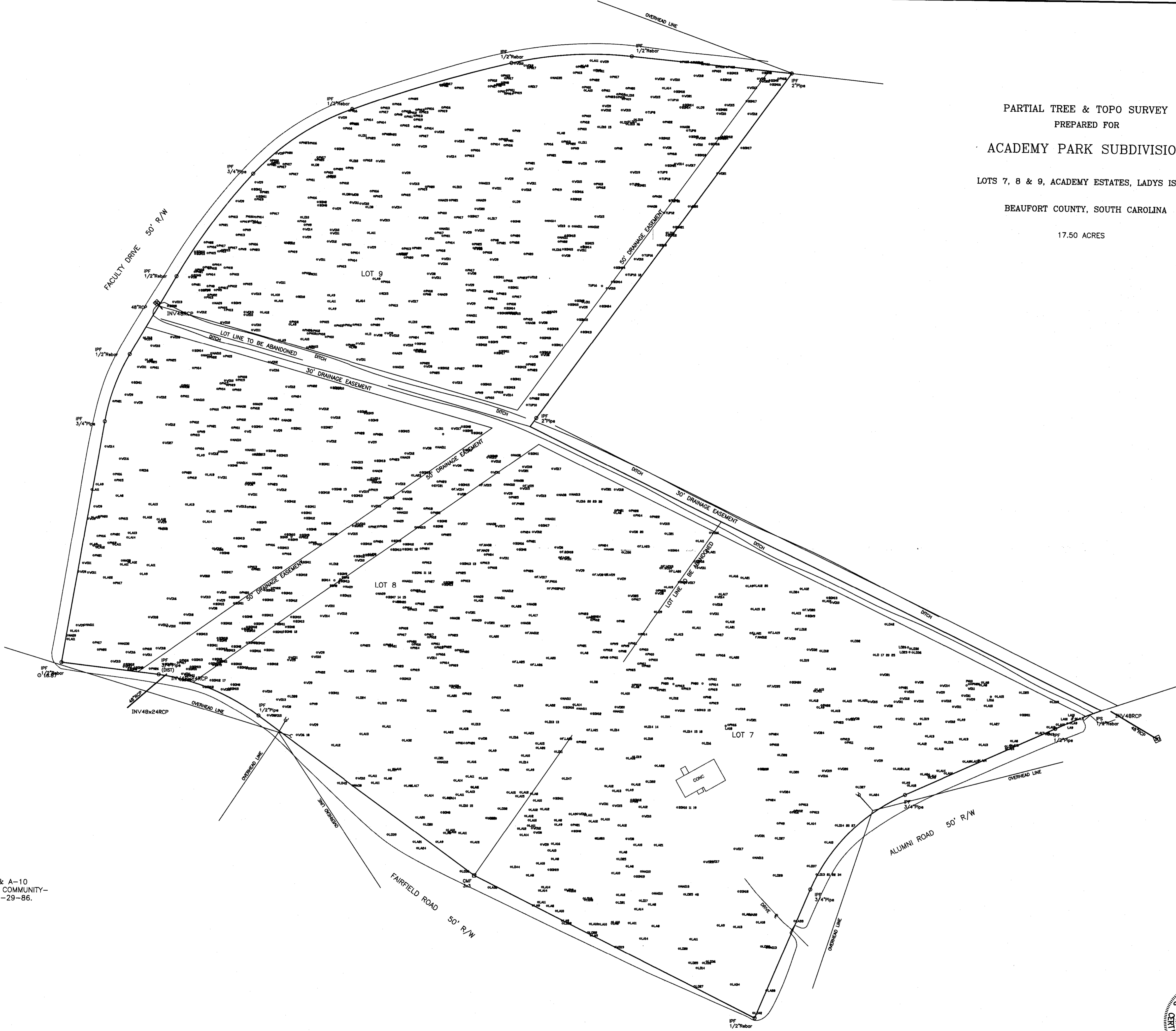
17.50 ACRES

VICINITY MAP NOT TO SCALE



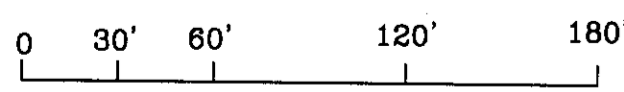
- LEGEND:
 PP - POWER POLE
 SD - STORM DRAIN
 RCP - REINFORCED CONC PIPE
 CATV - TELE COMM BOX
 TB - TELE BOX
 SAT - DISH ANTENNA
 LP - LIGHT POLE

- LEGEND:
 LO - LIVE OAK
 WO - WATER OAK
 LRO - LAUREL OAK
 P - PINE
 G - GUM
 MAG - MAGNOLIA
 CH - CHERRY
 H - HICKORY
 SCO - SWAMP CHESTNUT OAK
 CHI - CHINKAPIN
 WIO - WILLOW OAK
 RO - RED OAK
 TUR - TURPELO
 TO - TURKEY OAK
 MAP - MAPLE
 WHO - WHITE OAK
 PE - PECAN



THIS PROPERTY IS LOCATED IN ZONES C & A-10
 (EL 13.0) AS DETERMINED BY FEMA, FIRM COMMUNITY-
 PANEL NUMBER 450025 0100 D, DATED 9-29-86.

R200-015-000-0558-0000
 R200-015-000-0559-0000
 R200-015-000-0560-0000



SCALE 1" = 60'

DECEMBER 12, 2014

P154827/MMA

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE,
 INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON
 WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF
 THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF
 LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR
 EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS
 SPECIFIED THEREIN.
 ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR
 PROJECTIONS OTHER THAN SHOWN.



DAVID S. YOUMANS RLS 9765
 BEAUFORT SURVEYING, INC.
 1813 PARIS AVENUE
 PORT ROYAL, S.C. 29935
 PHONE (843) 524-3261

**COUNTY OF BEAUFORT
COMMUNITY DEVELOPMENT CODE
-SUBDIVISION FINAL PLAN APPLICATION-**

PERMIT 5437	DATE ACCEPTED 3/2/2018	RECEIVED BY TJ	FILING FEE 625.00	RECEIPT #	ZONING LICP	OVERLAY DISTRICT
PROJECT NAME ACADEMY PARK SUBDIVISION				PROJECT TYPE 25-LOT RESIDENTIAL SUBDIVISION		
APPLICANT (DEVELOPER) NAME, ADDRESS, PHONE# ROBERT SAMPLE / PO BOX 228 / BEAUFORT, SC 29901 843-476-9639				PROPERTY OWNER NAME, ADDRESS, PHONE# ROBERT SAMPLE / PO BOX 228 / BEAUFORT, SC 29901 843-476-9639		
PROJECT LOCATION LADYS ISLAND	PIN R200 015 000 0558 0000 R200 015 000 0559 0000 R200 015 000 0560 0000	LAND AREA(ACRES) 17.50	# LOTS 25	DENSITY 3.0	FIRE DISTRICT LADYS ISLAND	

FINAL PLAN INFORMATION REQUIRED -
IS THE PROPERTY RESTRICTED BY RECORDED COVENANTS THAT ARE CONTRARY TO OR CONFLICTS WITH THE REQUESTED PERMIT ACTIVITY? YES () NO ()

- | | |
|--|---|
| <input type="checkbox"/> EIGHT BLACK LINE COPIES OF SUBDIVISION PLAT AND ALL INFRASTRUCTURE CONSTRUCTION DRAWINGS

<input type="checkbox"/> VICINITY MAP SHOWING PROJECT LOCATION, NORTH ARROW, GRAPHIC SCALE AND DATE

<input type="checkbox"/> DEVELOPMENT PROPERTY BOUNDARY LINES WITH BEARINGS AND DISTANCES

<input type="checkbox"/> EXISTING ROADS, STREETS, HIGHWAYS ON OR ADJACENT TO PROPERTY (NAME, NUMBER, RIGHT OF WAY WIDTH)

<input type="checkbox"/> EXISTING DRAINAGE DITCHES, CANALS, WATER COURSES ON OR ADJACENT TO PROPERTY

<input type="checkbox"/> EXISTING BUILDINGS, STRUCTURES AND FACILITIES ON THE DEVELOPMENT PROPERTY

<input type="checkbox"/> EXISTING ELECTRIC, TELEPHONE, GAS, WATER, SEWER UTILITY LINES ON OR ADJACENT TO THE PROPERTY

<input type="checkbox"/> ADJACENT PROPERTY EXISTING LAND USES AND PROPERTY OWNER NAMES

<input type="checkbox"/> NARRATIVE DESCRIBING NATURE & SCOPE OF PROJECT

<input type="checkbox"/> WETLANDS BOUNDARY DETERMINATION & CERTIFICATION

<input type="checkbox"/> PROTECTED RESOURCES SURVEY

<input type="checkbox"/> TREE SURVEY & INDICATION OF REQUESTED TREE REMOVAL

<input type="checkbox"/> TREE PROTECTION ZONES & PROPOSED TREE PROTECTION METHODS

<input type="checkbox"/> TREE PLANTING AND REPLACEMENT PLAN

<input type="checkbox"/> EXISTING AND PROPOSED FIRE HYDRANT LOCATIONS

<input type="checkbox"/> DIGITAL FILE OF FINAL SUBDIVISION PLAT/DIGITAL COPY OF ENTIRE PROJECT

<input type="checkbox"/> PUBLIC DEDICATION OF ROADS & DRAINAGE SYSTEM | <input type="checkbox"/> ARCHAEOLOGICAL/HISTORIC SITE DETERMINATION

<input type="checkbox"/> TRAFFIC IMPACT ANALYSIS (IF APPLICABLE)

<input type="checkbox"/> FINAL LOT LAYOUT AND DESIGN, BEARINGS & DISTANCES, SQUARE FOOT AREA OF EACH LOT

<input type="checkbox"/> PROPOSED SETBACKS, BUFFERS, OPEN SPACE/CIVIC AND LANDSCAPED AREAS

<input type="checkbox"/> TOPOGRAPHIC SURVEY, DRAINAGE PLAN, CALCULATIONS AND BMP ANALYSIS

<input type="checkbox"/> FINAL STREET SYSTEM DESIGN, ROAD PROFILES, CROSS SECTIONS, RIGHT OF WAY WIDTHS, PAVEMENT WIDTHS

<input type="checkbox"/> PROPOSED STREET NAMES, LOT NUMBERS, STREET ADDRESSES

<input type="checkbox"/> FINAL WATER SUPPLY & SEWAGE DISPOSAL PLANS

<input type="checkbox"/> FINAL DESIGN & LAYOUT OF UNDERGROUND ELECTRIC, TELEPHONE, GAS & CABLE TV UTILITY LINES

<input type="checkbox"/> LETTERS OF CAPABILITY & COMMITMENT TO SERVE WATER, SEWER, UNDERGROUND ELECTRIC & TELEPHONE FROM THE AFFECTED AGENCIES

<input type="checkbox"/> FINAL HEALTH DEPARTMENT PERMITS OR APPROVALS FOR WATER AND SEWER SYSTEMS

<input type="checkbox"/> OCRM PERMITS AND APPROVALS

<input type="checkbox"/> SCDOT/COUNTY ENCROACHMENT PERMIT

<input type="checkbox"/> FIRE SAFETY STANDARDS APPROVAL BY FIRE OFFICIAL

<input type="checkbox"/> HOMEOWNERS/PROPERTY OWNERS ASSOCIATION DOCUMENTS ADDRESSING OWNERSHIP & MAINTENANCE OF PRIVATE ROADS, DRAINAGE SYSTEM & OPEN SPACE |
|--|---|

APPLICANTS SIGNATURE *Robert Sample* DATE 02/14/2018 REVIEW DATE 3-7-2018

SITE NARRATIVE: ACADEMY PARK SUBDIVISION

TMP: R200 015 000 0558, 0559, & 0560 0000

Street Address: 26 Faculty Drive, 29 Fairfield Road, & Alumni Road

Zoning: Ladys Island Community Preservation

Use: Single-Family Residential

ADJACENT ZONING & USE

PROPERTY BOUNDARY	ZONING	USE
NORTH	LICP	RESIDENTIAL
EAST	ROW	ALUMNI ROAD (2 LANES)
SOUTH	ROW	FAIRFIELD ROAD (2
WEST	ROW	FACULTY ROAD (2 LANES)

Existing Conditions

The proposed project is located on the northeast corner of Faculty Drive and Fairfield Road on Lady’s Island bordered by Alumni Road to the east. The 17.50-acre site consists primarily of mixed upland forest and 2.44 acres of jurisdictional wetlands. A large Beaufort County drainage channel runs through the middle of the site shared with the residential property to the north.

The following table identifies the existing land use:

EXISTING NATURAL RESOURCE AREA TABLE

LAND TYPE	SF	AC	%
MIXED UPLAND FOREST, YOUNG	627,430	14.4	82%
JD WETLAND	106,365	2.44	14%
DRAINAGE DITCH	28,716	0.66	4%
TOTAL SITE AREA	762,511	17.5	

Beaufort County Development Code Overview

The following table identifies the buffer, setback, density, and open space requirements for Ladys Island Community Preservation single family lots.

OPEN SPACE & DENSITY STANDARDS

PROPERTY SETBACKS		MIN. SB	
STREET		20'	
SIDE		15'	
REAR		20'	
MAX NET DENSITY	MAX GROSS DENSITY	MIN LOT SIZE	ALLOWABLE DENSITY
3.0	2.0	10,890 SF	29 LOTS
OPEN SPACE RATIO		SITE AREA	REQUIRED OPEN SPACE
20%		17.5	3.5 AC

Proposed Development

The proposed project consists of subdividing a 17.5-acre tract on Ladys Island into a 25-lot residential subdivision and an approximately 3.5-acre regional detention pond. The regional detention pond is a joint project between the client and Beaufort County designed to store and treat run-off from the subdivision and surrounding offsite communities. The residential lots are proposed along the existing asphalt paved Faculty Drive, Fairfield and Alumni Road thus no new roads are created in this project.

The following table identifies the proposed land use.

PROPOSED DEVELOPMENT LAND AREA TABLE			
LAND USE	SF	AC	%
SINGLE-FAMILY LOTS			
1	12,766	0.29	
2	10,960	0.25	
3	10,960	0.25	
4	11,793	0.27	
5	11,258	0.26	
6	12,704	0.29	
7	11,590	0.27	
8	12,550	0.29	
9	11,480	0.26	
10	11,176	0.26	
11	11,406	0.26	
12	11,905	0.27	
13	12,380	0.28	
14	11,819	0.27	
15	12,393	0.28	
16	13,858	0.32	
17	15,022	0.34	
18	13,356	0.31	
19	12,790	0.29	
20	12,305	0.28	
21	12,392	0.28	
22	12,180	0.28	
23	12,378	0.28	
24	11,151	0.26	
25	14,867	0.34	
TOTAL LOTS	307,439	7.06	40.32%
POND	141,813	3.26	18.60%
DEVELOPED OPEN SPACE	81,255	1.87	10.66%
PRESERVED OPEN SPACE	125,639	2.88	16.48%
TOTAL OPEN SPACE	348,707	8.01	45.73%
JD WETLAND A	51,170	1.17	
JD WETLAND B	55,195	1.27	
TOTAL WETLANDS	106,365	2.44	13.95%
TOTAL SITE AREA	762,511	17.5	100%

Access, Parking, & Loading

All single-family lots will front along existing paved roads, therefore no new roads will be created. Each lot will have a new driveway curb-cut and drainage culvert along with sufficient driveway space for at least two vehicles.

Stormwater

The proposed 3.69-acre detention pond will be designed to treat the new subdivision and work within the right-of-way along with nearly 80-acres of offsite run-off which will be routed into the pond by a diversion weir placed in the existing channel. The channel currently conveys the on and off-site run-off directly into the marsh without any form of treatment. The off-site drainage basins consist of residential and commercial development along with wooded undeveloped land.

Utilities

All power, cable, telephone are already in place. Potable water is available on Fairfield and Alumni Roads which only require new service taps to serve each lot. A new 8" watermain is proposed along Faculty Drive to provide potable water and fire protection. Public sanitary sewer is not available in this area. Each lot will be served by an individual DHEC approved engineered septic system.

Tree Protection

Tree removal for this project is predominantly limited to removing trees around the new pond. The pond location has been designed to save as many large specimen oaks as possible. The lot lines have also been configured near the larger trees onsite to further minimize tree removal. All trees within proximity of the project limits will be protected by either silt fence or orange tree protection fence. The client currently proposes a combination of onsite mitigation and paying into the tree bank to mitigate the trees removed.

Permitting & Approval Overview

- Letter of Intent: Received
- Natural Resources: Received
- USACE Wetlands Delineation: Received. The USACE has determined the previously delineated jurisdictional ditch shown on the Carolina Engineering plans no longer qualifies as a JD ditch and are in the process of updating the delineation letter which we anticipate receiving shortly.
- BJWSA: Received
- DHEC Engineered Septic Permit: Received
- Beaufort County Encroachments: Submitted to Mr. Larson and under review
- Beaufort County Fire: Resubmitted – We are under the impression the project was previously reviewed and approved by Chief Baldwin. We are currently unable to provide the fire sign-off form and have since resubmitted to Chief Vaigneur.
- SCDHEC-OCRM Land Disturbance: Received – We have resubmitted a modification for the detention pond. Comments have been received, addressed, and resubmitted. We anticipate receiving the permit shortly.
- SCDHEC-Waterline Construction. Submitted – The project appears to have been approved. We anticipate receiving the permit shortly.

5.9.10 Purpose and Intent

These neighborhood compatibility standards are intended to:

- A. **Provide Transition and Compatibility.** Provide proper transition and compatibility between single-family detached development and other more intense development;
- B. **Establish Pedestrian-Oriented Areas.** Establish or maintain pedestrian oriented areas where differing uses can operate in close proximity to one another;
- C. **Protect Character of Single-Family Development.** Protect the character of single-family development from negative impacts resulting from adjacent more intense forms of development; and
- D. **Encourage Transition to Transect Zones.** Encourage development that makes for an easy transition to the transect zones.

5.9.20 Applicability

Except where exempted in accordance with Section 5.9.30 (Exemptions), these neighborhood compatibility standards apply to all institutional, commercial, light industrial, mixed-use, townhouse, and multi-family development in the conventional, community preservation, T1, and T2 zones located on land abutting one side or across a street or alley with two or fewer lanes from existing single-family detached residential development.

5.9.30 Exemptions

The following development is exempt from these standards:

- A. Development within T3 Neighborhood, T3 Neighborhood Open, T4 Hamlet Center, T4 Hamlet Center Open, T4 Village Center, and T4 Neighborhood Center.
- B. Single-family and two-family dwellings.

5.9.40 Review for Compliance

Review for compliance with the standards of this Section shall occur during review of a land

A.1.20 Relationship to the Community Development Code

Each of the Community Preservation Districts were originally drafted and adopted under the Zoning Development Standards Ordinance (ZDSC). Therefore, many of the standards (e.g. parking, signage, roads, landscaping, and natural resources) applicable to the CP districts were located in the body of that ordinance and are now replaced by the standards in the Beaufort County Community Development Code. Table A.1.20 provides a listing of each of the relevant articles and sections of the CDC and their applicability to the CP districts. Articles, divisions or sections listed as "applicable" may have some standards that are supplemented or superseded by the standards within the individual CP districts. Articles, divisions, or sections listed as "not applicable" do not apply to CP districts unless a specific standard or definition is referenced in this Appendix.

Division A.1: Introduction

Article or Division	Applicability to CP Districts
Article 1: General Provisions	Applicable
Article 2: Multi-lot Single-Lot Community Scale Development	Limited Applicable (see below)
Division 2.1: Overview	Applicable
Division 2.2: General to Community Design	Applicable
Division 2.3: Traditional Community Plans	Applicability limited to CP Districts that permit Traditional Community Plans
Division 2.4: Multi-Family Oriented Communities	Not Applicable
Division 2.5: Manufactured Home Communities	Applicability limited to CP Districts that permit Manufactured Home Communities
Division 2.6: Commercial Oriented Communities	Not Applicable
Division 2.7: Developments within Rural Areas	Section 2.7.40 applicable to CP Districts that permit

Table A.1.20: Applicability of the Community Development Code to the Community Preservation Districts	
Article or Division	Applicability to CP Districts
Article 1: General Provisions	Applicable
Article 2: Multi-lot Single-Lot Community Scale Development	Limited Applicable (see below)
Division 2.1: Overview	Applicable
Division 2.2: General to Community Design	Applicable
Division 2.3: Traditional Community Plans	Applicability limited to CP Districts that permit Traditional Community Plans
Division 2.4: Multi-Family Oriented Communities	Not Applicable
Division 2.5: Manufactured Home Communities	Applicability limited to CP Districts that permit Manufactured Home Communities
Division 2.6: Commercial Oriented Communities	Not Applicable
Division 2.7: Developments within Rural Areas	Section 2.7.40 applicable to CP Districts that permit family compounds.
Division 2.8: Civic and Open Space Standards	Sections 2.8.50 and 2.8.60 are applicable.
Division 2.9: Thoroughfare Standards	Sections 2.9.40, 2.9.50, 2.9.60, and 2.9.80 are applicable.
Division 2.10: Transfer of Development Rights	Applicable
Article 3: Specific to Zones	Limited Applicable (see below)
Division 3.1: Establishment and Designation of Zones	Not Applicable
Division 3.2: Transect Zones	Not Applicable
Division 3.3: Conventional Zones	Not Applicable
Division 3.4: Overlay Zones	Overlay zones may overlay CP Districts
Article 4: Specific to Use	Limited Applicable (see below)
Division 4.1: Specific to Use	Not applicable
Division 4.2: Accessory Uses and Structures	Applicable
Division 4.3: Temporary Uses and Structures	Not applicable
Article 5: Supplemental to Zones	Limited Applicable (see below)
Division 5.1: Building Type Standards	Not applicable unless specific building type is referenced in this Appendix.
Division 5.2: Private Frontage Standards	Not Applicable
Division 5.3: Architectural Standards and Guidelines	Section 5.3.30 is applicable.
Division 5.4: Fences and Walls	Applicable
Division 5.5: Off-Street Parking	Applicable
Division 5.6: Sign Standards	Applicable
Division 5.7: Exterior Lighting	Applicable
Division 5.8: Landscaping, Buffers, and Screening Standards	Applicable
Division 5.9: Neighborhood Compatibility Standards	Not Applicable
Division 5.10: Historic Preservation	Applicable
Division 5.11: Resource Protection Standards	Applicable
Division 5.12: Stormwater Standards	Applicable
Article 6: Subdivision and Land Development	Applicable
Article 7: Procedures	Applicable
Article 8: Nonconformities	Applicable
Article 9: Enforcement	Applicable



2712 Bull Street Suite A, Beaufort, SC 29902

OFFICE: 843-379-2222

FAX: 843-379-2223

www.andrews-sc.com

Letter of Transmittal

To: Tamekia Judge

From: Melanie Weitzel for

Andrew Klosterman

Company: Beaufort County Planning Department

Project: #170042

Address:

Date: March 5, 2018

ACADEMY PARK REV. SD PLATS

CC:

Please find enclosed the following:

- Please see the table for specific area (on Plat)
- Final Plans with lot line adjustments are ready - only change are lot lines... open space & protected resource requirements have been checked & still meet Code.
- Mr. Sample is working on Covenants.
- Tree Mitigation Fees are being worked out with stormwater.

Signed: _____

**COUNTY OF BEAUFORT
STAFF REVIEW TEAM
ACTION FORM**

MEMBERS PRESENT– Hillary (Present/2nd Motion), Nancy (Present/For), Chuck (Present/For), Eric (Present/1st Motion)
STAFF PRESENT – Tony Criscitiello (Planning Director), Tamekia Judge (Zoning Analyst III), Eric Greenway (Assistant Director),
 Tanner Powell (Stormwater), Ryan Lyle (AES Representative), Paul Moore (WEE Representative)

PROJECT NAME Academy Park Subdivision	PROJECT TYPE Residential Subdivision
---	--

APPLICANT/DEVELOPER NAME, ADDRESS, PHONE NUMBER
 Robert Sample, P.O. Box 228, Beaufort SC 29901

PROJECT LOCATION Lady's Isl.	PIN 200-015-558/559/560	LAND AREA (ACRES) 17.5	LOTS/UNITS 25	BLDG AREA (SQ FT)
DATE OF REVIEW 2/28/2018	OVERLAY DISTRICT HCOD	FIRE DISTRICT LISH	ZONING DISTRICT LICP	

TYPE OF SRT REVIEW (CHECK ONE TO RIGHT): **CONCEPTUAL** **PRELIMINARY** **FINAL**

SRT ACTION (CHECK ONE BELOW):

APPROVED NO CONDITIONS:

DISAPPROVED / REASON(S):

APPROVED WITH CONDITIONS / CONDITIONS:

APPROVED SUBJECT TO CONDITIONS / LIST OF CONDITIONS:

- DEFERRED / PLEASE SUBMIT THE FOLLOWING:**
- Applicant shall revise plat correcting the lot width for Lots 6,7,8,9,10,11 and 12. Applicant shall reconfigure Lots 23 and 24 to ensure Lot 25 meets the minimum requirements. *~ Revise A*
 - Applicant shall label the Protected Resources area on the plat. *Rev: See table*
 - Applicant shall submit Covenants and Restrictions addressing open space, Natural Resource and pond maintenance along with the wetland 20-foot setback for Lot 1 and Lot 13. *Client*
 - Applicant shall pay \$23,520.00 into the Tree Reforestation fund for mitigation. Beaufort County will pay half per the agreement. *Client*
 - Staff will seek legal advice from County Attorney in regards to the reestablished Covenants and Restrictions. *✓*

H. Aust

 ZONING AND DEVELOPMENT ADMINISTRATOR

2/28/2018
 DATE



Beaufort County, South Carolina
STORMWATER T2

Application Number
20708
Permit Number
SW-244
Issue Date
02/23/2018

STORMWATER PERMIT

PIN	Street Address	District
R200 015 000 0558 0000	5 ALUMNI ROAD	LADY'S ISLAND


Development Name	Zoning District
ACADEMY PARK SUBDIVISION	LI COMMUNITY PRESERVATION
Development Type	
RESIDENTIAL SUBDIVISION	
Lot Acreage	Permit Type
5.000	SW02

THIS PERMIT CERTIFIES THAT THE ABOVE NAMED DEVELOPMENT HAS MET AND IS IN ACCORDANCE WITH THE BEAUFORT COUNTY BEST MANAGEMENT PRACTICES MANUAL (BMP)

All construction activities including clearing, grading, filling, demolition that results in soil exposure, excavating and other land disturbing activities are ALSO required to submit to SC-DHEC for the standard application for Stormwater NPDES Coverage. Applicant is required to submit a **Notice of Intent** (DHEC Form 2617) for any land disturbance over 1 acres, or within ½ mile of a receiving water body or part of a **Larger Common Plan** (LCP) for development or sale, regardless of the amount of disturbance. For construction sites located in the Coastal Zone, an individual Coastal Zone Consistency (CZC) certification may be required from DHEC's Office of Ocean and Coastal Resource Management.

Conditions:

Applicant shall contact the Stormwater Department at 843.255.2805 prior to any land disturbance.

Approved By: 

Date: 2-23-2018

Stormwater Plan

Final Design Checklist for Residential and Commercial Developments.

REVISED 08/24/16

Please indicate the location and page number(s) where each item below can be found in your SWPPP or supporting calculations. If an item is not applicable, please put N/A. Beaufort County reserves the right to modify this checklist at any time. For stormwater questions please contact Public Works Stormwater Division at 843-255-2805.

Project Name: ACADEMY ESTATES

Checklist Completed by: Andrew Klosterman

Printed Name: Andrew Klosterman

Signature: AKlosterman

Date: 2/13/18

- ✓ 1. **CURRENT COMPLETED APPLICATION FORM/DHEC NOI**
 - All items in the checklist should be submitted inserted in your final permit plans

- 2. **VICINITY MAP** Plans
 - Include North arrow and scale
 - Outlined project location
 - Road names
 - Public or private Right of Way
 - Location Map

- 3. **COVER SHEET** Plans
 - Project Name
 - Engineer's Contact Information (name, mailing address, telephone, fax, email)
 - Developer's Contact Information (name, mailing address, telephone, fax, email)
 - Contractor's Contact Information (name, mailing address, telephone, fax, email)

- 4. **SITE PLAN CHECKLIST** Plans
 - Size of plans should be 24" x 36"
 - Engineer stamp and signature in blue ink.
 - Plans to Scale and North Arrow
 - Contours are to be tied to a known datum, no **assumed** elevations,
 - Lot Layout
 - Property lines, adjacent landowners' names
 - Existing and proposed contours for entire parcel.
 - Limits of disturbed area outlined on the plans.
 - Road and Ditch profiles with existing and proposed ground elevations (if no contours are shown on the plans).
 - Construction entrance/exit
 - Standard notes (See Item #15 of this checklist)
 - Individual lot erosion control plan and contours (unless exempt)

5. USGS TOPOGRAPHIC MAP *Calcs*

- Project boundary outlined
- Route of runoff from site to nearest waterbody shown
- Critical areas downstream of site indicated

6. SOILS INFORMATION *Calcs*

- Predominate soil types found at the site identified on the plans or on a separate map

7. FLOODWAY MAPS/FEMA FLOOD INSURANCE MAP *Calcs*

- Project boundary outlined, if in close proximity of floodplain/floodway

8. WETLANDS/WATERS-OF-THE-STATE (WOS) *Submittal Package*

- Delineation of all waters of the State (WoS), including wetlands, shown and labeled on plans
(Delineation not required if a 100-ft buffer can be maintained between the WoS and all land disturbing activities)
- Additional, separate plan sheet that shows all WoS, on the site and the impacted areas with a description of the activity(s), whether it is permanently or temporary, and any other relevant

9. PERMANENT STORMWATER MANAGEMENT STRUCTURE MAINTENANCE PLAN *Calcs*

- Signed Maintenance Agreement from a responsible party accepting ownership and maintenance of the structure or BMP. This document needs to be recorded with the Beaufort County Register of Deeds.

10. TMDL/ 303d IMPAIRED WATERBODIES *OCRM NOI*

- List the nearest SCDHEC Water Quality Monitoring Station (WQMS) that the site's stormwater discharges drain to and the waterbody on which it is located.

11. NAVIGABLE WATERS *NA*

- Extra plan sheet showing impacts to navigable water and description of activity included if S.C. Navigable Waters (SCNW) crossing and separate SCNW permit has not been obtained for all activities

12. DRAINAGE AREA MAPS & REPORT *Calcs*

- Provide drainage area map outlining the area draining to all erosion and sediment control BMPs on site. Show existing and proposed contours for the road layout and BMP placement.
- Place calculated design flows on each pipe and BMPs
- Time of concentrations
- Curve numbers for each drainage area.
- Routing hydrographs for the 2,5,10,25, and 100-year storm event
- Pipe capacities for the design storm
- Basin stage/storage and stage discharge calculations
- Pre drainage area map (site without proposed development)
- Post drainage area map (with proposed development)
- Include off-site drainage areas
- Label watershed areas within the drainage area map with (watershed identifier, CN, area, length, slope)

13. AS-BUILTS ?

- Submit 2 original asbuilt hard copies, signed and sealed by a South Carolina Licensed Land Survey or Engineer. Submit one digital copy of asbulits in GIS format .lyr, shp or gdb file with the coordinate system being state plane NAD_1983_StatePlane_South_Carolina_FIPS_3900_Feet_Intl

14. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) PLANS

- Cover and title page
- Project and SWPPP contact information
- Site and activity description including site map
- Identification of potential pollution sources including but not limited to: trash, paint and concrete washout, vehicle maintenance practices, etc.
- Description of controls to reduce pollutants
- Construction sequence
- Time schedule for each activity on the construction sequence
- Maintenance and inspection procedures
- Records of maintenance activities and inspections
- SWPPP amendments
- SWPPP certifications

15. STANDARD NOTES: Will Add To Construction Set

1. If necessary, slopes which exceed eight (8) vertical feet should be stabilized with synthetic or vegetative mats, in addition to hydroseeding. It may be necessary to install temporary slope drains during construction.
2. Temporary berms may be needed until the slope is brought to grade.
3. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than fourteen (14) days after work has ceased, except as stated below.
4. Where stabilization by the 14th day is precluded by snow cover or frozen ground conditions stabilization measures must be initiated as soon as practicable.
5. Where construction activity on a portion of the Site is temporarily ceased, and earth-disturbing activities will be resumed within 14 days, temporary stabilization measures do not have to be initiated on that portion of the Site.
6. All sediment and erosion control devices shall be inspected every seven (7) days. Damaged or ineffective devices shall be repaired or replaced, as necessary. OR
All sediment and erosion control devices shall be inspected at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Damaged or ineffective devices shall be repaired or replaced, as necessary.
7. Provide silt fence and/or other control devices, as may be required, to control soil erosion during utility construction. All disturbed areas shall be cleaned, graded, and stabilized with grassing immediately after the utility installation. Fill, cover, and temporary seeding at the end of each day are recommended. If water is encountered while trenching, the water should be filtered to remove any sediments before being pumped back into any waters of the State.
8. All erosion control devices shall be properly maintained during all phases of construction until the completion of all construction activities and all disturbed areas have been stabilized. Additional control devices may be required during

construction in order to control erosion and/or offsite sedimentation. All temporary control devices shall be removed once construction is complete and the site is stabilized.

9. The contractor must take necessary action to minimize the tracking of mud onto the paved roadway construction areas. The contractor shall daily remove mud/soil from pavement, as may be required.
10. All waters of the State (WoS), including wetlands, are to be flagged or otherwise clearly marked in the field. A double row of silt fence is to be installed in all areas where a 50-foot buffer can't be maintained between the disturbed area and all WoS. A 10-foot buffer should be maintained between the last row of silt fence and all WoS.
11. Litter, construction debris, oils, fuels, and building products with significant potential for impact (such as stockpiles of freshly treated lumber) and construction chemicals that could be exposed to storm water must be prevented from becoming a pollutant source in stormwater discharges.
12. Provide written proof that all off-site easements have been obtained. (include implementation of all stormwater and sediment controls in the first phase of construction).

16. APPLICANT AND DEVELOPER CERTIFICATIONS

- The following certifications must be signed on all final sets of plans

*Will be Added to
Construction
Plans*

Applicant's Certification

I (We) hereby certify that all clearing, grading, construction, and/or development will be done pursuant to this plan and I (we) are responsible for the land disturbance and related maintenance thereof. Beaufort County authorities will be allowed to enter the project site for the purposed of on-site inspections.

Date Owner/Person Financially Responsible

Print Name of Owner/Person Financially Responsible

Designer's Certification

"I hereby certify that this plan is designed to contain soil on the property concerned to the maximum extent, to provide for the protection of the property and the proposed improvements thereon from the effects of flooding, to provide for the control of the runoff from the property, and that all the provisions for sediment control and storm drainage are in accordance with the Stormwater Best Management Practices and Stormwater Ordinance for Beaufort County, South Carolina."

Date Designer's Signature and Certification

Print Name of Designer



February 12, 2018

Ms. Hillary Austin
Beaufort County Zoning & Development
P.O. Drawer 1228
Beaufort, SC 29901-1228

RE: Project #170042 Academy Park SD Final SRT

Dear Ms. Austin,

Please find enclosed the following items for the above referenced project's Final SRT Application:

- Final SRT Checklist
- Eight (8) copies of the site development plans
- Project Narrative
- Updated Natural Resources Approval
- Letters of Intent
- USACE Wetlands Verification and Submittal
- OCRM Permit and Modification Submittal
- BJWSA Approval
- DHEC Waterline Submittal
- DHEC Engineered Septic Permits
- Stormwater, BMP, and Effective Impervious Calculations
- Beaufort County Encroachment Application

We are still waiting on the following items which we fully anticipate having prior to the scheduled SRT meeting.

- OCRM Modification
- DHEC Waterline Construction Permit
- Subdivision Plat
- Covenants and Restrictions
- Fire Marshal Sign-Off

We understand the meeting will be deferred if we do not have these items submitted prior to the meeting date. To expedite the project we would greatly appreciate staff comments in the meantime so we may begin addressing any concerns. Please contact our office at (843) 379-2222 if you have any questions. We appreciate your assistance in moving this project forward.

Sincerely,

A handwritten signature in black ink that reads "Andrew Klosterman". The signature is written in a cursive, flowing style.

Andrew Klosterman, P.E.



Customer Service Engineering - 81 May River Road, Bluffton, S.C. 29910

January 21, 2016

Rett Bullard, EIT
Carolina Engineering Consultants
1402 King Street
Beaufort, S.C.

Re: Academy Park Subdivision, Lady's Island S.C.

Dear Mr. Bullard:

I am pleased to inform you that South Carolina Electric & Gas Company (SCE&G) will be able to provide electric service to the above referenced project as requested. Service can be provided in accordance with SCE&G's General Terms and Conditions, other documents on file with the South Carolina Public Service Commission, and the company's standard operating policies and procedures.

In order to begin the design process for the project, the following information will need to be provided:

- 1.) Finalized and approved detailed site plan (hard copy and electronic AutoCAD file) showing barricade plan, all "wet" utilities, buffer zones, and any existing or additional easements. These plans must be received by SCE&G at least two months prior to the issuing of electric design and conduit plans.**
- 2.) Approved lot numbers and premise addresses including street names for the development.**
- 3.) Copy of Army Corps of Engineers approved wetlands delineation letter including referenced site map, or letter from Army Corps of Engineers stating no wetlands exist on site.**
- 4.) All electric load information.**
- 5.) Anticipated timeline for each phase of the development.**
- 6.) A signed copy of this letter acknowledging its receipt and responsibility for its contents and the contents of its enclosures.**

For more information or questions, contact me by phone at (843) 815-8808 or by email at parks.moss@scana.com.

Sincerely,

Parks Moss

Parks Moss
SCE&G

AUTHORIZED SIGNATURE: _____ DATE: _____

TITLE: _____ PHONE: _____

1413 Prince St./P.O. Drawer 1659
Beaufort, SC 29902
Tel: 843.525.7919



December 10, 2015

Mr. Robert Sample
P. O. Box 2238
Beaufort, SC 29901

**RE: Service Commitment Request
Proposed Residential Development of 25 lots on approx. 17.50 acres
Property located off Fairfield Rd. and Alumni Dr., Lady's Island
Beaufort County, South Carolina**

Dear Mr. Sample,

CenturyLink Telephone will provide telephone facilities to the proposed development in Accordance with our standard practices and tariff on file with the South Carolina Public Service Commission.

CenturyLink Telephone will require two (2) copies of your final plans, as approved by the Beaufort County Development Review Committee, before telephone service can be provided. Please provide this office with your final plans as soon as possible. This is very crucial for our 911 System. It is also requested that this office be notified thirty (30) days prior to start of construction.

Sincerely,
CENTURYLINK

R. David Stiles
Ntwk. Engineer II

RDS:cma



**COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY COMMUNITY
DEVELOPMENT DEPARTMENT**

Multi Government Center, 100 Ribaut Road, Room 115
P.O. Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 255-2140 // FAX: (843) 255-9432

February 1, 2018

Mr. Andrew Klosterman
Andrews Engineering
2712 Bull Street, Suite A
Beaufort, SC 29902

Re: Academy Park Subdivision Natural Resources Delineation

Dear Mr. Klosterman,

I am writing in response to your submittal of the natural resources delineation of the Academy Park Subdivision located on Lady's Island as per Division 5.11.20 – Resource Protection Standards (Beaufort County Community Development Code). A review of your submittal has been conducted and it appears that you have 14.4 acres of young mixed upland forest and 2.44 acres of jurisdictional freshwater wetlands. Since this property is zoned Lady's Island CP (Community Preservation), a minimum of 20% or 2.88 acres of the young upland forest must be preserved on site.

Sincerely,

Amanda Flake
Natural Resources Planner

Cc: Rob Merchant, Assistant Planning Director
Hillary Austin, Zoning Administrator



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
CHARLESTON, SOUTH CAROLINA 29403-5107

June 4, 2015

Regulatory Division

Mr. Asher Howell
Newkirk Environmental, Inc.
P. O. Box 309
Bluffton, South Carolina 29910

Dear Mr. Howell:

This is in response to your letter which was received on March 9, 2015, requesting a Preliminary Jurisdictional Determination (Preliminary JD), on behalf of Mr. Robert Sample, for a 17.50 acre project area, located on the northeast corner of the intersection of Fairfield Road and Faculty Drive on Lady's Island, Beaufort County, South Carolina. The project area is depicted on the plat prepared by Beaufort Surveying, Inc. entitled "Wetland Survey Prepared for Academy Park Subdivision Robert Sample Lots 7, 8 & 9 Academy Estates, Ladys Island Beaufort County, South Carolina" and dated December 12, 2014; revised March 4, 2015. A Preliminary JD is used to indicate that this office has identified wetlands and/or other waters on the property, and that in lieu of making an Approved Jurisdictional Determination, relies on the presumption of jurisdiction for the purpose of expediting the request for a Preliminary JD.

Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, and soil survey information, it has been concluded that the boundaries shown on the referenced plat are an accurate representation of the wetlands and/or other waters found within the project area. The site in question contains 2.76 acres of federally defined wetlands and/or other waters.

This office should be contacted prior to performing any work in or around these wetlands and/or other waters. In order for a definitive determination of jurisdiction to be provided, you must submit a request for an Approved Jurisdictional Determination (Approved JD) rather than the presumption of jurisdiction provided in this letter. Enclosed is a Preliminary Jurisdictional Determination Form describing the areas in question and clarifying the option to request an Approved JD. You should also be aware that the areas identified as wetlands and/or other waters may be subject to restrictions or requirements of other state or local government entities.

Please note that since this is a Preliminary JD, it is subject to change and therefore is not an appealable action under the Corps of Engineers administrative appeal procedures defined at 33 CFR 331. If a permit application is forthcoming as a result of this Preliminary JD, a copy of this letter, as well as the plat should be submitted as part of the application. Otherwise, a delay could occur in confirming that a Preliminary JD was performed for the proposed project area.

This Preliminary JD is a non-binding action and as such has no expiration until it is superseded by an Approved JD. If you intend to request an Approved JD in the future, you are advised not to commence work in these wetlands and/or waters prior to receiving the Approved JD.

Please note that the accuracy of the boundaries of wetlands and/or other waters shown on the referenced plat are valid for a period of five years from the date of this letter. Beyond five years from the date of this letter this office will consider those boundaries to be a reasonable approximation and therefore subject to change.

This delineation/determination has been conducted pursuant to Corps of Engineers regulatory authority for the purpose of identifying the geographic extent of waters on the particular site identified in this request. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

In future correspondence concerning this matter, please refer to SAC 2015-00293-1JU. You may still need state or local assent. Prior to performing any work, you should contact the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management. A copy of this letter is being forwarded to them for their information.

Enclosed are two copies of the Preliminary Jurisdictional Determination Form signed by our office. Please sign both copies, retain one copy for your records and return one signed copy to this office in the enclosed self-addressed envelope.

If you have any questions concerning this matter, please contact David Chamberlain at 843-329-8044 or toll free at 1-866-329-8187.

Respectfully,



Debra W. King
Watershed Manager

Enclosures:
Preliminary Jurisdictional Determination Form
Self-addressed envelope

Copy Furnished:

South Carolina Department of Health
and Environmental Control
Office of Ocean and Coastal
Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405



November 6, 2017

US Army Corps of Engineers
Attn: JD Request
69A Hagood Avenue
Charleston, SC 29403-5107

**RE: Sample Project Site
Beaufort County, South Carolina
NEI Job #04-3434a1
SAC 2015-00293-1JU**

Dear Sir or Ma'am,

Reference is made to an approximate 17.5-acre tract of land located in Beaufort County, South Carolina. The wetland determination of this area has been completed by Newkirk Environmental, Inc. using methods outlined in the US Army Corps of Engineers Wetland Delineation Manual, 1987 and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region, November 2010.

This project site has a current JD letter dated June 4, 2015. Although the wetlands have not changed on the property, the property owner would like to look at the ditch again in lieu of the changes the Corps of Engineers has made in determining jurisdiction.

Enclosed are copies of an accurate location map, an aerial photograph, Soil Survey, data sheets representing typical site conditions, a map depicting the data point locations, USGS topographic survey, NWI maps, survey plat and photographs of the site. Please review this information to verify the accuracy of Newkirk Environmental, Inc.'s preliminary determination.

Please do not hesitate to call if you have any questions regarding this project, if additional information is needed or to schedule a site visit.

Sincerely,

Asher Howell, Senior Biologist
Bluffton, South Carolina

Enclosures

U.S. Army Corps of Engineers – Charleston District - Regulatory Division
REQUEST FOR CORPS JURISDICTIONAL DETERMINATION (JD) / DELINEATION
(For Jurisdictional Status and Identifying Wetlands and Other Aquatic Resources)

I. PROPERTY AND AGENT INFORMATION

A. Site Details/Location:

Site Name: Sample Project Site Date: 11-6-17
City/Township/Parish: Lady's Island County: Beaufort
Latitude/Longitude: 32.434370 80.636665 Acreage: Approx. 17.5 Acres
Tax Map Sequence (TMS) #(s): Beaufort - R200 015 000 0559 0000 & R200 015 000 0560 0000
Property Address(es): Faculty Drive

Please attach a survey/plat map and vicinity map identifying location and review area for the JD/delineation. An accurate depiction of the review area must be provided (survey, tax map, or GPS coordinates). Tax maps may only be used if the site includes the entire tax map parcel.

B. Requestor of Jurisdictional Determination/Delineation (if there are multiple property owners, please attach additional pages)

Name: Mr. Robert Sample
Company Name (if applicable): _____
Address: PO BOX 228 Beaufort, SC 29901
Phone: 843-476-9639 Email: rob-sample@aol.com

Check one: I currently own this property
 I plan to purchase this property
 Other, please explain _____

C. Agent/Environmental Consultant Acting on Behalf of the Requestor (if applicable):

Consultant/Agent Name: Asher Howell
Company Name: Newkirk Environmental Inc.
Address: 73 Sea Island Parkway, Suite 20 Phone: 843-470-1031
Email: asher@newkirkenv.com

II. REASON FOR REQUEST (check all that apply)

- I intend to construct/develop a project or perform activities on this site which would be designed to avoid all aquatic resources.
- I intend to construct/develop a project or perform activities on this site which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
- I intend to construct/develop a project or perform activities on this site which may require authorization from the Corps, and the Jurisdictional Determination would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
- I intend to construct/develop a project or perform activities on this site which may require authorization from the Corps; this request is accompanied by my permit application and the jurisdictional determination is to be used in the permitting process.
- I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is subject to the ebb and flow of the tide.
- A Corps jurisdictional determination is required in order to obtain my local/state authorization.
- I intend to contest jurisdiction over a particular aquatic resource and the request the Corps to confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
- I believe that the site may be comprised entirely of dry land.
- Other: _____

*Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an jurisdictional determination cannot be evaluated nor can a jurisdictional determination be issued.

III. TYPE OF REQUEST:

- Approved¹ Jurisdictional Determination (AJD) Only
- Preliminary² Jurisdictional Determination (PJD) Only
- Approved Jurisdictional Determination (AJD) with submittal of a Pre-Construction Notification or Department of the Army permit application
- Preliminary Jurisdictional Determination (PJD) with submittal of a Pre-Construction Notification or Department of the Army permit application
- Delineation of Wetlands and/or Other Aquatic Resources Only Conducted By Agent/Environmental Consultant with submittal of a Pre-Construction Notification or Department of the Army permit application (No jurisdictional determination requested)
- I request that the Corps delineate the wetlands and/or other aquatic resources that may be present on my property with the attached Pre-Construction Notification or Department of the Army permit application
- I request that the Corps delineate the wetlands and/or other aquatic resources that may be present on my property with an AJD or PJD
- "No Permit Required" (NPR) Letter as I believe my proposed activity is not regulated³
- Unclear as to which jurisdictional determination I would like to request and require additional information to inform my decision

¹**Approved** – An AJD is defined in Corps regulations at 33 CFR 331.2. As explained in further detail in RGL 16-01, an AJD is used to indicate that this office has identified the presence or absence of wetlands and/or other aquatic resources on a site, including their accurate location(s) and boundaries, as well as their jurisdictional status. AJDs are valid for 5 years.

²**Preliminary** – A PJD is defined in Corps regulations at 33 CFR 331.2. As explained in further detail in RGL 16-01, a PJD is used to indicate that this office has identified the approximate location(s) and boundaries of wetlands and/or other aquatic resources on a site that are presumed to be subject to regulatory jurisdiction of the Corps of Engineers. Unlike an AJD, a PJD does not represent a definitive, official determination that there are, or that there are not, jurisdictional aquatic resources on a site, and does not have an expiration date.

³**"No Permit Required" (NPR) Letter**- A NPR letter may be provided by the Corps to notify the requestor that an activity will not require a permit (authorization) from the Corps; this letter can only be used if the proposed activity is not a regulated activity, regardless of where the activity may occur. A NPR letter cannot be used to indicate the presence or absence of wetlands and/or other aquatic resources, nor can it be used to determine their jurisdictional status.

IV. LEGAL RIGHT OF ENTRY

By signing below, I am indicating that I have the authority, or am acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant U.S. Army Corps of Engineers personnel right of entry to legally access the property(ies) subject to this request for the purposes of conducting on-site investigations (e.g., digging and refilling shallow holes) and issuing a jurisdictional determination. I acknowledge that my signature is an affirmation that I possess the requisite property rights to request a jurisdictional determination on the properties subject to this request.

PO Box 228, Beaufort, SC 29901

Faculty Drive

Mailing Address

Property Address / TMS #(s)

robexample@aol.com

843-476-9839

Email Address

Daytime Phone Number

*Signature:

Printed Name and Date

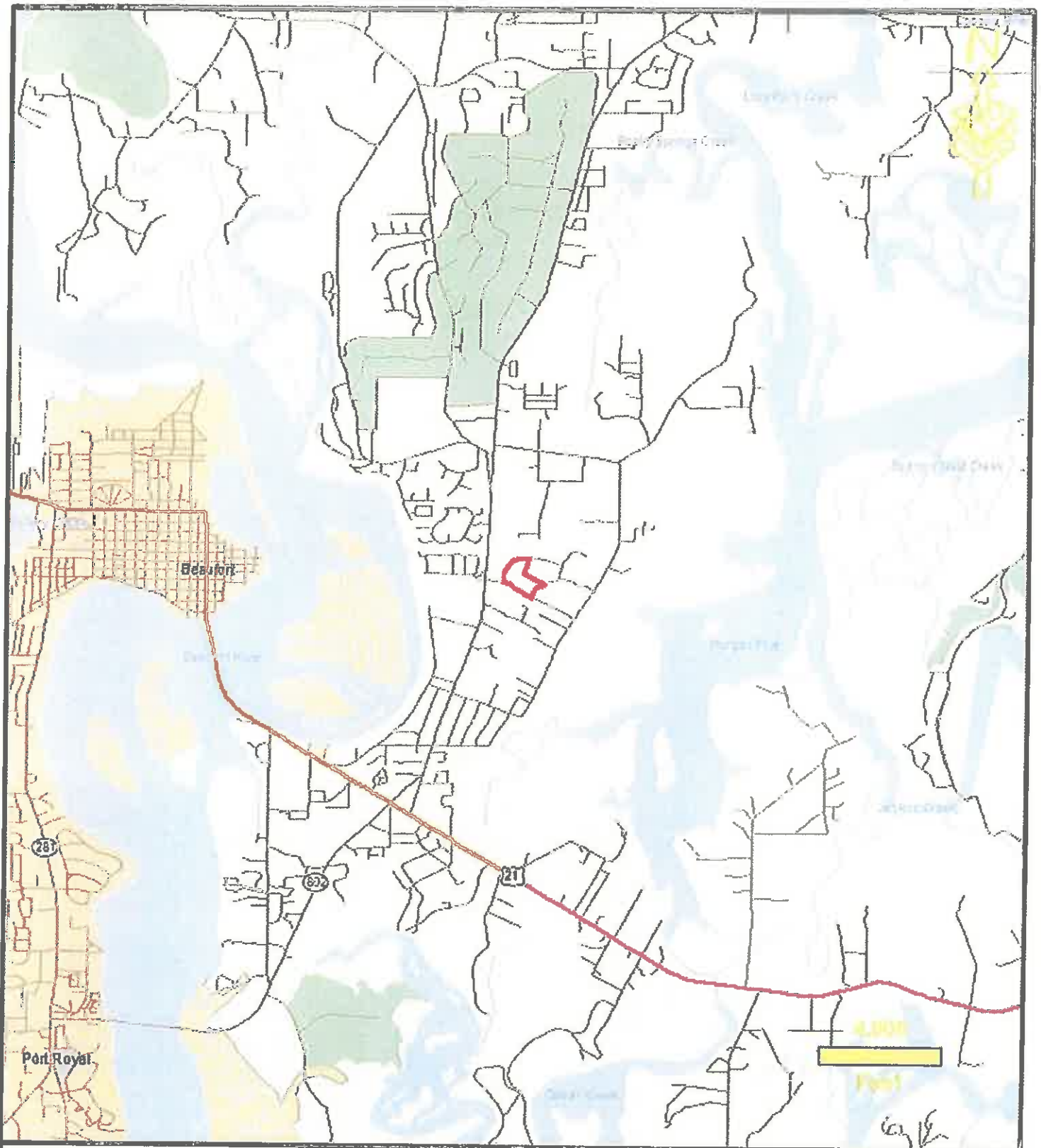
<p>Charleston Office: US Army Corps of Engineers Regulatory Division 66A Hagood Avenue Charleston, SC 29403 (ph) 843-326-8044</p>	<p>Columbia Office: US Army Corps of Engineers Regulatory Office 1835 Assembly Street, Room 865 B-1 Columbia, SC 29201 (ph) 803-253-3444</p>	<p>Conway Office: US Army Corps of Engineers Regulatory Office 1849 Industrial Park Road, Room 140 Conway, SC 29526 (ph) 843-385-4239</p>
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***Authorities:** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an jurisdictional determination cannot be evaluated nor can a jurisdictional determination be issued.



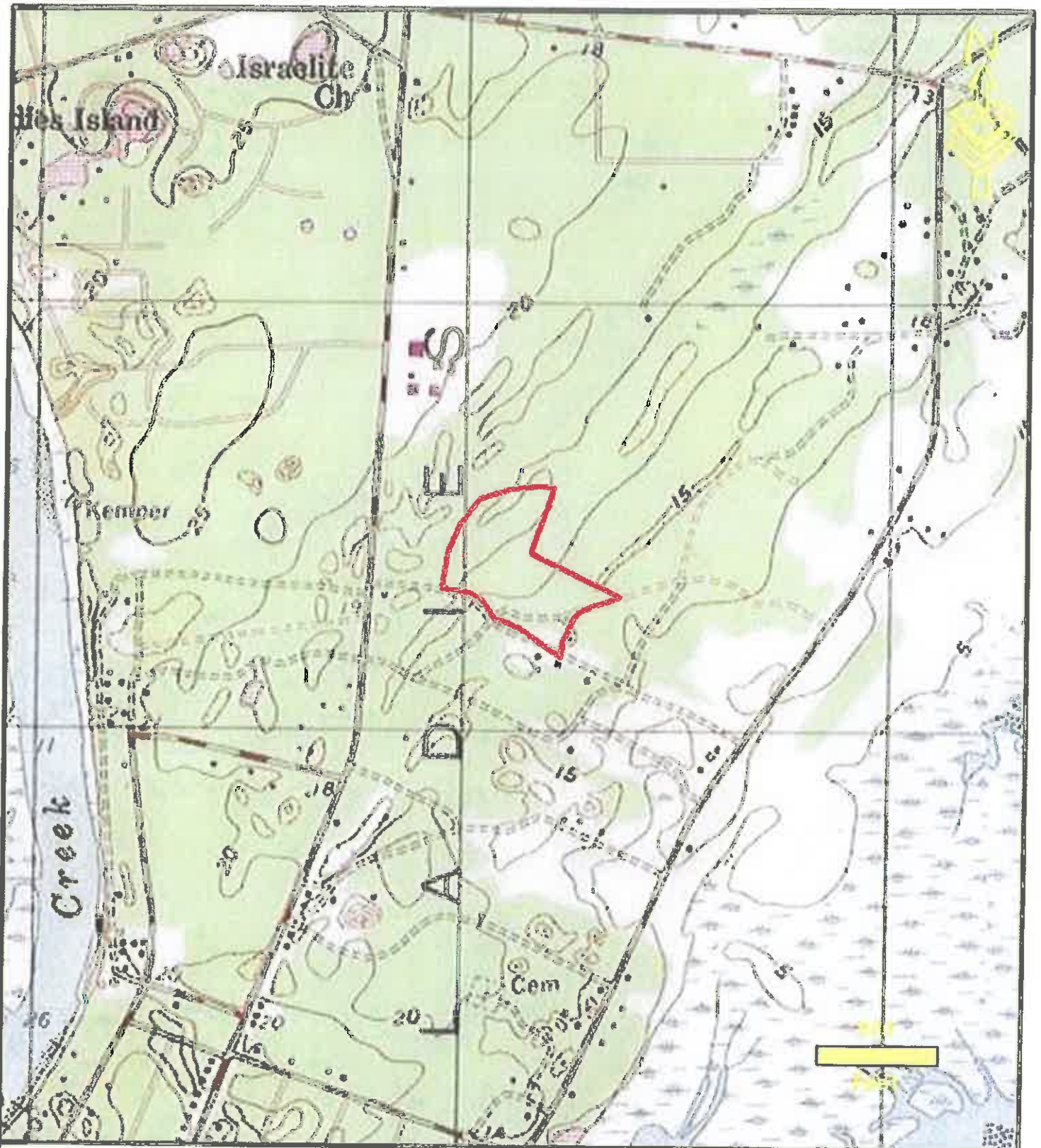
Vicinity Exhibit

Project #: 04-3434a1 Date: November 2017

Created by: AH



Sample Project Site
Beaufort County, SC



Topographical Exhibit

Project #: 04-3434a1 Date: November 2017

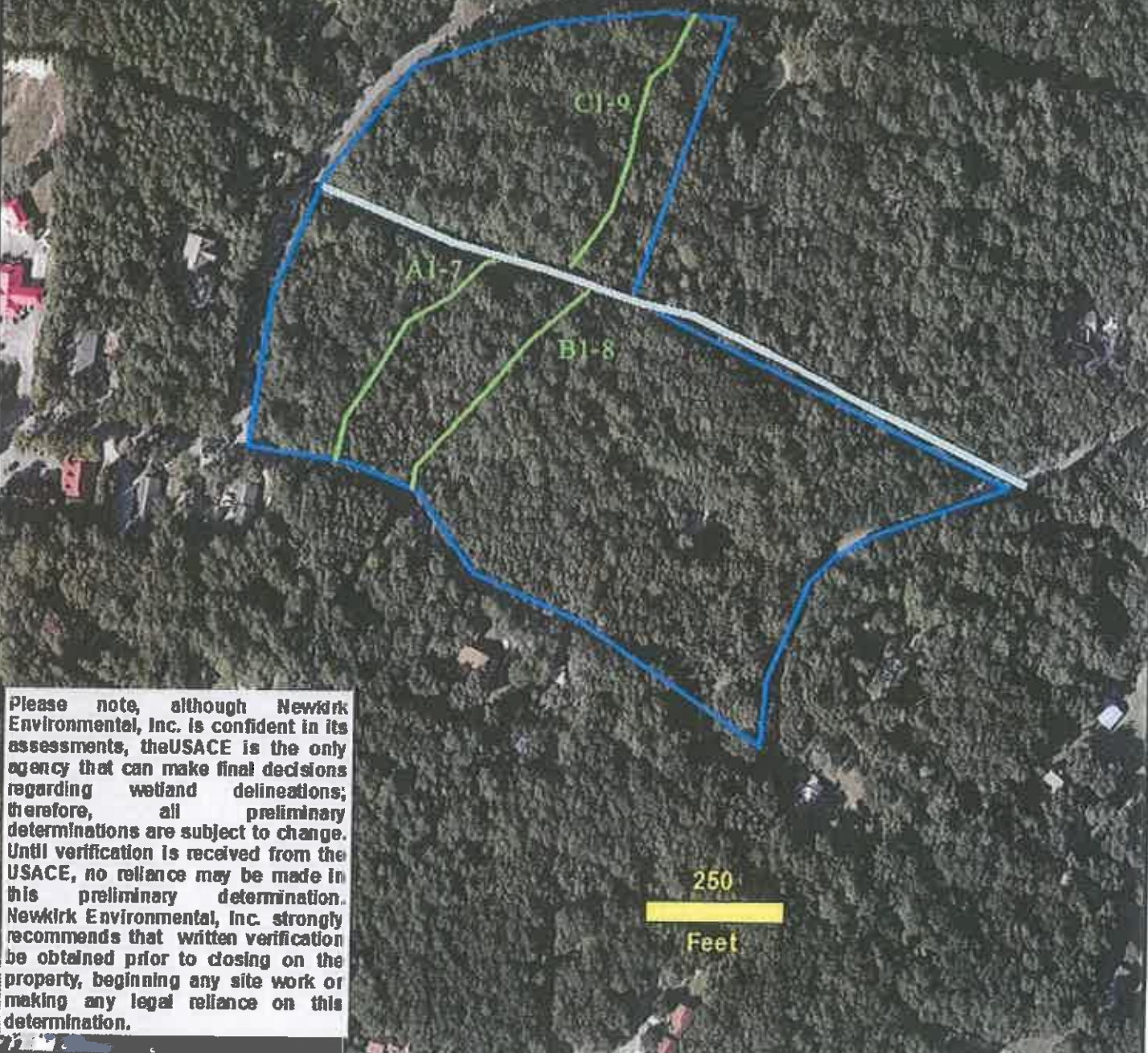
Created by: AH



Sample Project Site
Beaufort County, SC

Legend

- Non Jurisdictional Stormwater Ditch
- Approx. Wetland Lines
- Property Boundary



Please note, although Newkirk Environmental, Inc. is confident in its assessments, the USACE is the only agency that can make final decisions regarding wetland delineations; therefore, all preliminary determinations are subject to change. Until verification is received from the USACE, no reliance may be made in this preliminary determination. Newkirk Environmental, Inc. strongly recommends that written verification be obtained prior to closing on the property, beginning any site work or making any legal reliance on this determination.

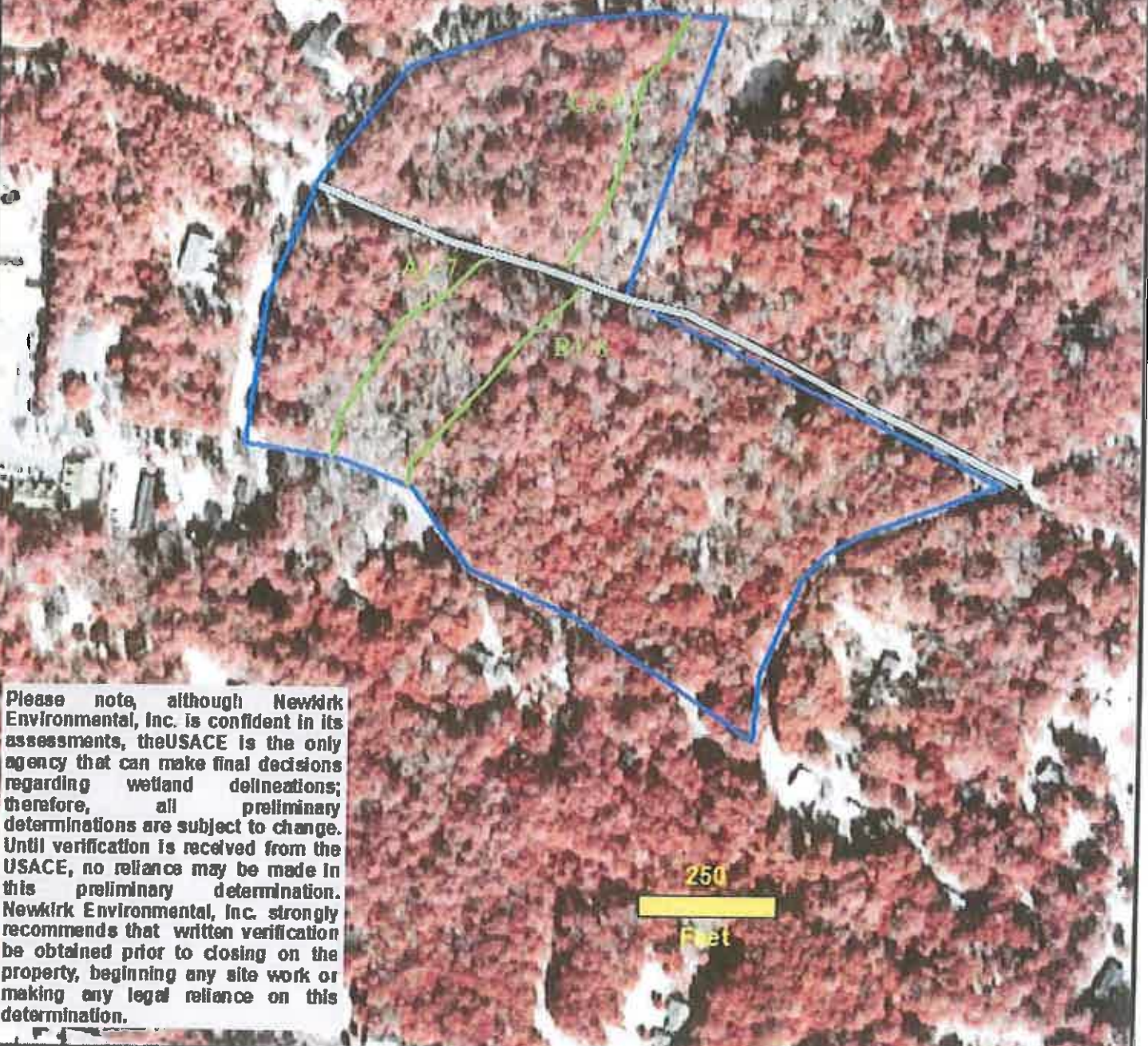
Wetland Field Exhibit
Project #: 04-3434a1 Date: November 2017
Created by: AH

Sample Project Site
Beaufort County, SC



Legend

- Non Jurisdictional Stormwater Drain
- Approx. Wetland Lines
- Property Boundary



Please note, although Newkirk Environmental, Inc. is confident in its assessments, the USACE is the only agency that can make final decisions regarding wetland delineations; therefore, all preliminary determinations are subject to change. Until verification is received from the USACE, no reliance may be made in this preliminary determination. Newkirk Environmental, Inc. strongly recommends that written verification be obtained prior to closing on the property, beginning any site work or making any legal reliance on this determination.

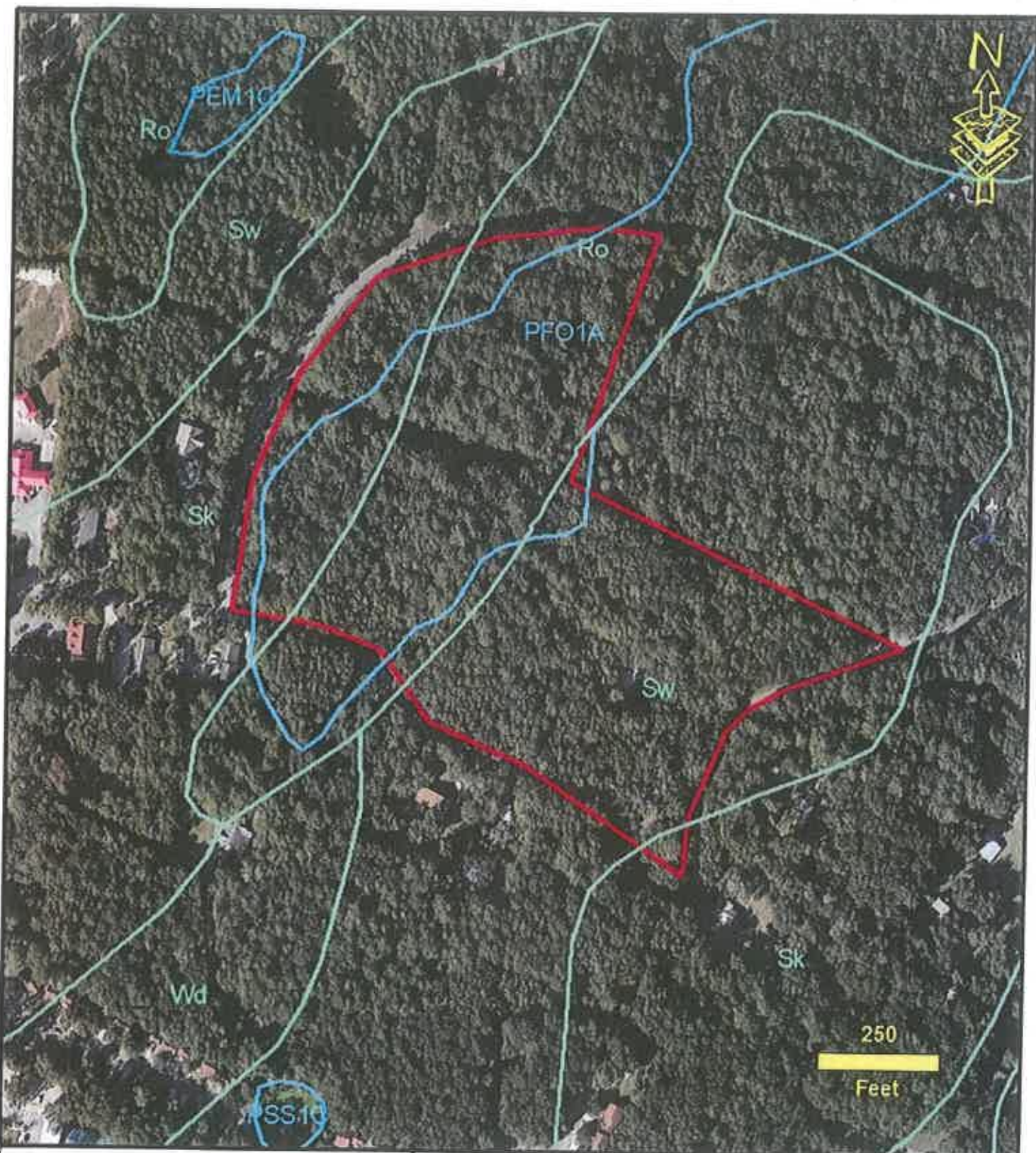
Wetland Field Exhibit

Project #: 04-3434a 1 Date: November 2017

Created by: AH



Sample Project Site
Beaufort County, SC



Soils and NW Exhibit

Project #: 04-3434a1 Date: November 2017

Created by: AH



Sample Project Site
Beaufort County, SC

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: Sample Project Site **City/County:** Beaufort **Sampling Date:** 05-Mar-15
Applicant/Owner: Mr. Robert Sample **State:** SC **Sampling Point:** 0
Investigator(s): Asher Howell **Section, Township, Range:** S T R
Landform (hillslope, terrace, etc.): Flat **Local relief (concave, convex, none):** convex **Slope:** 5.2 % / 3.0 °
Subregion (LRR or MLRA): LRR T **Lat.:** 32.434092 **Long.:** 81.637425 **Datum:** NAD 83
Soil Map Unit Name: Rosedhu **NWI classification:** FO1

Are climatic/hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Hydric Soil Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Wetland Hydrology Present? Yes <input checked="" type="radio"/> No <input type="radio"/>	Is the Sampled Area within a Wetland? Yes <input checked="" type="radio"/> No <input type="radio"/>
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (minimum of 2 required)	
<input checked="" type="checkbox"/> Surface Water (A1) <input checked="" type="checkbox"/> High Water Table (A2) <input checked="" type="checkbox"/> Saturation (A3) <input checked="" type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input checked="" type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9)	<input checked="" type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> Marl Deposits (B15) (LRR U) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input checked="" type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input checked="" type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input checked="" type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)	
Field Observations: Surface Water Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Depth (inches): <u>0</u> Water Table Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Depth (Inches): <u>0</u> Saturation Present? (includes capillary fringe) Yes <input checked="" type="radio"/> No <input type="radio"/> Depth (Inches): <u>0</u>		Wetland Hydrology Present? Yes <input checked="" type="radio"/> No <input type="radio"/>	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:			
Remarks: Typical bottomland hardwood forest.			

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: 0

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. <i>Nyssa aquatica</i>	20	<input checked="" type="checkbox"/> 40.0%	OBL
2. <i>Quercus nigra</i>	10	<input checked="" type="checkbox"/> 20.0%	FAC
3. <i>Liquidambar styraciflua</i>	10	<input checked="" type="checkbox"/> 20.0%	FAC
4. <i>Acer rubrum</i>	10	<input checked="" type="checkbox"/> 20.0%	FAC
5. _____		<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
7. _____	0	<input type="checkbox"/> 0.0%	
8. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>25</u> 20% of Total Cover: <u>10</u>	<u>50</u>	= Total Cover	

Sapling or Sapling/Shrub Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. _____	0	<input type="checkbox"/> 0.0%	
2. _____	0	<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
7. _____	0	<input type="checkbox"/> 0.0%	
8. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>	<u>0</u>	= Total Cover	

Shrub Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. <i>Lyonia ligustrina</i>	20	<input checked="" type="checkbox"/> 100.0%	FACW
2. _____		<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>10</u> 20% of Total Cover: <u>4</u>	<u>20</u>	= Total Cover	

Herb Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. _____		<input type="checkbox"/> 0.0%	
2. _____	0	<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
7. _____	0	<input type="checkbox"/> 0.0%	
8. _____	0	<input type="checkbox"/> 0.0%	
9. _____	0	<input type="checkbox"/> 0.0%	
10. _____	0	<input type="checkbox"/> 0.0%	
11. _____	0	<input type="checkbox"/> 0.0%	
12. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>	<u>0</u>	= Total Cover	

Woody Vine Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. _____	0	<input type="checkbox"/> 0.0%	
2. _____	0	<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>	<u>0</u>	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 83.3% (A/B)

Prevalence Index worksheet:

Total % Cover of: Multiply by:

OBL species	<u>0</u>	x 1 =	<u>0</u>
FACW species	<u>0</u>	x 2 =	<u>0</u>
FAC species	<u>0</u>	x 3 =	<u>0</u>
FACU species	<u>0</u>	x 4 =	<u>0</u>
UPL species	<u>0</u>	x 5 =	<u>0</u>
Column Totals:	<u>0</u>	(A)	<u>0</u> (B)

Prevalence Index = B/A = 0.000

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is > 50%

3 - Prevalence Index is ≤ 3.0¹

Problematic Hydrophytic Vegetation¹ (Explain)

¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding woody vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes No

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: 0

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix			Redox Features				Texture	Remarks
	Color (moist)		%	Color (moist)	%	Type ¹	Loc ²		
0-4	10YR	2/1	100					Sand	
5-12	10YR	2/2	100%					Sandy Loam	
13-18	10YR	3/1	100%					Sandy Loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Organic Bodies (A6) (LRR P, T, U)
- 5 cm Mucky Mineral (A7) (LRR P, T, U)
- Muck Presence (A8) (LRR U)
- 1 cm Muck (A9) (LRR P, T)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Coast Prairie Redox (A16) (MLRA 150A)
- Sandy Muck Mineral (S1) (LRR O, S)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR P, S, T, U)

- Polyvalue Below Surface (S8) (LRR S, T, U)
- Thin Dark Surface (S9) (LRR S, T, U)
- Loamy Mucky Mineral (F1) (LRR O)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Marl (F10) (LRR U)
- Depleted Ochric (F11) (MLRA 151)
- Iron-Manganese Masses (F12) (LRR O, P, T)
- Umbric Surface (F13) (LRR P, T, U)
- Delta Ochric (F17) (MLRA 151)
- Reduced Vertic (F18) (MLRA 150A, 150B)
- Piedmont Floodplain Soils (F19) (MLRA 149A)
- Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR O)
- 2 cm Muck (A10) (LRR S)
- Reduced Vertic (F18) (outside MLRA 150A,B)
- Piedmont Floodplain Soils (F19) (LRR P, S, T)
- Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
Depth (Inches): _____

Hydric Soil Present? Yes No

Remarks:

Flooded muck.

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: Sample Project Site **City/County:** Beaufort **Sampling Date:** 05-Mar-15
Applicant/Owner: Mr. Robert Sample **State:** SC **Sampling Point:** 1
Investigator(s): Asher Howell **Section, Township, Range:** S T R
Landform (hillslope, terrace, etc.): Flat **Local relief (concave, convex, none):** convex **Slope:** 5.2 % / 3.0 °
Subregion (LRR or MLRA): LRR T **Lat.:** 32.434092 **Long.:** 80.637425 **Datum:** NAD 83
Soil Map Unit Name: Seewee **NWI classification:** FO1

Are climatic/hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="radio"/> No <input type="radio"/> Hydric Soil Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	Is the Sampled Area within a Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one required; check all that apply) <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Marl Deposits (B15) (LRR U) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9)	Secondary Indicators (minimum of 2 required) <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
---	---

Field Observations: Surface Water Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____ Water Table Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes <input type="radio"/> No <input checked="" type="radio"/> Depth (inches): _____	Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>
---	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
 High and dry sandy upland site typical of beaufort county

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: 1

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. <i>Pinus taeda</i>	20	<input checked="" type="checkbox"/> 28.6%	FAC
2. <i>Quercus nigra</i>	10	<input type="checkbox"/> 14.3%	FAC
3. <i>Liquidambar styraciflua</i>	10	<input type="checkbox"/> 14.3%	FAC
4. <i>Acer rubrum</i>	10	<input type="checkbox"/> 14.3%	FAC
5. <i>Quercus virginiana</i>	20	<input checked="" type="checkbox"/> 28.6%	FACU
6. _____	0	<input type="checkbox"/> 0.0%	
7. _____	0	<input type="checkbox"/> 0.0%	
8. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>35</u> 20% of Total Cover: <u>14</u>	<u>70</u>	= Total Cover	

Sapling or Sapling/Shrub Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. _____	0	<input type="checkbox"/> 0.0%	
2. _____	0	<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
7. _____	0	<input type="checkbox"/> 0.0%	
8. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>	<u>0</u>	= Total Cover	

Shrub Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. <i>Morella cerifera</i>	20	<input checked="" type="checkbox"/> 50.0%	FAC
2. <i>Symplocos tinctoria</i>	20	<input checked="" type="checkbox"/> 50.0%	FAC
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>20</u> 20% of Total Cover: <u>8</u>	<u>40</u>	= Total Cover	

Herb Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. <i>Pteridium aquilinum</i>	20	<input checked="" type="checkbox"/> 100.0%	FACU
2. _____	0	<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
6. _____	0	<input type="checkbox"/> 0.0%	
7. _____	0	<input type="checkbox"/> 0.0%	
8. _____	0	<input type="checkbox"/> 0.0%	
9. _____	0	<input type="checkbox"/> 0.0%	
10. _____	0	<input type="checkbox"/> 0.0%	
11. _____	0	<input type="checkbox"/> 0.0%	
12. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>10</u> 20% of Total Cover: <u>4</u>	<u>20</u>	= Total Cover	

Woody Vine Stratum (Plot size: _____)	Absolute % Cover	Dominant Species? Rel.Strat. Cover	Indicator Status
1. _____	0	<input type="checkbox"/> 0.0%	
2. _____	0	<input type="checkbox"/> 0.0%	
3. _____	0	<input type="checkbox"/> 0.0%	
4. _____	0	<input type="checkbox"/> 0.0%	
5. _____	0	<input type="checkbox"/> 0.0%	
50% of Total Cover: <u>0</u> 20% of Total Cover: <u>0</u>	<u>0</u>	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 60.0% (A/B)

Prevalence Index worksheet:

Total % Cover of: _____ Multiply by: _____

OBL species 0 x 1 = 0

FACW species 0 x 2 = 0

FAC species 0 x 3 = 0

FACU species 0 x 4 = 0

UPL species 0 x 5 = 0

Column Totals: 0 (A) 0 (B)

Prevalence Index = B/A = 0.000

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is > 50%

3 - Prevalence Index is ≤ 3.0¹

Problematic Hydrophytic Vegetation¹ (Explain)

¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes No

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix			Redox Features				Texture	Remarks
	Color (moist)	%		Color (moist)	%	Type ¹	Loc ²		
0-4	10YR	2/1	100					Sand	
5-12	10YR	5/3	100%					Sandy	
13-18	10YR	6/4	100%					Sandy Loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Organic Bodies (A6) (LRR P, T, U)
- 5 cm Mucky Mineral (A7) (LRR P, T, U)
- Muck Presence (A8) (LRR U)
- 1 cm Muck (A9) (LRR P, T)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Coast Prairie Redox (A16) (MLRA 150A)
- Sandy Muck Mineral (S1) (LRR O, S)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR P, S, T, U)

- Polyvalue Below Surface (S8) (LRR S, T, U)
- Thin Dark Surface (S9) (LRR S, T, U)
- Loamy Mucky Mineral (F1) (LRR O)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Marl (F10) (LRR U)
- Depleted Ochric (F11) (MLRA 151)
- Iron-Manganese Masses (F12) (LRR O, P, T)
- Umbric Surface (F13) (LRR P, T, U)
- Delta Ochric (F17) (MLRA 151)
- Reduced Vertic (F18) (MLRA 150A, 150B)
- Piedmont Floodplain Soils (F19) (MLRA 149A)
- Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR O)
- 2 cm Muck (A10) (LRR S)
- Reduced Vertic (F18) (outside MLRA 150A,8)
- Piedmont Floodplain Soils (F19) (LRR P, S, T)
- Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
 Depth (Inches): _____

Hydric Soil Present? Yes No

Remarks:

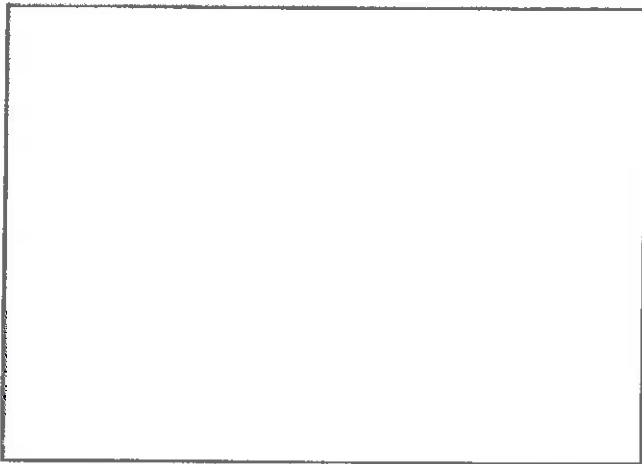
greater than 70% uncoated sandgrains. Located on sand hill. High chroma soils



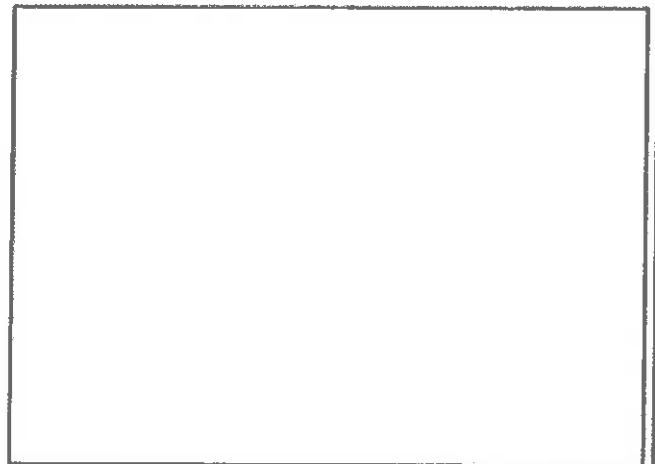
Upland Data Point 0 (East)



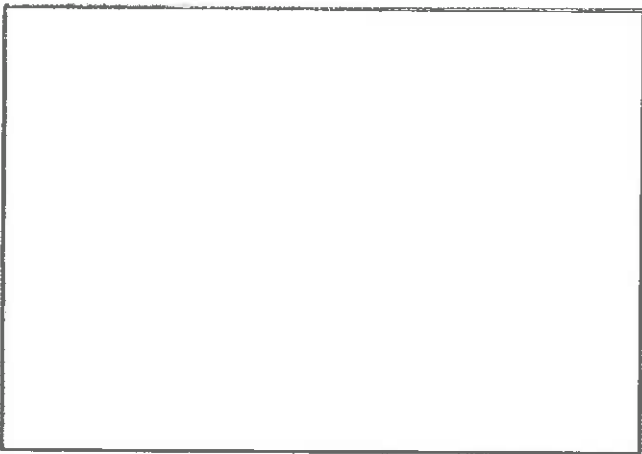
Wetland Data Point 1 (West)



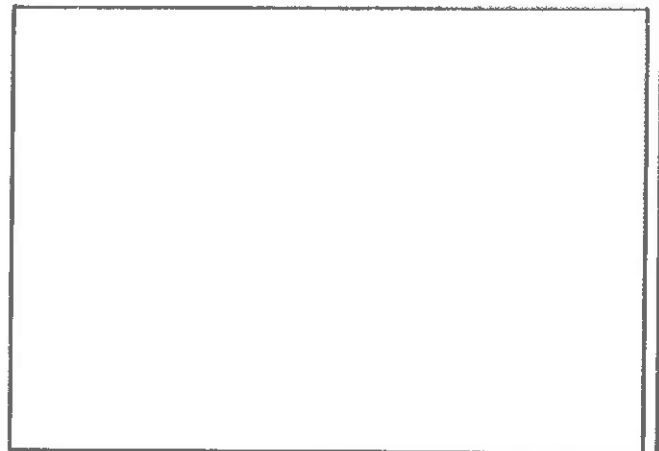
Caption



Caption



Caption



Caption

Site Photographs ----- Page 1 of 1

Project #:04-3434a -- Date:March 2015

Created by:AH

Sample Project Site
Beaufort County
South Carolina



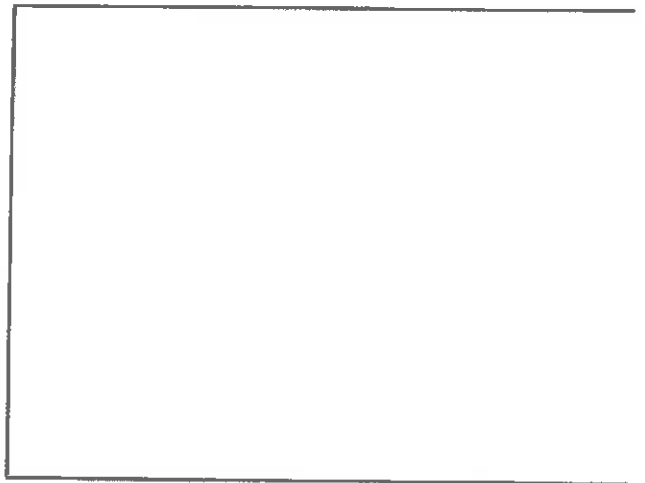
Ditch 2 (West)



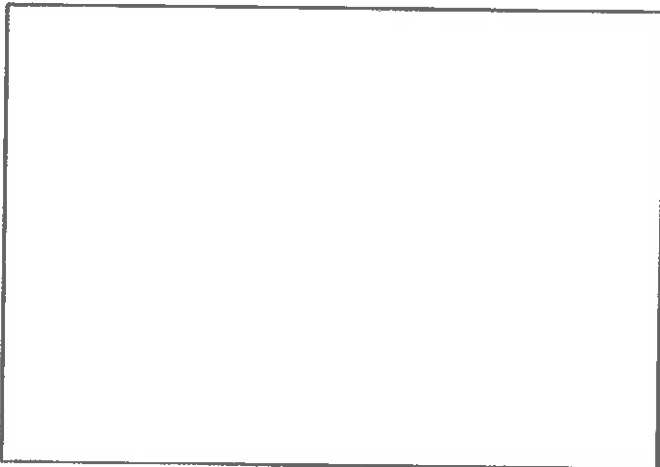
Ditch 3 (East)



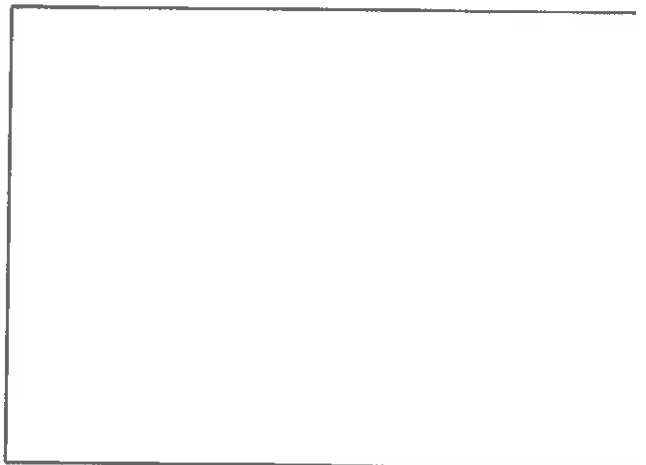
Ditch 3 (West)



Caption



Caption



Caption

Site Photographs ----- Page 2 of 2

Project #:04-3434a1-- Date:Nov. 2017

Created by: AH

Sample Project Site
Beaufort County
South Carolina



6 SNAKE ROAD, OKATIE, SC 29909-3937
Phone 843.987.9200
Customer Service 843.987.9200
Operations & Maintenance 843.987.8046
Engineering 843.987.8065
www.bjwsa.org

Our mission: to inspire trust and enhance public health

ED SAXON, PE, GENERAL MANAGER
843.987.8040 (o) | 843.263.1924 (c)

January 25, 2017

Andrew Klosterman, P.E.
Andrews Engineering
2712 Bull Street, Suite A
Beaufort, South Carolina 29902

Re: Academy Park Subdivision – Fairfield Road (BJWSA No. 2016-043)

Andrew:

The DRP submittal was sent to DHEC on January 25, 2018. Enclosed for your files is one set of plans stamped approved with comments from BJWSA's Design Review Team. As you are aware, submittal of the DRP package to SCDHEC constitutes BJWSA's commitment of water and wastewater capacity to the project. As a result, the associated capacity fees previously quoted are now due and payable or otherwise secured by your client.

A pre-construction conference will be required. Prior to scheduling the meeting, the following must be received: revised plans with comments addressed and submitted in pdf format, electronic contractor and engineer approved submittals, two sets of printed plans, and payment of any remaining fees due. Please contact Timothy Andrepont at 843-987-8067 or timothy@bjwsa.org to arrange a convenient time.

BJWSA will own, operate, and maintain the constructed facilities once service authorization is obtained from this office.

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

Richard Deuel, P.E.
Development Projects Manager

rgd/ma

Enclosure

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January 25, 2018

Mr. Wayne Stokes
Water Facilities Permitting Division
SC DHEC
2600 Bull Street
Columbia, SC 29202

Re: Academy Park Subdivision – Fairfield Road (BJWSA No. 2016-043)

Dear Wayne:

This project is being submitted for water system permitting under the Delegated Review Program. The Authority has reviewed the plans in accordance with the requirements set forth by the Delegated Review Program and approves them as submitted.

The water system consists of approximately 1,180 LF of 8" PVC waterline to serve 12 residential lots.

Water capacity will be supplied from our main water system (DHEC #0720003). Beaufort-Jasper Water and Sewer Authority will own, operate, and maintain the constructed facilities once this office authorizes service.

Sincerely,

Richard Deuel, P.E.
Development Projects Manager

rgd/ma

cc: Andrew Klosterman, P.E. – Andrews Engineering

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SECRETARY/TREASURER

BRANDY M. GRAY
GERALD H. SCHULZE



Construction Permit Application Water/Wastewater Facilities

BUREAU OF WATER

DELEGATED REVIEW PROJECT SUBMITTAL: Yes EXPEDITED REVIEW PROGRAM SUBMITTAL: Yes

SELECT ONE Water Facilities Wastewater Facilities Combined Water & Wastewater Facilities

I. Project Name: Academy Park Subdivision County: Beaufort

II. Project Location (street names, etc.): Facully Drive, Fairfield Road, and Alumni Road

III. Project Description(s): Water System: 1180 LF 8" PVC waterline to serve 12 residential lots

Wastewater System: NA

Project Type (A-Z): Water: A Wastewater: (See instructions for the appropriate project code)

IV. Initial Owner: [Time of Application] Name/Organization: Academy Park, LLC

Address: PO Box 228 City: Beaufort State: SC Zip: 29901

Phone #: (843) 76-9639 E-mail (Initial Owner): robexample@aol.com

V. Final Owner: [After Construction] Name/Organization: BJWSA

Address: 6 Snake Road City: Okatie State: SC Zip: 29909

Phone #: (843) 987-9293 E-mail (Final Owner): dickd@bjwsa.org

VI. Entity Responsible for Final Operation & Maintenance of System:

Water System: Name: BJWSA Address: 6 Snake Road

City: okatie State: SC Zip: 29909 Phone#: (843) 987-9292 Fax#: (843) 987-9293

Wastewater System: Name: BJWSA Address: 6 Snake Road

City: okatie State: SC Zip: 29909 Phone#: (843) 987-9292 Fax#: (843) 987-9293

VII. Engineering Firm: Name: Andrews Engineering Address: 2712 Bull Street, Suite A

City: Beaufort State: SC Zip: 29902 Phone #: (843) 379-2222 Fax #: (843) 379-2223

E-mail (Design Engineer): andy@andrews-sc.com

VIII. Is this project: A) Part of a phased project? No Yes . If Yes, Phase of

B) A revision to a previously permitted project? No Yes . If Yes, Permit#:

Date Approved: Project name (if different):

C) Submitted based on a Schedule of Compliance or Order issued by DHEC? No Yes . Order #:

D) Anticipating funding by the State Revolving Fund (SRF)? No Yes .

E) Crossing a water body (e.g., river, creek)? No Yes . If Yes, Name of waterbody:

IX. Are Standard Specifications approved by DHEC being used on this project? No Yes . If Yes:

Water: Date Approved: 07/01/2009 Approved for whom: BJWSA

Wastewater: Date Approved: 07/01/2009 Approved for whom: BJWSA

X. Wastewater Systems: A) Type: Domestic Process (Industrial) Combined (Domestic & Process)

B) Average Design Flow 1. Project: GPD 2. Treatment system: GPD

C) Sewers or Pretreatment 1. Name of facility (e.g., POTW) treating the wastewater:

2. NPDES/ND Number of facility in Item #1:

Treatment Systems 3. Date Preliminary Engineering Report (PER) approved:

4. NPDES/ND application submitted? No Yes . If Yes, Date:

Disposal Sites 5. Effluent Disposal Site (Description):

6. Sludge Disposal Site (Description):

XI. Water Systems: Project located within city limits? No Yes
Public water system providing water. Name: BJWSA (Main) System #: 0720003
New water system (including master meter)? No Yes . If Yes, System name: _____


XII. Type of Submittal: Complete Section A (Standard) or Section B (Delegated Review Program - DRP).

- A) Standard Submittal *must* include the following:
- 1. A transmittal letter outlining the submittal package.
 - 2. The original construction permit application, properly completed, with one (1) copy.
 - 3. Three (3) sets of signed and sealed plans and one (1) set of construction specifications. Specifications may be omitted if approved standard specifications are on file with DHEC. Four (4) sets of plans are required for a combined submittal, if the project includes a wastewater treatment facility.
 - 4. One (1) set of the appropriate design calculations. **WASTEWATER:** Design flow (based on R.61-67, Appendix A), pump station calc's. and pump curve. **WATER:** Recent flow test from a location near the tie-on site, design calc's. indicating pressure maintained in the distribution system during max. instantaneous demand, fire flow and flushing velocities achieved. Number/types of service connections, well record form, pumping test results, etc.
 - 5. Three (3) copies of a detailed 8½" x 11" location map, separate from the plans.
 - 6. Two (2) copies of construction easements unless the project owner has the right of eminent domain.
 - 7. A letter(s) from the entity supplying water and/or providing wastewater treatment stating their willingness and ability to serve the project, (state the flow, number of lots, etc.), including pretreatment permits, if applicable.
 - 8. A letter(s) from the entity agreeing to be responsible for the operation and maintenance (O&M) of the systems.
 - 9. Application fee enclosed \$ 150.00. (Refer to Instructions).
 - 10. **WATER SYSTEMS:** a) A letter from the local government which has potable water planning authority over the area, if applicable, in which the project is located, stating project consistency with water supply service plan for area.
b) For wells, four (4) copies of a wellhead protection area inventory.
c) For new wells, a viability demonstration is required in accordance with Regulation 61-58.I.B.(4).
- Note:* Other approvals may include 208 (wastewater only) and OCRM certification, and navigable waterway permitting. To expedite the project review, the 208 and OCRM certification may be included with the project submittal.

- B) DRP submittal *must* include the following:
- 1. A transmittal letter, signed by the professional engineer representing the DRP entity, noting this is a DRP submittal. The letter should state that the project has been reviewed and complies with R.61-58 and/or R.61-67.
 - 2. The original construction permit application, properly completed, with one (1) copy.
 - 3. Two (2) sets of the signed and sealed plans.
 - 4. One (1) set of the appropriate design calculations. **WASTEWATER:** Same information as required under Section XII.A.4. above. **WATER:** Same information as required under Section XII.A.4. above.
 - 5. One (1) copy of a detailed 8½" x 11" location map, separate from the plans.
 - 6. Two (2) copies of construction easements, unless the project owner has the right of eminent domain.
 - 7. DHEC's Ocean and Coastal Resource Management certification (for projects in applicable counties).
 - 8. DHEC's Water Quality permit or conditions for placement in navigable waters, and other Agency approvals.
 - 9. **WASTEWATER SYSTEMS:** a) A letter of acceptance from the entity providing the treatment of the wastewater that includes the specific flow and, when applicable, the specific number of lots being accepted.
b) A letter from the organization agreeing to be responsible for the O&M of the wastewater system.
c) The 208 Plan certification from the appropriate Council of Governments (designated 208 areas), or from DHEC on the non-designated 208 areas.
 - 10. **WATER SYSTEMS:** A letter from the local government which has potable water planning authority over the area, if applicable, in which the project is located, stating project consistency with water supply service plan for area.
 - 11. Fee of \$75 for water and \$75 for wastewater (\$150 if combined).

Note: The DRP entity should ensure that a copy of the final approved plans are returned to the design engineer.

XIII. Construction plans, material and construction specifications, the engineering report including supporting design data and calculations are herewith submitted and made a part of this application. I have placed my signature and seal on the engineering documents submitted, signifying that I accept responsibility for the design of this system, and that I have submitted a complete administrative package.

Engineer's Name (Printed): Andrew Klosterman Signature: 
S.C. Registration Number: 23280 Registered Professional Engineer

XIV. Prior to final approval, I will submit a statement certifying that construction is complete and in accordance with the approved plans and specifications, to the best of my knowledge, information and belief. This certification will be based upon periodic observations of construction and a final inspection for design compliance by me or a representative of this office who is under my supervision.

Engineer's Name (Printed): Andrew Klosterman Signature: 
S.C. Registration Number: 23280 Registered Professional Engineer

XV. I hereby make application for a permit to construct the project as described above. I have read this application and agree to the requirements and conditions and agree to the admission of properly authorized persons at all reasonable hours for the purpose of sampling and inspection.

Owner's Name (Printed): Robert Sample Signature: 
Owner's Title: President Date: 1-27-18



Catherine E. Heigel, Director

Promoting and protecting the health of the public and the environment

January 07, 2016

ROBERT SAMPLE
ACADEMY PARK LLC
PO BOX 228
BEAUFORT SC 29901

RE: ACADEMY PARK SUBDIVISION, Beaufort County
File Number: 07-15-11-02
NPDES Coverage Number: SCR10Y190

Dear Robert Sample:

The Department of Health and Environmental Control (Department or DHEC) has approved the Stormwater Pollution Prevention Plan (SWPPP) for the referenced project on January 07, 2016. Based on your submission of the Notice of Intent (NOI) and in accordance with the NPDES General Permit for Stormwater Discharges from Construction Activities SCR100000 (CGP), this project has been granted coverage under the CGP. This project's general permit coverage number is SCR10Y190. The total disturbed area for this site is 3.8 acres.

See attached DHEC Office of Ocean and Coastal Resource Management (DHEC-OCRM) certification dated 11/24/2015 for additional conditions related to the Coastal Zone Consistency determination.

The maximum area permitted to be disturbed on each lot is 4,800 sq. ft. for 25 lots. If any additional area will be disturbed, you must notify the Stormwater Permitting Section in writing and receive approval before any of the additional disturbed area can be disturbed.

An as-built survey, signed and sealed by a S.C. Licensed Land Surveyor, should be submitted for the 3 structures on this site. The surveys should show grades, contours, and depths for all structures and should include the elevations and dimensions of all outlet structures, including but not limited to pipes, orifices, risers, weirs, and emergency spillways. A statement signed by the project's S.C. Registered Engineer indicating that the structures was installed and is operating as shown on approved plans and in approved calculations is required. If the elevations or dimensions of the structures listed above do not match those used in the approved plans, provide a certification statement signed by the projects S.C. Registered Engineer indicating that the structure, as built, will function as shown in approved calculations. A new analysis of the structure (routing) may be necessary. The as-built survey and/ or analysis must be accepted by the Department before a Notice of Termination (NOT) can be submitted.

The CGP can be downloaded at the following website:

<http://www.scdhec.gov/environment/water/swater/docs/CGP-permit.pdf> or you may request a copy from us via email (stormwatercgp@dhec.sc.gov). You are responsible for ensuring your contractor(s) complies with the approved SWPPP and the minimum requirements of the CGP. Also, you are responsible for overall compliance with the Storm Water Management and

Sediment Reduction Act of 1991 (1991 Act), SC Pollution Control Act, and the Federal Clean Water Act (CWA). Failure to comply with the approved SWPPP or applicable statutes and regulations may result in enforcement actions.

You must notify this DHEC EQC Regional Office prior to starting any land-disturbing activity. The address and telephone number of the EQC office are as follows:

Beaufort EQC Office
104 PARKER DR
BEAUFORT SC 29906
843-846-1030

Inspections of this site must be performed by qualified personnel as described in Section 4.2.E of the CGP.

You should be aware that this approval is only applicable for the SWPPP that was submitted for this project. Any additional construction or land disturbing activity beyond the scope of the approved plans is not authorized. Any future work for this project not shown on the stamped, approved plans will require that you submit another site plan for review and approval. All major modifications require review and approval by the Department. Minor modifications to the approved SWPPP may be made by the SWPPP preparer and do not require review and approval by the Department; these changes should be signed and dated by the SWPPP preparer. If you have a question about whether a modification is major or minor, contact the Coastal Stormwater Permitting Section at (843) 953-0200.

A copy of the stamped, approved SWPPP (including a copy the CGP, contractor certifications, inspection records, rainfall data, etc), NOI, and CGP coverage letter from DHEC must be retained and available at the construction site (or accessible within 30 minutes during normal business hours) from the date of commencement of construction activities to the date of final stabilization. If an on-site location is unavailable to store the SWPPP when no personnel are present, notice of the plan's location must be posted near the main entrance at the construction site.

All contractors who will conduct land-disturbing activities at the site must complete a Contractor Certification Form. Annual Blanket Utility Providers must provide a copy of their annual blanket registration information. You are also responsible for listing all contractors in the SWPPP and for holding a pre-construction conference with each contractor before they can conduct land-disturbing activity at the site.

The Department may conduct periodic inspections of your site. Any violations found during these inspections may result in enforcement action.

This NPDES coverage should be terminated by the permittee when one of the conditions listed in Section 5.1 of the CGP has been met. You must submit a Notice of Termination (NOT) to cancel your NPDES coverage under the CGP. Please see section 5.1 of the CGP for additional information required to be submitted with the NOT.

You are responsible for obtaining any other federal, state, or local permit that may be required for this project. In particular, any permits through the U.S. Army Corps of Engineers for the placement of fill material in Waters of the United States. Please note we have not sent a copy of this letter to any county or city building official. You must send a copy of this letter to these agencies, if necessary.

If material excavated during construction activities leaves the site, a mine operating permit may be needed. You are responsible for contacting the Mining and Reclamation Section to determine if a mining permit is required for the site. The Mining and Reclamation Section can be reached at (803)898-1362 or via e-mail at AskMines@dhec.sc.gov.

Please see the enclosed "Notice of Appeal Procedure" document for information about the procedures for appealing this NPDES coverage.

If you have any questions or cannot access the referenced websites, please call me at 843-953-0249.

Sincerely,



Matthew T Hauser
Coastal Stormwater Permitting Section
1362 McMillan Ave., Suite 400
Charleston, SC 29405

cc: Jeff Ackerman—CAROLINA ENGINEERING CONSULTANTS INC

cc: Penny Cornett-Region 8, Beaufort EQC Office



Catherine E. Heigel, Director

Promoting and protecting the health of the public and the environment

Coastal Zone Consistency Certification

To: Matthew Hauser, BOW Coastal Stormwater Permitting Section

From: Christine Koczera, OCRM Coastal Zone Consistency Section

Applicant: Robert Sample

Project Name: Academy Park Subdivision

Site location: Fairfield Road and Faculty Drive, Beaufort County

CZC #: CZC-15-1192

PN#: SCR10Y190

Date: November 24, 2015

The staff of the Office of Ocean and Coastal Resource Management (OCRM) has reviewed the above referenced Coastal Zone Consistency request for the construction of three (3) dry detention swales for a future residential subdivision. The total area of disturbance will be 0.90 acres of a 17.5 acre tract of land. We hereby certify that the above referenced project is **Consistent** with the Guidelines for Evaluation of All Projects and the (1) Residential Development, and the (2) Stormwater Management (*Runoff*) Policies contained in the S.C. Coastal Zone Management Program provided that the following conditions are included in the permit and adhered to by the applicant.

1. Upon completion of construction activities, all disturbed areas, including those impacted for access, must be immediately
2. In the event that any historic or cultural resources and/or archaeological materials are found during the course of work, the applicant must notify the State Historic Preservation Office (SHPO) and the South Carolina Institute of Archaeology and Anthropology. Historic or cultural resources consist of those sites listed in the National Register of Historic Places and those sites that are eligible for the National Register. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials.

This certification shall serve as the final DHEC OCRM Coastal Zone Consistency approval for the work described above but does not alleviate the applicant's responsibility to obtain other required local, state or federal approvals.

CHR
11/25/15



NOTICE OF INTENT (NOI)
For Coverage(s) of Primary Permittees
Under South Carolina NPDES General Permit
For Stormwater Discharges From Construction Activities SCR100000
(Maintain As Part of On-Site SWPPP)

For Official Use Only

File Number: 07-15-11-02
Permit Number: SCR10 1190
Submittal Package Complete:

Submission of this Notice of Intent constitutes notice that the Applicant identified in Section II intends to be authorized as a Primary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. Fees required for review and NPDES coverage of each application type are as listed on page 2 of the instructions.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
ENVIRONMENTAL ENGINEERING DIVISION
STORMWATER MANAGEMENT SECTION
APPROVAL DATE: 11/16/15
OFFICIAL NAME: SCR101190
DATE: 07-15-11-02
BY: Martha Howard

Date: 12/16/2015
Project/Site Name: ACADEMY PARK SUBDIVISION County: BEAUFORT COUNTY
(Modification or Change of Information Only) Prior Approved NPDES Permit or File Number:

Do you want this project to be considered for the Expedited Review Program (ERP)? Yes or No (See Instructions)

I. Notice of Intent (NOI) Application Type(s)

- A. Project (Application/Review) Type(s) (Select ALL that apply):
New Project (Initial Notification)
Late Notification
New Owner/Operator or Company Name Change
Major Modification
MS4 Project Review
Ocean and Coastal Resource Management (OCRM) Review
Change of Information/Other
B. If Applicable, identify the entity designated as MS4 Reviewer and MS4 Operator

II. Primary Permittee Information

Person or Company
If a Company, are you a Lending Institution or Government Entity?
Company EIN (if applicable): EIN: 47-5120776

- A. Primary Permittee Name: ACADEMY PARK, LLC
Mailing Address: P.O. BOX 228 City: BEAUFORT State: SC Zip: 29901
Phone: 843-476-9839 Fax: Email Address: ROBESAMPLE@AOL.COM
B. Contact /ODSA Name (if different from above OR if owner is a company): ROBERT SAMPLE
Mailing Address: P.O. BOX 228 City: BEAUFORT State: SC Zip: 29901
Phone: 843-476-9839 Fax: Email Address: ROBESAMPLE@AOL.COM
C. Property Owner Name (if different from above):

III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information

- A. C-SWPPP Preparer Name: JEFF ACKERMAN, P.E.
B. Registered Professional Engineer
C. Company/Firm Name: CAROLINA ENGINEERING CONSULTANTS, INC. S. C. COA #: C02324
Mailing Address: PO BOX 294 City: BEAUFORT State: SC Zip: 29901
Phone: 843-322-0553 Fax: Email Address: JEFFA@CAROLINAENGINEERING.COM

IV. Project/Site Information

- A. Type of Construction Activity(ies) (Select ALL that apply):
Commercial
Industrial
Institutional
Mass Grading
Linear
Utility/Infrastructure
Residential: Single-family
Residential: Multi-family
Multi-use (Commercial & Residential)
Site Preparation (No New Impervious Area)
Other (Specify)
B. Site Address/Location (street address, nearest intersection, etc.) Intersection of Fairfield Road and Faculty Drive
City/Town (if in limits): Zip Code:
Latitude: 32° 26' 01" N Longitude: - 80° 38' 16" W (Source): GPS Web Site: GOOGLE EARTH
Tax Map Number (s) (List all): R200-015-000-0558-0000, R200-015-000-0559-0000, AND R200-015-000-0560-0000

- C. Is this site located on Indian Land? Yes No
- D. Proposed Start Date: 01/02/2015 Proposed Completion Date: 03/02/2015
- E. Disturbed Area (nearest tenth of an acre): 3.8 Total Area (acres): 17.5
- F. Modification Only: (nearest tenth of an acre): Disturbed Area: Current (Approved) Area: _____
 Disturbed Area Change (Increase Only): _____ Total Disturbed Area (After Change): _____
- G. Is this project part of a Larger Common Plan for Development or Sale (LCP)? Yes No
 LCP/ Overall Development Name: _____ Check here if this is the First Phase.
 Previous State Permit/File Number: _____ Previous NPDES Coverage Number: SCR10
- H. Any Flooding Problems exist downstream of or adjacent to this site? Yes No (If yes, provide detailed description of flooding problems and applicable floodway/flood zone information in the C-SWPPP).
- I. Active S.C. DHEC Warning Notice, Notice to Comply or Notice of Violation for this site or LCP? Yes No
- J. List Relevant State and Federal Environmental Permits or Approvals applied for or obtained for this site (e.g., RCRA, USACOE, Nationwide, etc.). If None, list None.

- K. Any Waiver(s)/Variances/Exceptions Requested for this Project? (If yes, identify below and include Waiver Request and Justifications in the C-SWPPP for each proposed request).
- | | |
|--|---------------------------|
| 1. Small Construction Activity Waiver(s) From NPDES permitting (Section 1.4 & Appendix B)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If yes, identify requested waiver: <input type="checkbox"/> Rainfall Erosivity Waiver <input type="checkbox"/> TMDL Waiver <input type="checkbox"/> Equivalent Analysis Waiver | |
| 2. Detention Waiver (72-302(B))? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 3. Other (Specify): _____ |

V. Waterbody Information (Attach additional sheet(s) as needed) Change of Information

A. Receiving Waterbody(s) (RWB) Information (List the nearest and next nearest receiving waterbodies to which the sites stormwater discharges will drain. If stormwater discharges drain to multiple waterbodies, list all such waterbodies).

1. Name of Receiving Waterbodies (RWB)	2. Distance to RWB (feet)	3. Classification of RWB
a. Nearest: <u>Morgan River</u>	2,650	SFH
b. Next Nearest: <u>ST. HELENA SOUND</u>	4,3042	N/A
c. Coastal Zone ONLY: Coastal Receiving Water (CRW): <u>ST. HELENA SOUND</u>	4,3042	Not Applicable
d. Other Waterbodies: _____		

B. Waters of the U.S. / State Information (Attach additional sheet(s) as needed)

Waters of the U.S./ State	1. On the site?	2. Delineated/ Identified?	3. Impacts?	4. Amount of Impacts
a. Jurisdictional wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac
b. Non-jurisdictional wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac
c. Other Water(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac ___ Feet
d. Coastal Zone ONLY: Direct Critical Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac ___ Feet

5. If yes for impacts in B.3, describe each impact and activity, and list all permits (e.g., USACOE Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact:

C. S.C. Navigable Waters (SCNW) Information (Section 2.6.5) The Department will address any issues related to State Navigable Waters' Program under SC Regulation 19-450 during the review of the C-SWPPP for activities that will NOT require a 404 permit or a 401 certification. (Attach additional sheet(s) as needed).

1. Are S. C. Navigable Waters (SCNW) on the site: Yes No

a. If no, do not complete this question. Proceed to Section D (Impaired Waterbodies).

b. If yes, provide the name of S.C. Navigable Waters (SCNW) on the site: _____

2. If yes for C.1, will construction activities cross over or occur in, under, or thru the SCNW? Yes No
 If yes, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.) and proceed to Section C.3: _____

3. Identify permits providing coverage of SCNW activities proposed for your site. If NONE, list none.

Permits/Certifications	Permit or Certification No.	Corresponding Covered SCNW Activity(ies)
a. DHEC General/ Other DHEC Permit		
b. USACOE 404 Permit or 401 Certification		
c. SCNW Permit If applied for or issued, identify Date applied for or issued: _____		<input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe): _____

d. If a SCNW Permit has NOT been applied for provide an additional plan sheet that shows plan and profile views (drawn to scale) of the SCNW and associated activities. Include a description of all proposed activities on this plan.

D. Impaired Waterbodies Informa. (Attach additional sheet(s) as needed)

1. 303(d) Listed Impaired Waterbodies

a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4 and the Name of the Corresponding Waterbody?		b. Is this WQMS(s) listed on the <u>most current</u> 303(d) list? If No, proceed to Section 2 of this table. If Yes, complete items c thru f.	c. List the pollutant(s) identified as "CAUSES" of the impairment	d. Will any pollutants causing the impairment be present in your site's construction stormwater discharges?	e. If yes for d, list the "USE SUPPORT" Impairment(s) affected by the pollutant(s) identified in c.
Nearest DHEC WQMS(s)	Corresponding Waterbody				
MD-25b/16A-25 (US)	MORGAN RIVER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
RO-11303	MORGAN RIVER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
16A-35	MORGAN RIVER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	

f. If yes for d above, will use of the BMPs proposed for your project ensure the site's discharges will **NOT** contribute to or cause further WQS violations for the impairment(s) listed in c? Yes No
 (NOTE: If no for f, this site is NOT eligible for coverage under the CGP). See Instructions.

2. TMDL Impaired Waterbodies

a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4?	b. Has a TMDL(s) been developed for this WQMS(s)? If No, identify as such below and proceed to Section VI. If Yes, complete items c thru f of this table.	c. If yes for b, what pollutants are listed as "CAUSES" or causing the impairment?	d. If yes for b, has the standard been "ATTAINED" or "Fully Supported" for the impairment(s)?	e. If no for d (Not Attained), will any pollutants causing the impairment be present in your site's construction stormwater discharges?
MD-255/16A-25 (US)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
RO-11303	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
16A-35	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

f. If yes for e above, are your discharges consistent with the assumptions and requirements of the TMDL(s)? Yes No
 (NOTE: If no for f, this site is NOT eligible for coverage under the CGP). See Instructions.

VI. Signatures and Certifications DO NOT SIGN IN BLACK INK! Read the Certifications below (In entirety). Provide date, printed name, and signatures below. If you are a New Owner/Operator, as Primary Permittee you must also sign and date the applicable Comprehensive SWPPP Acceptance & Compliance Agreement below.

C-SWPPP PREPARER: "One copy of the C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III).

JEFF P. ACKERMAN P.E.

Printed Name of C-SWPPP Preparer

Signature of C-SWPPP Preparer

19046

S. C. Registration #

PRIMARY PERMITTEE: "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I or I (on behalf of my company and its contractors and agents), as the case may be, also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the to S. C. Department of Health and Environmental Control (DHEC) and/or the local implementing agency the right of access to the site at all times for the purpose of on site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity." (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.) Having understood the above information, I am signing this certification as Primary Permittee to the aforementioned NPDES general permit."

Printed Name of Primary Permittee

Signature of Primary Permittee

Title/Position

Date Signed

South Carolina Board of Health and Environmental Control

Guide to Board Review

Pursuant to S.C. Code Ann. § 44-1-60

The decision of the South Carolina Department of Health and Environmental Control (Department) becomes the final agency decision fifteen (15) calendar days after notice of the decision has been mailed to the applicant, permittee, licensee and affected persons who have requested in writing to be notified, unless a written request for final review accompanied by a filing fee in the amount of \$100 is filed with Department by the applicant, permittee, licensee or affected person.

Applicants, permittees, licensees, and affected parties are encouraged to engage in mediation or settlement discussions during the final review process.

If the Board declines in writing to schedule a final review conference, the Department's decision becomes the final agency decision and an applicant, permittee, licensee, or affected person may request a contested case hearing before the Administrative Law Court within thirty (30) calendar days after notice is mailed that the Board declined to hold a final review conference. In matters pertaining to decisions under the South Carolina Mining Act, appeals should be made to the South Carolina Mining Council.

I. Filing of Request for Final Review

1. A written Request for Final Review (RFR) and the required filing fee of one hundred dollars (\$100) must be received by Clerk of the Board within fifteen (15) calendar days after notice of the staff decision has been mailed to the applicant, permittee, licensee, or affected persons. If the 15th day occurs on a weekend or State holiday, the RFR must be received by the Clerk on the next working day. RFRs will not be accepted after 5:00 p.m.
2. RFRs shall be in writing and should include, at a minimum, the following information:
 - The grounds for amending, modifying, or rescinding the staff decision;
 - a statement of any significant issues or factors the Board should consider in deciding how to handle the matter;
 - the relief requested;
 - a copy of the decision for which review is requested; and
 - mailing address, email address, if applicable, and phone number(s) at which the requestor can be contacted.
3. RFRs should be filed in person or by mail at the following address:
South Carolina Board of Health and Environmental Control
Attention: Clerk of the Board
2600 Bull Street
Columbia, South Carolina 29201
Alternatively, RFR's may be filed with the Clerk by facsimile (803-898-3393) or by electronic mail (boardclerk@dhec.sc.gov).
4. The filing fee may be paid by cash, check or credit card and must be received by the 15th day.
5. If there is any perceived discrepancy in compliance with this RFR filing procedure, the Clerk should consult with the Chairman or, if the Chairman is unavailable, the Vice-Chairman. The Chairman or the Vice-Chairman will determine whether the RFR is timely and properly filed and direct the Clerk to (1) process the RFR for consideration by the Board or (2) return the RFR and filing fee to the requestor with a cover letter explaining why the RFR was not timely or properly filed. Processing an RFR for consideration by the Board shall not be interpreted as a waiver of any claim or defense by the agency in subsequent proceedings concerning the RFR.
6. If the RFR will be processed for Board consideration, the Clerk will send an Acknowledgement of RFR to the Requestor and the applicant, permittee, or licensee, if other than the Requestor. All personal and financial identifying information will be redacted from the RFR and accompanying documentation before the RFR is released to the Board, Department staff or the public.
7. If an RFR pertains to an emergency order, the Clerk will, upon receipt, immediately provide a copy of the RFR to all Board members. The Chairman, or in his or her absence, the Vice-Chairman shall based on the circumstances, decide whether to refer the RFR to the RFR Committee for expedited review or to decline in writing to schedule a Final Review Conference. If the Chairman or Vice-Chairman determines review by the RFR Committee is appropriate, the Clerk will forward a copy of the RFR to Department staff and Office of General Counsel. A Department response and RFR Committee review will be provided on an expedited schedule defined by the Chairman or Vice-Chairman.
8. The Clerk will email the RFR to staff and Office of General Counsel and request a Department Response within eight (8) working days. Upon receipt of the Department Response, the Clerk will forward the RFR and Department Response to all Board members for review, and all Board members will confirm receipt of the RFR to the Clerk by email. If a Board member does not confirm receipt of the RFR within a twenty-four (24) hour period, the Clerk will contact the Board member and confirm receipt. If a Board member believes the RFR should be considered by the RFR Committee, he or she will respond to

the Clerk's email within forty-eight (48) hours and will request further review. If a Board member requests further review of the RFR within the forty-eight (48) hour period, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, stating the Board will not hold a Final Review Conference. Contested case guidance will be included within the letter.

NOTE: If the time periods described above end on a weekend or State holiday, the time is automatically extended to 5:00 p.m. on the next business day.

9. If the RFR is to be considered by the RFR Committee, the Clerk will notify the Presiding Member of the RFR Committee and the Chairman that further review is requested by the Board. RFR Committee meetings are open to the public and will be public noticed at least 24 hours in advance.
10. Following RFR Committee or Board consideration of the RFR, if it is determined no Conference will be held, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, stating the Board will not hold a Conference. Contested case guidance will be included within the letter.

II. Final Review Conference Scheduling

1. If a Conference will be held, the Clerk will send a letter by certified mail to the Requestor, with copy by regular mail to the applicant, permittee, or licensee, if not the Requestor, informing the Requestor of the determination.
2. The Clerk will request Department staff provide the Administrative Record.
3. The Clerk will send Notice of Final Review Conference to the parties at least ten (10) days before the Conference. The Conference will be publically noticed and should:
 - include the place, date and time of the Conference;
 - state the presentation times allowed in the Conference;
 - state evidence may be presented at the Conference;
 - if the conference will be held by committee, include a copy of the Chairman's order appointing the committee; and
 - inform the Requestor of his or her right to request a transcript of the proceedings of the Conference prepared at Requestor's expense.
4. If a party requests a transcript of the proceedings of the Conference and agrees to pay all related costs in writing, including costs for the transcript, the Clerk will schedule a court reporter for the Conference.

III. Final Review Conference and Decision

1. The order of presentation in the Conference will, subject to the presiding officer's discretion, be as follows:
 - Department staff will provide an overview of the staff decision and the applicable law to include [10 minutes]:
 - Type of decision (permit, enforcement, etc.) and description of the program.
 - Parties
 - Description of facility/site
 - Applicable statutes and regulations
 - Decision and materials relied upon in the administrative record to support the staff decision.
 - Requestor(s) will state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. [15 minutes] *NOTE: The burden of proof is on the Requestor(s)*
 - Rebuttal by Department staff [15 minutes]
 - Rebuttal by Requestor(s) [10 minutes]

Note: Times noted in brackets are for information only and are superseded by times stated in the Notice of Final Review Conference or by the presiding officer.
2. Parties may present evidence during the conference; however, the rules of evidence do not apply.
3. At any time during the conference, the officers conducting the Conference may request additional information and may question the Requestor, the staff, and anyone else providing information at the Conference.
4. The presiding officer, in his or her sole discretion, may allow additional time for presentations and may impose time limits on the Conference.
5. All Conferences are open to the public.
6. The officers may deliberate in closed session.
7. The officers may announce the decision at the conclusion of the Conference or it may be reserved for consideration.
8. The Clerk will mail the written final agency decision (FAD) to parties within 30 days after the Conference. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court or in matters pertaining to decisions under the South Carolina Mining Act, to request a hearing before the South Carolina Mining Council. The FAD will be sent by certified mail, return receipt requested.
9. Communications may also be sent by electronic mail, in addition to the forms stated herein, when electronic mail addresses are provided to the Clerk.

The above information is provided as a courtesy; parties are responsible for complying with all applicable legal requirements.

NPDES CGP FEE SCHEDULE B

(ONLY for Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper Counties)
 Submit payment for NPDES Coverage fees only to DHEC.

The schedule should be attached to DHEC Form 2617. Do not send payment in window envelope. **DO NOT MAIL CASH.** DHEC will notify the Project Owner/ Operator if the check or credit card payment cannot be processed. The review clock will start when acceptable payment is received and after the project is deemed consistent with the S.C. Coastal Zone Management Plan.

1. Identify (✓) the Project/Review Types		(✓)	NPDES Coverage Fee(s)
(NOTE: You may ONLY select Item 1.a OR 1.b BELOW). Enter NPDES coverage fee of \$125 in the right-hand column if any of the following project/review types apply to this application. Proceed to Item 2.			
a. Project or LCP that is located within ½ mile of CRW (Item V.A) that will ultimately disturb more than 0.5 acres (If select a, do not select b)	<input checked="" type="checkbox"/>		\$ 125 .00
b. Project or LCP that is NOT located within ½ mile of CRW (Item V.A) that will ultimately disturb one (1) acre or more (If select b, do not select a)	<input type="checkbox"/>		
c. New Owner/Operator (Transfer of Ownership)/Company Name Change (\$125 NPDES Coverage fee is required by the Department for Transfers of Ownership and Company Name Changes)	<input type="checkbox"/>		
d. Unpermitted Ongoing Project or Late Notification	<input type="checkbox"/>		
e. MS4 Project Review (Item I.A and I.B)	<input type="checkbox"/>		
f. Other (Specify): _____	<input type="checkbox"/>		
2. Determine the Project Review Fees (Review fees cannot exceed \$2000 for a project).			
NOTE: COMPLETE ITEM 2.a BELOW. COMPLETE EITHER SECTION 3 OR SECTION 4. DO NOT COMPLETE BOTH SECTIONS.			
a. Enter the disturbed area (Item IV.E) for this project. Proceed to Item 3 OR Item 4.	3.8	(nearest tenth of an acre)	
3. PROJECT OR LCP LOCATED WITHIN ½ MILE OF A CRW (ITEM V.A)		(✓)	Review Fees
a. Will this project or LCP (Item IV.G) ultimately disturb more than 0.5 acres?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b. Is this project exempt from S. C. Reg. 72-300 et seq.?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
1. If this project will NOT ultimately disturb more than 0.5 acres and is not part of an LCP, your project is automatically covered under this permit and the NPDES coverage fee and review fee are not required. See section 1.3.1.B. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Coastal Counties".			
2. If this project or LCP will ultimately disturb more than 0.5 acres, proceed to Item 3.c.			
c. Enter the project review fees (based on \$100/ disturbed acre) in the right-hand column. (Multiply the disturbed area (Item 2.a.) by \$100/disturbed area). If the disturbed area for this project (Item 2.a.) totals 20.0 acres or more, enter \$2000 in the right-hand column. Review fees cannot exceed \$2000 for a project. Proceed to Item 3.d			\$ 380 .00
d. Total Required Fees (Coastal Project located WITHIN ½ mile of a CRW (Item V.A) Add the values in the right-hand columns of Items 1 and 3.c. (The Department will not review this project until all required fees are received). Proceed to Item 5.			\$ _____ .00
4. PROJECT OR LCP NOT LOCATED WITHIN ½ MILE OF A CRW (ITEM V.A)		(✓)	Review Fees
a. Will this project or LCP (Item IV.G) ultimately disturb one (1) acre or more?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
b. Is this project exempt from S. C. Reg. 72-300 et seq.?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
1. If this project will NOT ultimately disturb one (1) acre or more, and is not part of an LCP, coverage under SCR100000 is NOT required; see the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Coastal Counties".			
2. If this project or LCP will ultimately disturb one (1) acre or more, proceed to Item 4.c.			
c. Enter the project review fees (based on \$100/ disturbed acre) in the right-hand column. (Multiply the disturbed area (Item 2.a.) by \$100/disturbed area). If the disturbed area for this project (Item 2.a.) totals 20.0 acres or more, enter \$2000 in the right-hand column. Review fees cannot exceed \$2000 for a project. Proceed to item 4.d.			\$ _____ .00
d. Total Required Fees (Coastal Project NOT located WITHIN ½ mile of a CRW (Item V.A) Add the values in the right-hand columns of Items 1 and 4.c. (The Department will not review this project until all required fees are received). Proceed to Item 5.			\$ 505 .00
5. Identify the Method of Payment: <input checked="" type="checkbox"/> Payment by Check; (Attach a signed and dated check payable to S.C. DHEC to the front of this fee schedule. All checks must be less than 30 days old and must be for the entire amount of required fees). <input type="checkbox"/> Payment by Credit Card; (Check here if you wish to pay via credit card using the on-line payment system). The Department will contact you via e-mail to provide instructions and the invoice number necessary for online payment. Please provide an e-mail address where the invoice number may be sent:			

For official use only: Invoice Number _____

November 27, 2017

Mr. Matthew Hauser
Coastal Stormwater Permitting Section
1362 McMillan Avenue, Suite 400
Charleston, SC 29405

RE: Project #170042 Academy Estates SD Major Modification:SCR10Y190

Dear Mr. Hauser,

Please find enclosed the following items for the above referenced project's major modification application:

- Original NPDES Approval
- Major Modification Application
- Major Modification Fee
- Revised NOI Application
- Revised CZC Application
- Revised Site Development Plans
- Revised Drainage Calculations
- Beaufort County Stormwater Agreement

This project was originally permitted by Mr. Jeff Ackerman with Carolina Engineering. Carolina Engineering is unable to work on this project in the timeframe desired by the client and we have been asked to step in to complete the permitting and design. The client, Mr. Robert Sample, has been working with Beaufort County Council and Engineering Department to provide a four-acre portion of property within the subdivision that will serve as a regional detention pond for the surrounding community. The regional pond is designed to treat nearly 70 acres of commercial and residential properties as well as the paved roads within the watershed. The generated run-off currently discharges into a large SCDOT drainage ditch that begins at Sams Point Road and travels east 3600 LF to Morgan River without any form of treatment. The regional stormwater pond will provide significant TSS removal and as well as pollutant removal and reduction in fecal coliform, bacteria, and nitrogen concentrations.

The major modification is for the additional 4 acres of land disturbance with constructing the pond. Please see the attached Beaufort County Stormwater Agreement that provides additional project background and information.

Please continue your review of this project, and please provide any comments you may have. Please contact our office at (843) 379-2222 if you have any questions or concerns. We appreciate your assistance in moving this project forward.

Sincerely,



Andrew Klosterman, P.E.



NOTICE OF INTENT (NOI)
For Coverage(s) of Primary Permittees
Under South Carolina NPDES General Permit
For Stormwater Discharges From Construction Activities SCR100000
 (Maintain As Part of On-Site SWPPP)

For Official Use Only

File Number: _____
 Permit Number: SCR10 _____
 Submittal Package Complete: _____

Submission of this Notice of Intent constitutes notice that the Applicant identified in Section II intends to be authorized as a Primary Permittee in the state of South Carolina under NPDES General Permit SCR1000000. Fees required for review and NPDES coverage of each application type are as listed on page 2 of the Instructions.

Date: 10/11/2017
 Project/Site Name: Academy Estates Subdivision County: Beaufort
 (Modification or Change of Information Only) Prior Approved NPDES Permit or File Number: SCR10Y190

Do you want this project to be considered for the Expedited Review Program (ERP)? Yes or No (See instructions)

I. Notice of Intent (NOI) Application Type(s)

- A. **Project (Application/Review) Type(s)** (Select **ALL** that apply):
 New Project (Initial Notification) Ongoing Project: Permitted or Un-Permitted
 Late Notification Low Impact Development (LID) or Project Design Above Regulatory Requirements
 New Owner/Operator or Company Name Change (see instructions, attach Form A (Transfer of Ownership))
 Major Modification: (see instructions, attach Form B (Major Modifications))
 MS4 Project Review
 Ocean and Coastal Resource Management (OCRM) Review
 Change of Information/Other (Specify): _____
- B. If Applicable, identify the entity designated as **MS4 Reviewer and MS4 Operator** (i.e., Lexington County, City of Greer, etc.): **MS4 Reviewer** _____ **MS4 Operator** _____

II. Primary Permittee Information

Change of Information

Person or Company If a Company, are you a Lending Institution or Government Entity?
 Company EIN (if applicable): EIN: 47-5120776

- A. **Primary Permittee Name:** Academy Park, LLC
 Mailing Address: PO Box 228 City: Beaufort State: SC Zip: 29901
 Phone: (843) 476-9639 Fax: _____ Email Address: _____
- B. **Contact /ODSA Name** (if different from above OR if owner is a company): Robert Sample
 Mailing Address: PO Box 228 City: Beaufort State: SC Zip: 29901
 Phone: (843) 476-9639 Fax: _____ Email Address: robosample@aol.com
- C. **Property Owner Name** (if different from above): _____
 Mailing Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____ Email Address: _____

III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information Change of Information

- A. **C-SWPPP Preparer Name:** Andrew Klosterman
 B. **Registered Professional** Engineer Landscape Architect Tier B Land Surveyor **S. C. Registration #:** 28230
 C. **Company/Firm Name:** Andrews Engineering Co. **S. C. COA #:** C00008
 Mailing Address: 2712 Bull Street, Suite A City: Beaufort State: SC Zip: 29902
 Phone: (843) 379-2222 Fax: (843) 379-2223 Email Address: Andy@andrews-sc.com

IV. Project/Site Information

Change of Information

- A. **Type of Construction Activity(ies)** (Select **ALL** that apply):
 Commercial Industrial Institutional Mass Grading Linear Utility/Infrastructure
 Residential: Single-family Residential: Multi-family Multi-use (Commercial & Residential)
 Site Preparation (No New Impervious Area) Other (Specify) _____
- B. **Site Address/Location** (street address, nearest intersection, etc.) Intersection of Fairfield Road and Faculty Drive
 City/Town (if in limits): _____ Zip Code: 29907
 Latitude: 32 ° 26 ' 01 " N Longitude: - 80 ° 38 ' 16 " W (Source): GPS Web Site: Google Maps
Tax Map Number (s) (List all): R200-015-000-0558-0000, R200-015-000-0559-0000, and R200-015-000-0560-0000

- C. Is this site located on **Indian Land**? Yes No
- D. **Proposed Start Date:** 01/01/2018 **Proposed Completion Date:** 06/01/2018
- E. **Disturbed Area** (nearest tenth of an acre): 8.0 **Total Area** (acres): 17.5
- F. **Modification Only:** (nearest tenth of an acre): **Disturbed Area: Current (Approved) Area:** 3.8
Disturbed Area Change (Increase Only): 4.2 **Total Disturbed Area (After Change):** 8.0
- G. Is this project part of a **Larger Common Plan for Development or Sale (LCP)**? Yes No
LCP/ Overall Development Name: _____ Check here if this is the **First Phase.**

Previous State Permit/File Number: _____ **Previous NPDES Coverage Number:** SCR10

- H. Any **Flooding Problems** exist downstream of or adjacent to this site? Yes No (If yes, provide detailed description of flooding problems and applicable floodway/flood zone information in the C-SWPPP).
- I. Active **S.C. DHEC Warning Notice, Notice to Comply or Notice of Violation** for this site or LCP? Yes No
- J. List Relevant **State and Federal Environmental Permits or Approvals** applied for or obtained for this site (e.g., **RCRA, USACOE, Nationwide**, etc.). If None, list None.
NPDES

- K. **Any Waiver(s)/Variances/Exceptions Requested for this Project?** (If yes, identify below and include **Waiver Request and Justifications** in the C-SWPPP for each proposed request).
1. Small Construction Activity Waiver(s) From NPDES permitting (Section 1.4 & Appendix B)? Yes No
 If yes, identify requested waiver: Rainfall Erosivity Waiver TMDL Waiver Equivalent Analysis Waiver
2. Detention Waiver (72-302(B))? Yes No
3. Other (Specify): _____

V. Waterbody Information (Attach additional sheet(s) as needed) **Change of Information**

A. **Receiving Waterbody(s) (RWB) Information** (List the nearest and next nearest receiving waterbodies to which the sites stormwater discharges will drain. If stormwater discharges drain to multiple waterbodies, list all such waterbodies).

1. Name of Receiving Waterbodies (RWB)	2. Distance to RWB (feet)	3. Classification of RWB
a. Nearest: <u>Morgan River</u>	<u>3000</u>	<u>SFH</u>
b. Next Nearest: <u>St. Helena Sound</u>	<u>56000</u>	<u>N/A</u>
c. Coastal Zone ONLY: Coastal Receiving Water (CRW): <u>Morgan River</u>	<u>56000</u>	<u>Not Applicable</u>
d. Other Waterbodies: _____		

B. **Waters of the U.S. / State Information** (Attach additional sheet(s) as needed)

Waters of the U.S./ State	1. On the site?	2. Delineated/ Identified?	3. Impacts?	4. Amount of impacts
a. Jurisdictional wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac
b. Non-jurisdictional wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac
c. Other Water(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac ___ Feet
d. Coastal Zone ONLY: Direct Critical Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	___ Ac ___ Feet

5. If yes for impacts in B.3, describe each impact and activity, and list all permits (e.g., USACOE Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact:

C. **S.C. Navigable Waters (SCNW) Information (Section 2.6.5)** The Department will address any issues related to State Navigable Waters' Program under SC Regulation 19-450 during the review of the C-SWPPP for activities that will **NOT** require a 404 permit or a 401 certification. (Attach additional sheet(s) as needed).

1. Are **S. C. Navigable Waters (SCNW)** on the site: Yes No

a. If no, do not complete this question. Proceed to Section D (Impaired Waterbodies).

b. If yes, provide the name of S.C. Navigable Waters (SCNW) on the site: _____

2. If yes for C.1, will construction activities cross over or occur in, under, or thru the SCNW? Yes No
 If yes, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.) and proceed to Section C.3:

3. Identify permits providing coverage of SCNW activities proposed for your site. If NONE, list none.

Permits/Certifications	Permit or Certification No.	Corresponding Covered SCNW Activity(ies)
a. DHEC General/ Other DHEC Permit		
b. USACOE 404 Permit or 401 Certification		
c. SCNW Permit If applied for or issued, identify Date applied for or issued: _____		<input type="checkbox"/> All Activities or <input type="checkbox"/> Some Activities (Describe): _____

d. If a SCNW Permit has **NOT** been applied for provide an additional plan sheet that shows plan and profile views (drawn to scale) of the SCNW and associated activities. Include a description of all proposed activities on this plan.

D. Impaired Waterbodies Information (Attach additional sheet(s) as needed)

1. 303(d) Listed Impaired Waterbodies					
a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4 and the Name of the Corresponding Waterbody?		b. Is this WQMS(s) listed on the most current 303(d) list? If No, proceed to Section 2 of this table. If Yes, complete items c thru f.	c. List the pollutant(s) identified as "CAUSES" of the impairment	d. Will any pollutants causing the impairment be present in your site's construction stormwater discharges?	e. If yes for d, list the "USE SUPPORT" impairment(s) affected by the pollutant(s) identified in c.
Nearest DHEC WQMS(s)	Corresponding Waterbody				
RO-11303	Morgan River	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
16A-35	Morgan River	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
RO-13342	Morgan River	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	

f. If yes for d above, will use of the BMPs proposed for your project ensure the site's discharges will NOT contribute to or cause further WQS violations for the impairment(s) listed in c? Yes No
 (NOTE: If no for f, this site is NOT eligible for coverage under the CGP). See Instructions.

2. TMDL Impaired Waterbodies				
a. Name of Nearest DHEC Water Quality Monitoring Stations (WQMS)(s) that receives stormwater from your construction site and/or thru an MS4?	b. Has a TMDL(s) been developed for this WQMS(s)? If No, identify as such below and proceed to Section VI. If Yes, complete items c thru f of this table.	c. If yes for b, what pollutants are listed as "CAUSES" or causing the impairment?	d. If yes for b, has the standard been "ATTAINED" or "Fully Supported" for the impairment(s)?	e. If no for d (Not Attained), will any pollutants causing the impairment be present in your site's construction stormwater discharges?
RO-11303	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
16A-35	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
RO-13342	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

f. If yes for e above, are your discharges consistent with the assumptions and requirements of the TMDL(s)? Yes No
 (NOTE: If no for f, this site is NOT eligible for coverage under the CGP). See Instructions.

VI. Signatures and Certifications DO NOT SIGN IN BLACK INK! Read the Certifications below (in entirety). Provide date, printed name, and signatures below. If you are a New Owner/Operator, as Primary Permittee you must also sign and date the applicable Comprehensive SWPPP Acceptance & Compliance Agreement below.

C-SWPPP PREPARER: "One copy of the C-SWPPP, all specifications and supporting calculations, forms, and reports are herewith submitted and made a part of this application. I have placed my signature and seal on the design documents submitted signifying that I accept responsibility for the design of the system. Further, I certify to the best of my knowledge and belief that the design is consistent with the requirements of Title 48, Chapter 14 of the Code of Laws of SC, 1976 as amended, pursuant to Regulation 72-300 et seq. (if applicable), and in accordance with the terms and conditions of SCR100000." (This should be the person identified in Section III).

Andrew Klosterman

Printed Name of C-SWPPP Preparer


Signature of C-SWPPP Preparer

28230

S. C. Registration #

PRIMARY PERMITEE: "I or I (on behalf of my company and its contractors and agents), as the case may be, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that DHEC enforcement actions may be taken if the terms and conditions of the C-SWPPP are not met and I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I or I (on behalf of my company and its contractors and agents), as the case may be, also hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the to S. C. Department of Health and Environmental Control (DHEC) and/or the local implementing agency the right of access to the site at all times for the purpose of on site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity." (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.) Having understood the above information, I am signing this certification as Primary Permittee to the aforementioned NPDES general permit."

Robert Sample

Printed Name of Primary Permittee


Signature of Primary Permittee

Owner

Title/Position

02/05/2018

Date Signed

NPDES CGP FEE SCHEDULE A

(All Counties **EXCEPT** Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper)

The schedule should be attached to DHEC Form 2617. Do not send payment in window envelope. **DO NOT MAIL CASH.** DHEC will notify the Project Owner/ Operator if the submitted check or credit card payment cannot be processed. **The review clock will start when acceptable payment is received.**

1. Identify (✓) the Project Review Type(s) Enter NPDES Coverage Fee of \$125 in the right-hand column if <u>any</u> of the following project/review types apply to this application. <u>Proceed to Item 2.</u>	(✓)	NPDES Coverage Fee
a. Project or LCP (Item IV.G) that will ultimately disturb one (1) acre or more <u>Note:</u> If your project will ultimately disturb less than one (1) acre AND is NOT a part of a Larger Common Plan, coverage under SCR100000 is <u>not</u> required; see http://www.scdhec.gov/administration/library/d-2628.pdf (Notification Form for Sites Disturbing Less Than 1-Acre Not Part of a Larger Common Plan, Non-Coastal County")	<input type="checkbox"/>	\$ _____ .00
b. New Owner/Operator (Transfer of Ownership)/Company Name Change (\$125 NPDES Coverage fee is required by the Department for Transfers of Ownership and Company Name Changes)	<input type="checkbox"/>	
c. Unpermitted Ongoing Project or Late Notification	<input type="checkbox"/>	
d. MS4 Project Review (Item I.A and I.B) (\$125 payable to Department thru MS4 Reviewer)	<input type="checkbox"/>	
e. Other (Specify): _____	<input type="checkbox"/>	

2. Determine the Project Review Fees (Review fees cannot exceed \$2000 for a project)		
PROJECT OR LCP THAT WILL ULTIMATELY DISTURB ONE (1) ACRE OR MORE	(✓)	Review Fees
a. Enter the disturbed area (Item IV.E) for this project. <u>Proceed to Items 2.b and 2.c.</u>	_____	(Nearest tenth of an acre)
b. Will this project or LCP (Item IV.G) ultimately disturb more than 1.0 acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$ _____ .00
c. Is this project exempt from S. C. Reg. 72-300 et seq.?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
1. If this project will <u>not</u> ultimately disturb more than 1.0 acre, and is not part of an LCP, your project is automatically covered under this permit and the NPDES coverage fee and review fee are not required. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties". 2. If this project will ultimately disturb more than 1.0 acre, proceed to Item 2.d.		
d. Enter the project review fees (based on \$100/disturbed area) in the right-hand column. (Multiply the disturbed area (Item 2.a) by \$100/disturbed area). If the disturbed area for this project (Item 2.a.) totals 20.0 acres or more, enter \$2000 in the right-hand column. <u>Review fees cannot exceed \$2000 for a project.</u>		\$ _____ .00

3. Total Required Fees Add the values in the right-hand columns of Items 1 and 2.d. <u>Proceed to Item 4.</u> (The Department will not review this project until all required fees are received)	\$ _____ .000
--	---------------

4. Identify the Method of Payment:

Payment by Check:

Attach a **signed and dated check payable to S.C. DHEC** to the **front** of this Fee Schedule.
Please note that all checks must be **less than 30 days old** and must be for the entire required fees.

Payment by Credit Card: (Check here if you wish to pay via credit card using the on-line payment system).

The Department will contact you to provide instructions and the invoice number necessary for online payment.
Please provide an e-mail address where the invoice number may be sent: _____

For official use only: Invoice Number _____

NPDES CGP FEE SCHEDULE B

(ONLY for Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper Counties)

Submit payment for NPDES Coverage fees only to DHEC.

The schedule should be attached to DHEC Form 2617. Do not send payment in window envelope. **DO NOT MAIL CASH**. DHEC will notify the Project Owner/ Operator if the check or credit card payment cannot be processed. The review clock will start when acceptable payment is received and after the project is deemed consistent with the S.C. Coastal Zone Management Plan.

1. Identify (✓) the Project/Review Types		(✓)	NPDES Coverage Fee(s)
(NOTE: You may ONLY select Item 1.a OR 1.b BELOW). Enter NPDES coverage fee of \$125 in the right-hand column if any of the following project/review types apply to this application. Proceed to Item 2.			
a. Project or LCP that is located within ½ mile of CRW (Item V.A) that will ultimately disturb more than 0.5 acres (if select a, do not select b)		<input type="checkbox"/>	\$ _____ .00
b. Project or LCP that is NOT located within ½ mile of CRW (Item V.A) that will ultimately disturb one (1) acre or more (if select b, do not select a)		<input type="checkbox"/>	
c. New Owner/Operator (Transfer of Ownership)/Company Name Change (\$125 NPDES Coverage fee is required by the Department for Transfers of Ownership and Company Name Changes)		<input type="checkbox"/>	
d. Unpermitted Ongoing Project or Late Notification		<input type="checkbox"/>	
e. MS4 Project Review (Item I.A and I.B)		<input type="checkbox"/>	
f. Other (Specify): _____		<input type="checkbox"/>	
2. Determine the Project Review Fees (Review fees cannot exceed \$2000 for a project).			
NOTE: COMPLETE ITEM 2.a BELOW. COMPLETE EITHER SECTION 3 OR SECTION 4. DO NOT COMPLETE BOTH SECTIONS			
a. Enter the disturbed area (Item IV.E) for this project. Proceed to Item 3 OR Item 4.		_____ (nearest tenth of an acre)	
3. PROJECT OR LCP LOCATED WITHIN ½ MILE OF A CRW (ITEM V.A)		(✓)	Review Fees
a. Will this project or LCP (Item IV.G) ultimately disturb more than 0.5 acres?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is this project exempt from S. C. Reg. 72-300 et seq.?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>1. If this project will NOT ultimately disturb more than 0.5 acres and is not part of an LCP, your project is automatically covered under this permit and the NPDES coverage fee and review fee are not required. See section 1.3.1.B. See the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Coastal Counties".</p> <p>2. If this project or LCP will ultimately disturb more than 0.5 acres, proceed to Item 3.c.</p>			
c. Enter the project review fees (based on \$100/ disturbed acre) in the right-hand column. (Multiply the disturbed area (Item 2.a.) by \$100/disturbed area). If the disturbed area for this project (Item 2.a.) totals 20.0 acres or more, enter \$2000 in the right-hand column. Review fees cannot exceed \$2000 for a project. Proceed to item 3.d		\$ _____ .00	
d. Total Required Fees (Coastal Project located WITHIN ½ mile of a CRW (Item V.A)) Add the values in the right-hand columns of Items 1 and 3.c. (The Department will not review this project until all required fees are received). Proceed to Item 5		\$ _____ .00	
4. PROJECT OR LCP NOT LOCATED WITHIN ½ MILE OF A CRW (ITEM V.A)		(✓)	Review Fees
a. Will this project or LCP (Item IV.G) ultimately disturb one (1) acre or more?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is this project exempt from S. C. Reg. 72-300 et seq.?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>1. If this project will NOT ultimately disturb one (1) acre or more, and is not part of an LCP, coverage under SCR100000 is NOT required; see the BOW-SPWS for "Less Than 1-Acre of Land Disturbance - Coastal Counties".</p> <p>2. If this project or LCP will ultimately disturb one (1) acre or more, proceed to Item 4.c.</p>			
c. Enter the project review fees (based on \$100/ disturbed acre) in the right-hand column. (Multiply the disturbed area (Item 2.a.) by \$100/disturbed area). If the disturbed area for this project (Item 2.a.) totals 20.0 acres or more, enter \$2000 in the right-hand column. Review fees cannot exceed \$2000 for a project. Proceed to item 4.d.		\$ _____ .00	
d. Total Required Fees (Coastal Project NOT located WITHIN ½ mile of a CRW (Item V.A)) Add the values in the right-hand columns of Items 1 and 4.c. (The Department will not review this project until all required fees are received). Proceed to Item 5.		\$ _____ .00	

5. Identify the Method of Payment: **Payment by Check:** (Attach a signed and dated check payable to S.C. DHEC to the front of this fee schedule. All checks must be less than 30 days old and must be for the entire amount of required fees). **Payment by Credit Card:** (Check here if you wish to pay via credit card using the on-line payment system). The Department will contact you via e-mail to provide instructions and the invoice number necessary for online payment. Please provide an e-mail address where the invoice number may be sent:

For official use only: Invoice Number _____

Instructions for Completing the Notice or Intent (NOI)

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges from Construction Activities, SCRI00000 (CGP), if you cannot access the websites listed on the NOI and instructions, or if you have any other questions, contact the Stormwater Permitting Section (SWP) at (803) 898-4300 or Coastal Stormwater Permitting Section (CSWP) at (843) 953-0200. Projects located in the S.C. Coastal Zone (SCCZ—Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper counties) are reviewed by CSWP. Please see the Bureau of Water, Stormwater Permitting website (**BOW-SPWS**): <http://www.scdhec.gov/environment/water/swater/> for guidance and additional information regarding the CGP.

Who Must File a NOI:

- If S.C. Department of Transportation (SCDOT) is the Primary Permittee (Owner/ Operator), this NOI form (Form 2617) should not be used.
- The Owner/ Operator of a single project or larger common plan for development or sale (LCP—see item IV.G of instructions) that will ultimately disturb 1 acre or more (all counties).
- In the SCCZ, the Owner/Operator of a single project or LCP that is located within ½ mile of a coastal receiving water (CRW) (See item V.A of the instructions) and will ultimately disturb more than 0.5 acres.
- See the **BOW-SPWS** for "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties" and "Less Than 1-Acre of Land Disturbance - Coastal Counties".

Where to File:

See the **BOW-SPWS** for a current list of the areas that are reviewed by Municipal Separate Storm Sewer System (MS4) operators and entities that have delegated review authority. For projects in these areas, the initial submittal should be made to the MS4 operator; if initial submittal is made to DHEC for projects in these areas, the review process may be delayed. Please contact the appropriate entity for additional information and requirements; for example, the MS4 operator may require that a different application form be submitted. If a project crosses jurisdictional boundaries (e.g., sewer line in Greenville County and the city of Mauldin), then submittals to all appropriate MS4 operators, delegated entities, and DHEC must be coordinated.

Projects Located in the SCCZ	All Other Areas
S.C. DHEC—Bureau of Water Coastal Stormwater Permitting Section 1362 McMillan Ave., Suite 400 Charleston, S.C. 29405	S.C. DHEC—Bureau of Water Stormwater Permitting Section 2600 Bull Street Columbia, SC 29201-1708

Submittal Package for SWP and CSWP:

- When DHEC performs a full technical review, you must include the original, signed NOI form, appropriate fee schedule (A or B) with required fees, one (1) copy of the Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP), and one (1) copy of all other supporting documentation with the initial submittal. For projects in the **non coastal counties** disturbing **greater than or equal to 1 acre and less than or equal to 2 acres**, one (1) copy of the C-SWPPP and one (1) copy of supporting documentation can be submitted with the initial submittal. In the **SCCZ**, applications for Coastal Zone Consistency certification are to be filed with requests for NPDES construction coverage and will then be routed internally to the Office of Ocean and Coastal Resource Management (**OCRM**) for review. OCRM submittal requirements can be located at: <http://www.scdhec.gov/environment/ocrm/czc.htm>
- When a regulated MS4 or entity implementing Regulation 72-300 performs the technical review, you must include a copy of the MS4 approved NOI form or MS4 approved application, the \$125 NPDES fee, and one (1) copy of the MS4 approval. In the **SCCZ**, applications for Coastal Zone Consistency certification are to be filed with requests for NPDES construction coverage and will then be routed internally to **OCRM** for review.
- For projects ultimately disturbing more than 1 acres, the checklist must be completed and attached when DHEC reviews your C-SWPPP. In the **SCCZ**, for projects ultimately disturbing more than 0.5 acres and located within ½ mile of a CRW, the checklist must be completed and attached. See **BOW-SPWS** for the most current version of the checklist. If this project will **NOT** ultimately disturb more than 0.5 acres (Coastal Counties) or more than 1.0 acre (Non-Coastal Counties) AND is not part of an LCP, your project is automatically covered under this permit and the NPDES coverage fee and review fee are not required. See the **BOW-SPWS** for "Less Than 1-Acre of Land Disturbance - Coastal Counties AND "Less Than 1-Acre of Land Disturbance - Non-Coastal Counties.
- For Modification projects where DHEC performs a technical review, see Section I of the instructions and Form B. Complete the applicable sections of the NOI Form. Complete the Form B Checklist. Submit an original, signed NOI form, appropriate fee schedule (C) with required fees, one (1) copy of SWPPP revisions, and one (1) copy of all other supporting documentation, including necessary engineering calculations. **No review clock is required for Modification reviews**

Authorization to discharge is granted based on the timeframes specified in the table below. For project sites located in the SCCZ, the timeframes provided below do not commence until a Coastal Zone Consistency determination has been issued for the site.

Review Type	Allotted Review Time Frame
Regulated MS4 or entity implementing Regulation 72-300	7 business days of DHEC receipt of a complete NOI and fee payment.
DHEC (when construction site is subject to State C-SWPPP reviews)	20 business days of DHEC receipt of a complete NOI and fee payment.

S. C. Coastal Zone (SCCZ) Requirements:

For projects that are located within ½ mile of a CRW and involve greater than 0.5 acres of land disturbance, a registered engineer, landscape architect, or Tier B surveyor must prepare, amend when necessary, certify, and stamp the C-SWPPP as required and allowed by the qualified individual's respective act and regulations. Regulation 72-307(C)(5)(g) establishes additional requirements for projects located in the **SCCZ**. The additional water quality measures are outlined in Chapter III, Section XIII of the South Carolina Coastal Zone Management Program, as refined available at <http://www.scdhec.gov/environment/ocrm/czmp.htm>

Fee Schedules:

Make sure to answer all applicable questions on the appropriate Fee Schedule. **Complete Fee Schedule A for Non-Coastal projects; Schedule B for Coastal projects. Attach Form A, as required, for Transfer of Ownership. Attach Form B for major modifications to a prior approved project with Fee Schedule C if DHEC reviews your modification.**

Office Mechanics and Filing:

The original NOI form for projects located outside of MS4 areas and supporting documentation will be kept in the Central Office files (hard copy or digitized copy) in accordance with the Retention Schedule.

Date: Enter today's date.

Project/Site Name: The Project/ Site Name should be a unique or distinguishing name (e.g., not Proposed Subdivision).

NOTE: DHEC must be notified in writing if the Project/ Site Name changes.

County: If the project is in multiple counties, list the county in which the majority of the site is located. **If part of the project is in the SCCZ, then list the coastal county in which the majority of the site is located and submit the project to CSWP;** see the "Where to File" section. List the other counties in which the site is located in the C-SWPPP.

Prior Approved NPDES Permit Number (Major Modification or Change of Information Only): Provide the NPDES permit number (SCR number) or File Number previously assigned to the project or LCP.

Expedited Review Program (ERP): For additional information about ERP, see the ERP website <http://www.scdhec.gov/environment/water/swater/expeditedReview.htm>. DHEC will notify the Project Owner/ Operator if the project is selected for review in the ERP. There are additional required fees for participation in this program; these ERP fees should not be submitted until DHEC has notified the Project Owner/ Operator that the project was selected for participation in the ERP. **In the SCCZ, please note that projects impacting Geographic Areas of Particular Concern (GAPCs) and/or wetlands may not eligible for participation. Consult OCRM staff.**

I. Notice of Intent (NOI) Application Type(s) (See Section 2.4 of CGP for submission deadlines and notification requirements)

- A. **Project (Application) Type** - Select **ALL** applicable application types that best describe your project or application. Section 2 of the Construction General Permit (CGP) may be reviewed for further information on each type of application listed in this section. As an example, if your project is one that is a new startup, then "New Project" should be selected. If your project is a new startup that will be located in Beaufort County, that will also be expedited, then "New Project", "OCRM Project Review", and "Expedited Review Program" should each be selected to describe your application. **To determine if the project design is considered to be above regulatory requirements or Low Impact Development, see the "Expedited Review Standard Operating Procedures" document.** If **none** of the application types listed in this section apply or clearly define the intent of your project, select "Other" and provide specific details that clearly describe the intent of your NOI application.

NOTE: DHEC must be notified in writing within fourteen (14) business days of a new Owner (person, lending institution, government institution, etc.) taking title to or ownership of a prior approved ongoing NPDES construction project/site. A new Property Owner must complete all applicable sections of Form A (Transfer of Ownership) and submit this form to the Department or respective MS4 with the NOI application. Written notification is also required when the Owner or Developer's company name changes for a prior approved construction permit.

NOTE: Major Modifications allowed by the Department are listed in Section 3.1.7 of the CGP. If your project is a major modification, complete Form B, Fee Schedule C, and applicable sections of the NOI per directions identified on Form B. Please note that Section V (Waterbody Information) of the prior approved NOI must be reviewed for changes prior to submitting any modification request to the Department. If changes have occurred, identify as Change of Information on the NOI form and provide the revised information in this section. Attach a detailed Narrative and revised C-SWPPP documents to the major modification request.

- A. **MS4 Reviewer and MS4 Operator** - If this project is located inside a Municipal Separate Storm Sewer System (MS4) and must be reviewed and approved by a MS4 entity prior to submission to DHEC, then select "MS4 Project Review" as application type in Item A and provide the names of the entities that will perform the review and the MS4 Operator. Urbanized area boundary maps are available at <http://cfpub.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=SC>. See the following website for information about MS4s: <http://www.scdhec.gov/environment/water/swnsms4.htm>. Note: Some MS4s have increased their review jurisdiction boundaries beyond the original urbanized area map. Please confirm with the appropriate MS4 regarding review jurisdiction.

II. Primary Permittee Information

Identify whether the Primary Permittee is a person or a company. If a company, identify if it is a lending institution or government entity. Provide the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service for the company. **The EIN is commonly referred to as the taxpayer ID. If the company does not have an EIN (e.g., single member LLC, sole proprietorship). DO NOT list a Social Security number**

- A. Primary Permittee Name** - Provide the complete, legal name of the person or entity (company) that will be the Primary Permittee (Owner/Operator, O/O) for the project. If a person, provide the Title or Position. If a company, provide the complete, legal name of the company. **Do not list the D/B/A (Doing Business As) name.** **NOTE: If S.C. Department of Transportation (SCDOT) is the O/O, this NOI form (Form 2617) should NOT be used.** Provide the complete mailing address of the person/company identified in II.A as the Primary Permittee.
- B. Contact/ODSA Name** - Complete if different from II. A or O/O is a company. Provide the complete legal name of the person identified as the Contact or Operator of Daily Site Activities (ODSA) for the project. This can be someone other than the person that has signatory authority for the company. Often the Contact person is also referred to as the ODSA. Provide the complete mailing address for the person, other than the permittee, the Department may contact. This address can be different from the mailing address entered for the O/O.
- C. Property Owner Name** - If different from II.A or B, list the complete, legal name of the current Property Owner(s) of the site. Enter the complete mailing address for the Property Owner. **NPDES coverage will be issued to the Primary Permittee identified in Section II.A, not the Property Owner, unless same entity.** If there are multiple Property Owners, attach additional sheets with all information requested in Section II.C.

III. Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) Preparer Information

- A. C-SWPPP Preparer Name** - Provide the name of the C-SWPPP Preparer for this project.
- B. Registered Professional** - Identify whether the C-SWPPP Preparer is a Registered South Carolina Professional Engineer, Tier B Surveyor, or Landscape Architect. For projects disturbing more than 2 acres, the C-SWPPP preparer must be one of the listed professionals or federal government employee as described in Title 40, Chapter 22, and as required and allowed by the qualified individual's respective act and regulations. **In the SCCZ, projects that are located within ½ mile of a CRW and that involve greater than 0.5 acres of land disturbance, the C-SWPPP preparer must be one of the listed professionals or federal government employee as described in Title 40, Chapter 22, and as required and allowed by the qualified individual's respective act and regulations.**
- C. Company/Firm Name** - Provide the complete, legal name of the company and S.C. Certificate of Authorization (S.C. COA number). Enter the complete mailing address. DHEC may contact the C-SWPPP Preparer via email. See the following websites for information about COA requirements for Landscape Architecture firms <http://www.dnr.sc.gov/land/LandscArch/LALicense.html> and Engineering and Surveying firms <http://www.llr.state.sc.us/POL/Engineers/>. Enter N/A for S.C. COA if the firm is not required to have a COA.

IV. Project/Site Information

- A. Type of Construction Activity (ies)** - Select **ALL** activity types that best describe the development proposed for the site. "Institutional" includes schools and other publicly owned projects, except linear projects. "Site Preparation" includes clearing, grubbing, and grading only; no new impervious areas should be proposed if this activity type is selected. If none describe the development, then select "Other" and list the activity.
- B. Site Address/Location** - List the site address. If the site address is unknown, list the road name(s) on which the site is located, the nearest intersection, or other detailed description of the site location. List a city/town only if the site is within the city/ town limits. List zip code (if known). Provide the latitude/longitude and tax map numbers. See the following website for assistance in obtaining latitude/ longitude coordinates: http://www.epa.gov/tri/report/siting_tool/index.htm. Latitude (from 32° to 35°) and longitude (-78° to -83°) should be for the center of the site. Minutes (') and seconds (") should be from 0 to 59. Identify the lat/long data source.
- C. Indian Lands** - Identify if this site is located on Indian lands.
- D. Proposed Start Date/Completion Date** - Provide proposed project start and completion dates.
- E. Disturbed Area/Total Area** - Enter the disturbed area for the project and the total area for the site. The disturbed areas must be **rounded to the nearest tenth of an acre**. For subdivisions, if the exact build-out is not known, the disturbed area can be estimated using the following equation:
Disturbed area= 2(Maximum Footprint of House)(# of lots) + Road/ Right-of-Way areas + Other easements/ disturbance. **NOTE: Provide written notification if the actual disturbed area exceeds the disturbed area on the approved NOI.**
- F. Modification Only: Change to Disturbed Area** - If your modification to a prior approved project will increase or decrease the disturbed area, complete this section and see Section I of the Instructions. Enter the current approved disturbed area and proposed increase (+) or decrease (-) to the disturbed area. If no change, enter 0.0. Enter the new total disturbed area (after change). Round each entry to the nearest tenth of an acre.
- G. Larger Common Plan for Development or Sale (LCP)** - The plan in LCP is "broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot." [63 Federal Register No. 128, July 6, Page 6 1998, p. 36491] For example, if master calculations have been prepared and/ or submitted for an entire site, then all phases and parcels at that site would be considered part of an LCP. If the site is part of a subdivision, industrial park, commercial park, etc., then it is considered to be part of an LCP. List a unique, distinguishing LCP/ Overall Development name. This name should not reference a specific phase. This LCP/ Overall Development name should also be listed on all NOIs for future projects that are part of this LCP, including subsequent phases. Check the box if this is the first phase of the LCP. List the previous state permit/ file number and previous NPDES coverage number if applicable. **{DO NOT enter SCR100000}. If not known, contact the Department for assistance.**

- H. **Flooding Problems** – Identify whether flooding problems exist on the site, or downstream or adjacent to the site. If yes, provide detailed explanation of the extent and impact in your C-SWPPP. **NOTE:** All C-SWPPP applications must include a Floodway Map/FEMA Flood Insurance Map (See Checklist) with an outline of the project boundary on the map. **NOTE:** The Department does not regulate the placement of fill in floodplains. Contact local city or county official.
- I. **Active S. C. DHEC Warning Notice/Notice to Comply/Notice of Violation** – Select yes if DHEC has issued a Warning Notice, Notice to Comply, or Notice of Violation for the site or any site within the LCP. Provide additional information about the Notice (e.g., Order number) and a copy of correspondence with DHEC regarding the Notice in your C-SWPPP.
- J. **State and Federal Environmental Permits or Approvals** – List relevant state and federal permits applied for. See §122.21(f) of S.C. Regulation 61-9 <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> for a list of permits, approvals, and programs that should be considered. If inaccurate, NPDES coverage may be invalid.
- K. **Waiver(s)** - Identify any waivers requested for your project or construction site. Provide details and required justifications in the C-SWPPP.

V. Waterbody Information

A. Receiving Waterbody(s) (RWB) Information

1. The **Nearest** receiving waterbody (RWB) is the nearest Waters of the State (WoS). See definition in §122.2 of S.C. Regulation 61-9 - <http://www.scdhec.gov/environment/water/regs/r61-9.pdf> to which the site's stormwater discharges will drain. The nearest RWB must be listed in reference to a named waterbody, if the RWB is unnamed. For example, if the site's stormwater discharges drain to a stream on the site, then the nearest RWB would be the stream. If the stream is not named, then determine the nearest named waterbody (e.g., Grove Creek) into which the stream will flow and list the nearest RWB as a tributary to the named waterbody (e.g., Tributary to Grove Creek). Then, the **Next Nearest** named RWB would be Grove Creek. If the site's stormwater discharges drain to multiple waterbodies, then list all such waterbodies; attach additional sheets, if necessary.
2. Provide the **distance**, in feet to each receiving waterbody.
3. Provide the **classification** for each named waterbody. See S.C. Regulation 61-69 (<http://www.scdhec.gov/environment/water/regs/r61-69.pdf>) for a list of classifications of waterbodies within S.C. If the nearest RWB is unnamed, then search the document for the nearest named RWB. If the nearest, named RWB is not listed, then continue searching the document for the next, named waterbody, proceeding downstream from the site. For example, a site in Anderson County drains to a tributary of Hornbuckle Creek, then to Hornbuckle Creek, then to Middle Branch, and then to Brushy Creek/ Big Brushy Creek. First, search the document for Hornbuckle Creek, then Middle Branch, then Brushy Creek. Because there are 3 listings for Brushy Creek, the next, named waterbody (Saluda River) must be determined. Note that the county for this record for Brushy Creek is listed as Pickens because the headwaters of Brushy Creek are in Pickens County. The classification of the tributary to Hornbuckle Creek is "FW—Freshwaters".
4. **SCCZ Only:** Provide the **Coastal Receiving Water (CRW)** to which the site's stormwater discharges will drain. This distance is used to determine permitting requirements. Coastal Receiving Water is defined as a receiving water body as defined in the *Policies and Procedures of the South Carolina Coastal Zone Management Program*, updated July 1995. This includes all regularly tidally influenced salt and fresh water marsh areas, all lakes or ponds which are used primarily for public recreation or a public drinking water supply, and other water bodies within the coastal zone, excluding wetlands, swamps, ditches and stormwater management ponds which are not contiguous via an outfall or similar structure with a tidal water body.
5. Provide the distance, in feet to the CRW. **Classification of RWB is not applicable for CRW.**

B. Waters of the U. S. /State Information (See Section 2.6.2 thru 2.6.6 of the CGP)

1. Complete the "On the Site?" column for items a-d. If yes is selected for that column, then the next 3 columns must be completed. If there are other waters of the U.S./ State (WoS) on the site not listed in items a and b (e.g., stream, river, lake, pond), then list those in item c. Jurisdictional wetlands are under ACOE jurisdiction.
2. **Delineation** means identification by U.S. Army Corps of Engineers (USACOE) or wetlands consultant. Also, see the checklist for information about delineation requirements. If there are WoS within 100' of the disturbed area that were not delineated/identified, then explain this in the narrative; this includes WoS that are not on the project site but are within 100' of the disturbed area. **For Direct Critical Area in the SCCZ, delineation means identification by OCRM or wetlands consultant. OCRM staff may require identification of Direct Critical Area by OCRM staff as part of its Coastal Zone Consistency review.**
3. **Impacts** - If construction activities will occur in and/ or will impact WoS, then select yes for "Impacts?"
4. **Amount of Impacts** - List the amount of impacts to WoS. Provide an additional, separate plan sheet that shows all WoS on the site and the impacted areas. If there are proposed impacts to WoS, please contact USACOE (866-329-8187) and S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section (803-898-4300) to determine additional requirements before submitting this NOI. **In the SCCZ, also contact S.C. DHEC OCRM Wetlands Section (843-953-0200). Please note that it is the Project Owner/ Operator's responsibility to ensure that all WoS are shown and identified in the C-SWPPP. See Sections 2.6**
6. **If yes for impacts in B.3, describe each impact and activity, and list all permits** (e.g., U.S. Army Corps of Engineers (USACOE) Nationwide Permit, DHEC General Permit) and certifications that have been applied for or obtained for each impact. Describe the activity(s), whether the impact is permanent or temporary, and any other relevant information. Provide a copy of all permits and certifications for and correspondence with USACOE and DHEC for the impacts. Include all plats referenced in the permits or correspondence.

C. S. C. Navigable Waters (SCNW) Information

1. Are SCNW on the site? See <http://www.scdhec.gov/environment/water/navwater.htm> for the definition of SCNW and other information related to SCNW. Or, contact S.C. DHEC Water Quality Certification, Standards & Wetlands Programs Section at (803) 898-4300 for assistance determining the navigability of the waters on your site or with questions related to SCNW. **If yes to C.1**, list the **name of the SCNW**. If the SCNW is not named, then provide a description that references the nearest, named waterbody (e.g., tributary to Grove Creek). **If no to C.1**, do not complete questions C.2 thru C.3 of this section.
2. If yes to C.1 and construction activities proposed by your project will cross over or occur in, under, or thru the SCNW, describe SCNW activities (e.g., road crossing, sub-aqueous utility line, temporary or permanent structures, etc.). This includes temporary and permanent crossings with roads, utility lines, etc.
3. Identify permits providing SCNW Activity(ies) coverages for your site.
 - a. Identify proposed activities covered under a DHEC General Permit or other DHEC permit. Identify permit number(s) and corresponding activities covered under each. See the following website for a list of DHEC General Permits for activities in some SCNW: <http://www.scdhec.gov/environment/water/docs/gp/gp.xls>. See the "Notes" column to determine what types of activities are covered under each permit.
 - b. Identify **USACOE 404 Permit or 401 Certification** issued for the site. Identify permit number(s) or certification(s) and corresponding activities covered under each.
 - c. If applicable, identify the date the **SCNW permit** was applied for. Identify whether the permit applied for will cover ALL activities listed in C.2 of some activities listed in C.2. List covered activities.
 - d. If a **SCNW permit** has NOT already been applied for or issued for all of the activities in SCNW for this site, then those activities and conditions can be addressed during the review of the C-SWPPP, and a separate State Navigable Waters permit is not required. **Provide an additional plan sheet with plan and profile views (drawn to scale) of SCNW and associated activities; include activities description on the plan sheet.**

D. Impaired Waterbodies Information (Section 3.2.12)

NOTE: The TMDL, 303(d), and Non-Point Source water quality tool is a mapping system showing detailed information on WQMS locations, water quality status, and much more. The tool is available at the following website along with instructions for using the tool: <http://www.scdhec.gov/environment/water/tmdl/>.

In the SCCZ, list the nearest upstream and downstream DHEC WQMS(s) and corresponding waterbody(ies). Additionally, shellfish stations only monitor for Fecal coliform bacteria. Include both the nearest shellfish monitoring station(s) and full WQMS(s) on the NOI for both upstream and downstream locations when shellfish monitoring stations are present. If a shellfish monitoring site is not present then you only need to list the full WQMS(s). When a shellfish monitoring station is present, everything but Fecal coliform bacteria needs to be assessed at the full WQMS(s). Shellfish monitoring stations begin with numbers and full WQMS(s) begin with letters.

1. **303(d) Listed Impaired Waterbodies**

- a. List the **nearest SCDHEC Water Quality Monitoring Station(s)** to which the site's construction stormwater discharges will drain and its **corresponding waterbody**. See the following website for the most current 303(d) List for Impaired Waters and related information: <http://www.scdhec.gov/environment/water/tmdl/>. **NOTE: DHEC has determined that construction SW discharges are expected to contain pollutants causing the following impairments: TURBIDITY, BIO (Macroinvertebrate), TP (Total Phosphorus), TN (Total Nitrogen), Chlorophyll-a, and FC (Fecal coliform) in Shellfish Harvesting Waters in the SCCZ.** Carefully evaluate whether the site's construction SW discharges will contain any pollutants causing other impairments not explicitly listed above. You should also consider previous land uses at the site in answering this question. For example, if the **previous land use was a copper processing facility** and the impairment at the nearest WQMS is copper, **then you should carefully evaluate whether the site's construction SW discharges would contain copper.**
- b. Identify whether this **WQMS is listed on the most current 303(d) List**. The 303(d) list is available in Microsoft Excel and Adobe Reader formats. WQMS locations are available for each watershed at the website provided in 1.a as well using the **TMDL, 303(d), and Non-Point Source water quality tool**. To search the 303(d) list to determine whether a WQMS is listed, select "Edit" from the top toolbar of your web browser. Then, select "Find". Enter the WQMS exactly as listed on the map and hit enter. **If none of the WQMS(s) are found, then select "No" and proceed to item V.D.2 (TMDL Impaired Waterbodies). If any of the WQMS(s) are found, then select "Yes" and proceed to item c.**
- c. **If yes for b**, list the impairment(s) or pollutants identified as cause(s) of the impairment (see last column labeled "CAUSE") for the WQMS(s) and proceed to item d.
- d. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). **If no for d, proceed to item V.D.2 (TMDL Impaired Waterbodies).** **If yes to d and the receiving water is listed on the most current 303(d) List of Impaired Waters** for a sediment or a sediment-related parameter, BIO (macroinvertebrate), turbidity, Total Phosphorus, Total Nitrogen, Chlorophyll-a, or Fecal coliform in Shellfish Harvesting Waters in the SCCZ. You must carefully evaluate all selected BMPs and their performance to ensure that the construction site's Stormwater discharges will not contribute to or cause a violation of water quality standards. **If yes for d and the disturbed area is less than 25 acres**, include an evaluation of the Best Management Practices (BMPs) proposed for the site as described in Section 3.2.12.B(1) of the CGP in the C-SWPPP. **If yes for d and the disturbed area is greater than or equal to 25 acres**, then provide a written qualitative and quantitative assessment of the BMPs proposed in the C-SWPPP for the site as

described in section 3.2.12.B(II) of the CGP. For more information on this subject, please see the DHEC publication entitled "Antidegradation for Activities Contributing to NonPoint Source Pollution to Impaired Waters." This publication can be downloaded at the following DHEC WEB site www.scdhec.gov/eac/water/pubs/antidegnps.pdf.

- e. **If yes to d, list the "USE" support impairment (AL, FISH, REC, SHELLFISH) affected by the pollutant or impairment listed in item c.**
- f. **If yes for d, will use of the BMPs proposed for your project ensure the stormwater discharges leaving the site will NOT contribute to or cause further water quality standard violations for the impairment(s) listed in c? NOTE: If your answer to item f is NO, this site is NOT eligible for coverage under the CGP. You may contact the Department to determine if an individual permit application is necessary or you may revise your project to include appropriate Best Management Practices, controls, and procedures to bring your discharge into compliance**

2. TMDL Impaired Waterbodies

- a. List the **nearest SCDHEC water quality monitoring station(s)** to which the site's construction stormwater discharges will drain. List WQMS identified in part V.D.1.a of this table.
- b. Identify whether a TMDL is listed for this WQMS. NOTE: See the following website for a list of all WQMS with Approved S.C. Total Maximum Daily Loads (TMDLs): <http://www.scdhec.gov/environment/water/tmdl/>. Select "Approved SC TMDLS", then select "[Sites Covered Under an Approved TMDL and Corresponding WQ Attainment Status](#)". Select "Edit" from the top toolbar. Then, select "Find". Enter the WQMS exactly as listed and hit enter.
If a WQMS is NOT found, then select "No." Stop and proceed to Section VI. If a WQMS is found, then select "Yes" and proceed to item c.
- c. **If yes for b, identify and list the impairment(s) or pollutants listed as CAUSE(S) of the impairment (see 7th column labeled "CAUSE") and proceed to item d. If the WQMS(s) is impaired for more than one parameter, then the WQMS will be listed multiple times on successive rows.**
- d. **If yes for b, identify whether the standard has been ATTAINED for the impairment(s). NOTE: See the 8th column labeled "USE SUPPORT" to determine if the standard has been attained for each impairment for each WQMS. "FULLY SUPPORTED" means the standard has been attained for the impairment listed in the "CAUSE" column. "NOT SUPPORTED" means that the standard has NOT been attained for that impairment. If no for d (the standard has NOT been attained (NOT SUPPORTED) for all impairments for all WQMS(s)), proceed to item e. If yes for d (the standard has been attained for all impairments for all WQMS(s)), proceed to Section VI.**
- e. Identify whether the site's stormwater discharges contain any pollutants causing the impairment(s). **If no for e, proceed to Section VI. If yes for e, proceed to f.**
- f. **If yes for e, are your discharges consistent with the assumptions and requirements of the TMDL(s)? NOTE: If your answer to item f is NO, this site is NOT eligible for coverage under the CGP. You may contact the Department to confirm that adherence to a C-SWPPP that meets the requirements of the CGP will be consistent with the TMDL. Where a TMDL has not specified a WLA applicable to construction stormwater discharges, but has not specifically excluded these discharges, adherence to a C-SWPPP that meets the requirements of the CGP will generally be assumed to be consistent with the approved TMDL. If the TMDL specifically precludes such discharges, the site is not eligible for coverage under the CGP.**

VI. Signatures and Certifications **DO NOT SIGN IN BLACK INK!** The NOI must have original signatures unless the application being submitted to DHEC is one approved by an MS4.

C-SWPPP Preparer - The same registered professional must sign and seal the NOI form, C-SWPPP, calculations, and supporting documentation.

Primary Permittee - If the Primary Permittee or Project Owner/ Operator is a company, print the name of the person who is signing the NOI for the Owner/ Operator. A person with signatory authority for the Owner/ Operator must sign the application. The C-SWPPP Preparer cannot sign the application for the Owner/ Operator. The C-SWPPP, all reports, including monthly reports, and any information requested by DHEC must be prepared under the direction or supervision of a person with signatory authority for the Owner/ Operator or a duly authorized representative.

See below for a summary and §122.22 of S.C. Reg. 61-9 (Appendix C of the CGP) for complete information about signatory authority requirements.

- **Corporation:** A responsible corporate officer (e.g., president, vice-president, certain managers)
- **Partnership or Sole Proprietorship:** A general partner or the proprietor, respectively
- **Municipality, State, Federal or Other Public Agency:** Principal executive officer or ranking elected official.



February 12, 2018

Via Electronic Mail

Chief Vaigneur

Lady's Island/St. Helena Fire Marshall

FireMarshal@lishfd.org

Re: Project 170042 Academy Park Subdivision

Dear Chief Vaigneur:

We are requesting final fire review for the above referenced project. The proposed development consists of subdividing a 17.5 acre tract into a 25 lot residential subdivision along Faculty, Fairfield, and Alumni Roads in the Academy Estates neighborhood on Ladys Island. We were under the impression Chief Baldwin previously approved this project when it was submitted by Carolina Engineering, but they are unable to find the signed approval form.

Please find enclosed one (1) set of plans, fire flow calculations, and a Fire Safety Standards Approval form to assist in your review. Please contact our office at (843) 379-2222 or email Andy@Andrews-SC.com if you have any questions or need additional information.

Sincerely,

Andy Klosterman, P.E.

AK/mw

Enclosures

**BEAUFORT COUNTY DEVELOPMENT STANDARDS ORDINANCE
FIRE SAFETY STANDARDS APPROVAL FORM**

APPLICANT (DEVELOPER) NAME, ADDRESS: _____ ZONE: LICP
 Robert Sample
 PO Box 228
 Beaufort, SC 29901

TELEPHONE:
 843-476-9639

PROJECT NAME: Academy Park Subdivision TYPE: Residential LOCATION: Faculty, Fairfield, and Alumni Roa

DISTRICT#	MAP#	PARCEL#	#LOTS/UNITS	DENSITY
200		15 0558, 0559, & 0560	25	3

LAND AREA	BUILDING AREA	HEIGHT (FINISHED GRADE TO ROOF EAVES)
17.5	na	max 35

# OF BUILDINGS	HEIGHT (FINISHED GRADE TO BOTTOM OF HIGHEST WINDOW)
na	less than 35 feet

FIRE DISTRICT	FIRE OFFICIAL	COUNTY FIRE OFFICIAL
Lady's Island-St. Helena	Chief Vaigneur	

BASED ON A REVIEW OF THE SITE PLAN AND INFORMATION SUBMITTED BY THE APPLICANT, I HEREBY

- APPROVED
- APPROVED WITH CONDITIONS
- DISAPPROVED

FIRE OFFICIAL	COUNTY FIRE OFFICIAL	DATE
_____	_____	_____

CONDITIONS: _____

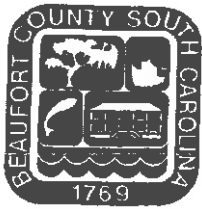
CERTIFICATE OF COMPLIANCE

DATE INSPECTION REQUESTED	ZONING/DEVELOPMENT PERMIT
_____	_____

BASED ON AN INSPECTION OF THE SUBJECT PROJECT:

- THE FOLLOWING DEFICIENCIES OR CORRECTIONS ARE NOTED AND MUST BE ADDRESSED
- THE COMPLETED PROJECT IS IN COMPLIANCE WITH THE FIRE SAFETY STANDARDS OF THE ZONING & DEVELOPMENT STANDARDS ORDINANCE

FIRE OFFICIAL	COUNTY FIRE OFFICIAL	DATE
_____	_____	_____



Beaufort County Engineering Division
 102 Industrial Village Road, Bldg 3
 Beaufort, SC 29906
 (843) 255-2692 (office)
 (843) 255-9420 (fax)

Public Works
 120 Shanklin Road
 Beaufort SC 29906
 (843) 255-2800 (office)
 (843) 255-9435 (fax)

BEAUFORT COUNTY
ENCROACHMENT PERMIT APPLICATION

Applicant: ROBERT SAMPLE
 Address: PO BOX 228
BEAUFORT, SC Zip Code: 29902
 Phone No. 843-476-9639
 Fax No. NA
 Contact Person: ANDREW KLOSTERMAN

Permit Type: Road Opening _____
 Road Crossing _____
 Driveway X _____
 Drainage Ditch _____
 Emergency Opening _____
 Other: _____

Length of permit applied for: _____ 30 Days
 _____ 60 Days
 _____ 90 Days
 _____ 6 Months
X 1 Year

Above Ground Utility
 Infrastructure _____
 Blanket Utility
 Permit X _____

County Road: FACULTY DRIVE, FAIRFIELD AND ALUMNI ROAD
 Right-of-Way Width: 50'
 Nearest Intersecting Street Road: FACULTY DRIVE, FAIRFIELD AND ALUMNI ROAD
 Start Date of Work: APRIL 1, 2018 Contractor: TO BE DETERMINED

Road Surface: Dirt _____
 Paved X _____

Description of Work: REGRADE ROADSIDE DITCHES, INSTALL 25 DRIVEWAYS W/ 15" RCP CULVERTS TO SERVE 25 NEWLY CREATED LOTS ON THE ROADS LISTED ABOVE. INSTALL NEW 1" WATERLINE TAPS ALONG FAIRFIELD AND ALUMINI ROAD ALONG WITH APPROX. 1200 LF OF 8" WATERMAIN, 2 FIRE HYDRANTS, AND 1" SERVICE TAPS ALONG FACULTY DRIVE.

[See sketch/plans provided]

Proposed Location of Work: Within Paved/Dirt Roadway _____ Between Road & Prop. Line X
 (look up station from "nearest intersecting street/road")
 (a) Left Traveled Lane _____ In Road Shoulder X
 (b) Centerline of Road (+/-3') _____ In Bottom of Ditch X
 (c) Right Traveled Lane _____ Back Slope of Ditch X

I have read the permitted conditions on the reverse side and agree to comply and enact them accordingly.

Applicant/Agent Signature: Andrew Klosterman

Date: 02 / 13 / 18



BEAUFORT COUNTY

-STORMWATER PERMIT APPLICATION-

DATE ACCEPTED	RECEIVED BY	FILING FEE	RECIPT#	PERMIT#	PIN#
PROJECT NAME:			PROJECT TYPE:		
ACADEMY PARK SUBDIVISION			25 LOT SINGLE FAMILY SUBDIVISION AND REGIONAL DETENTION POND		
PROJECT LOCATION:					
LADYS ISLAND: FACULTY DRIVE, FAIRFIELD AND ALUMNI ROADS					
APPLICANT/DEVELOPER NAME, ADDRESS, PHONE#			PROPERTY OWNER NAME, ADDRESS, PHONE#		
ROBERT SAMPLE / PO BOX 228 / BEAUFORT, SC 29901 843-476-9639			ROBERT SAMPLE / PO BOX 228 / BEAUFORT, SC 29901 843-476-9639		
EMAIL	ROBESAMPLE@GMAIL.COM		EMAIL	ROBESAMPLE@GMAIL.COM	
SWPPP PREPARER NAME, ADDRESS, PHONE#			CONTRACTOR NAME, ADDRESS, PHONE#		
ANDREW KLOSTERMAN / 2712 BULL ST. SUITE A BEAUFORT, SC 29902 / 843-379-2222					
EMAIL	ANDY@ANDREWS-SC.COM		EMAIL		
QUALIFIED INSPECTOR NAME, ADDRESS, PHONE#			ADDITIONAL INFORMATION:		
ANDREW KLOSTERMAN / 2712 BULL ST. SUITE A BEAUFORT, SC 29902 / 843-379-2222					
EMAIL	ANDY@ANDREWS-SC.COM				
SW01 (Single Family Home)					
<input type="checkbox"/> COPY OF TIER I STORMWATER POLLUTION PREVENTION PLAN (SWPPP) – (See Appendix E)					
<input type="checkbox"/> PLOT PLAN SHOWING, VICINITY MAP, NORTH ARROW, GRAPHIC SCALE, PROPOSED IMPROVEMENTS					
<input type="checkbox"/> STEP II VOLUME CONTROL (See Section 5.3) (http://stormwaterworksheet.createandsolve.com)					
<input type="checkbox"/> APPLICATION FEE					
SW02 (Non Residential and Attached Residential)					
<input type="checkbox"/> COPY OF TIER II STORMWATER POLLUTION PREVENTION PLAN (SWPPP) – (See Appendix E)					
<input type="checkbox"/> POST CONSTRUCTION STORMWATER PLAN CHECKLIST WITH LOCATION OF ALL ITEMS INDICATED.					
<input type="checkbox"/> SITE PLAN: VICINITY MAP, PROJECT LOCATION, NORTH ARROW, GRAPHIC SCALE, PROPOSED IMPROVEMENTS					
<input type="checkbox"/> CONSTRUCTION PLANS					
<input type="checkbox"/> DRAINAGE CALCULATIONS (See Section 5.3)					
<input type="checkbox"/> APPLICATION FEE					



BEAUFORT COUNTY

-STORMWATER PERMIT APPLICATION- FEE SCHEDULE

CATEGORY A (Single Family Home)

APPLICATION FEE: \$25
ADDITIONAL REVIEWS: \$10

CATEGORY B (Non Residential and Attached Residential)

APPLICATION FEE: \$75
ADDITIONAL REVIEWS: \$25

NOTES:

1. APPLICATION FEES INCLUDE COMPLETENESS REVIEW AND TECHNICAL REVIEW AND REVIEW OF ONE REVISION. ANY ADDITIONAL REVISIONS BEYOND THOSE INCLUDED IN FEES MAY BE CHARGED ADDITIONAL FEES PER REVIEW.
2. FEES MAY BE WAIVED FOR SPECIAL CIRCUMSTANCES AT THE DISCRETION OF THE STORMWATER MANAGER.
3. FEES ARE APPLICABLE TO THE INITIAL APPLICATION FOR DESIGN AND CONSTRUCTION REVIEW. APPLICATIONS TO ESTABLISH POST CONSTRUCTION BMP OPERATIONS AND ANNUAL INSPECTIONS ARE EXEMPT FROM FEES.

1. Developer shall provide proof of ownership Academy Park Site.
2. County will retain a Consultant selected from an existing County ID/IQ contract or the County's pre-approved list who will prepare a final design of an approximately 3.4 acre regional stormwater basin. A Sole Source Contractor may be utilized due to existing relationship with the Developer for the Academy Park proposed development. The design shall meet the standards of the County's Best Management Practices Manual, current edition.
3. County shall pay all fees and costs associated with the design necessary to complete the Project.
4. Prior to undertaking any removal of soil or other materials from the Academy Park site, the Developer shall first obtain all necessary permits from all applicable regulatory bodies including, but not necessarily limited to United States Army Corp. of Engineers (USACE), South Carolina Office for Coastal Resource Management (OCRM), South Carolina Department of Health and Environmental Control (DHEC) and Beaufort County Planning and Zoning Department Staff Review Team (SRT).
 - a. Developer shall pay all permitting fees.
 - b. Developer shall pay all wetland mitigation fees and costs.
 - c. Developer shall pay all review/application fees.
 - d. County and Developer shall share the cost of tree mitigation equally.

Alternatively, if the Developer desires to undertake the removal of soil or other materials from the site prior to obtaining all required, Federal, state and local permits, Developer may post a surety bond in an amount which shall be determined by the County to be sufficient to restore the property to a legally conforming condition. Such bond shall be provided for the benefit of the County and shall be updated as necessary to ensure that it reflects all necessary costs that may be incurred in rendering the property to a legally conforming condition.

5. Once all the permitting requirements are complete, developer will begin construction of the regional stormwater facility.
6. Developer shall be responsible for all construction costs associated with Project.
7. Developer shall complete the Project within twenty four (24) months of receipt of all permits. If the Project has not been completed within this period of time, the Developer may request a reasonable extension from the County which will not be unreasonably withheld. The parties agree to conduct monthly meetings to discuss the status of the project. Should it be determined that the Developer cannot complete the project within the twenty four (24) month construction period (or any

extended period of time as may be granted), the Developer hereby agrees to provide County title to the property for the consideration set forth in paragraph 9 below and County will take over the Project to be completed at its own expense and at its own convenience.

8. If it is determined by the County that the actions of the Developer have, will, or may cause any damage to any County owned or maintained infrastructure, including, but not limited to County owned or maintained roadways, rights of way, drainage ditches or other such infrastructure in any form, the Developer may be required to post a surety bond in the amount of anticipated repairs costs or may relieve themselves of such obligation by causing all required repairs to be completed within thirty (30) days of receiving any such notice from the County.
9. Upon completion of construction by Developer, County shall purchase Academy Park Site for the sum of one (\$1.00) Dollar.
10. The County will thereafter own and operate the Project at its own expense and in accordance with County's Best Management Practices Manual, current edition.

Parties agree this Agreement represents the entire agreement between the parties and that it is for the sole benefit of the Parties hereto and not for the benefit of any third party who is not a signature party hereto. No party, other than the Parties hereto, have any enforceable rights hereunder or any claim for damages as a result of any alleged breach hereof.

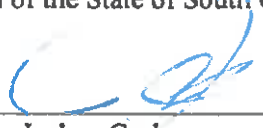
This Agreement shall be governed by the laws of South Carolina with venue in the County of Beaufort.

IN WITNESS WHEREOF, the parties have set their hands.

WITNESSES:

Cheryl Harris
Kelly Koth Lewis


BEAUFORT COUNTY, a political sub-division of the State of South Carolina

By: 
Name: Joshua Gruber
Title: Interim County Administrator
Address: P.O. Drawer 1228
Beaufort, SC 29901-1228
Phone: (843) 255-2026
Fax: (843) 255-9403
Date: 10-18-17

WITNESSES:

Patricia Z. Wilson
Camy G. Wallace

Academy Park, LLC

By: 
Name: Robert Sample
Title: _____
Address: PO Box 2238
Beaufort, SC 29902
Phone: (843) 476-9639
Fax: _____
Date: 10-18-17



LAW OFFICE OF
CHESTER C. WILLIAMS, LLC

17 Executive Park Road, Suite 2
Post Office Box 6028
Hilton Head Island, SC 29938-6028
Telephone (843) 842-5411
Telefax (843) 842-5412
Email Firm@CCWLaw.net

Chester C. Williams
ALSO MEMBER LOUISIANA BAR

Thomas A. Gasparini
ALSO MEMBER CALIFORNIA BAR
(Inactive)
ALSO MEMBER OHIO BAR
(Inactive)

CERTIFIED CIRCUIT COURT
ARBITRATORS AND MEDIATORS

15 April 2018

Mr. Anthony J. Criscitiello
Community Development Director
PO Drawer 1228
Beaufort, SC 29901-1228

Via email to tonyc@bcgov.net

Ms. Hillary A. Austin
Zoning Administrator
PO Drawer 1228
Beaufort, SC 29901-1228

Via email to hillarya@bcgov.net

Re: Academy Park Subdivision -- Appeal MISC 2018-03; Our File No. 01888-001

Dear Tony and Hillary:

We represent Robert Sample and Academy Park, LLC ("Academy Park") in the appeal of the Staff Review Team's approval of the plans for the subdivision of Lots 7, 8, and 9 of Academy Estates Subdivision filed by Richard S. Bolin on 5 April 2018, designated as Appeal No. MISC 2018-03. Because Academy Park is the owner of the property that is the subject of this appeal, it is a necessary party to this appeal, and has the right to fully participate in the appeal proceedings.

We have noted that the appeal application indicates that it will be heard by the Planning Commission at its 7 May 2018 meeting.

On behalf of our client, we ask that the hearing on the merits of this appeal be deferred pursuant to CDC Section 7.4.60. This letter is a written request for deferral under CDC Section 7.4.60.A. To our knowledge, public notice of the hearing of this appeal has not yet been published, so the Director is authorized to consider and decide this deferral request, as provided by CDC Section 7.4.60.B.

A deferral under CDC Section 7.4.60 can be granted only for good cause. Our reason for this deferral request is that we will soon be filing a Motion to Dismiss this appeal, and that motion should be heard by the Planning Commission before any hearing on the merits of this appeal. It is clear to us



LAW OFFICE OF
CHESTER C. WILLIAMS, LLC

Mr. Anthony J. Criscitiello
Ms. Hillary A. Austin
15 April 2017
Page 2

that neither Mr. Bolin nor any of the individuals whose names are on Attachment 1 to Mr. Bolin's appeal application have standing to pursue this appeal. If we prevail on our Motion to Dismiss, then this appeal will be dismissed and there will be no hearing on the merits of this appeal. Therefore, considering the substantial amounts of time required of the various Planning Commission members in reviewing the issues attendant to, and preparing for a hearing on, the merits of this appeal, and the substantial amounts of time required of the County Staff and Academy Park in preparing for a hearing on the merits of this appeal, we believe good cause is shown for deferring a hearing by the Planning Commission on this appeal until after our forthcoming Motion to Dismiss has been taken up by the Planning Commission.

Please let us hear back from you regarding this request for deferral as soon as possible.

With best regards, we are

Very truly yours,

LAW OFFICE OF CHESTER C. WILLIAMS, LLC

This signature is an electronic reproduction

Chester C. Williams

CCW/

cc: Mr. Robert L. Sample, Jr. (via email)
Thomas J. Keaveny, II, Esq. (via email)
Mr. Richard S. Bolin



LAW OFFICE OF
CHESTER C. WILLIAMS, LLC

17 Executive Park Road, Suite 2
Post Office Box 6028
Hilton Head Island, SC 29938-6028
Telephone (843) 842-5411
Telefax (843) 842-5412
Email Firm@CCWLaw.net

Chester C. Williams
ALSO MEMBER LOUISIANA BAR

Thomas A. Gasparini
ALSO MEMBER CALIFORNIA BAR
(Inactive)
ALSO MEMBER OHIO BAR
(Inactive)

CERTIFIED CIRCUIT COURT
ARBITRATORS AND MEDIATORS

18 April 2018

Mr. Anthony J. Criscitiello
Community Development Director
PO Drawer 1228
Beaufort, SC 29901-1228

Via email to tonyc@bcgov.net

Re: Academy Park Subdivision -- Appeal MISC 2018-03; Our File No. 01888-001

Dear Tony:

We represent Academy Park, LLC ("Academy Park") in the above appeal.

On behalf of our client, we hereby file with you the enclosed Motion to Intervene, Motion to Dismiss, and Motion for Continuance of Hearing, and we trust you and your staff will immediately forward it on to all of the members of the Beaufort County Planning Commission.

Along with his copy of this letter, we serve Richard S. Bolin with the enclosed Motion to Intervene, Motion to Dismiss, and Motion for Continuance of Hearing.

With best regards, we are

Very truly yours,

LAW OFFICE OF CHESTER C. WILLIAMS, LLC

This signature is an electronic reproduction

Chester C. Williams

CCW/
Enclosure

cc: Mr. Robert L. Sample, Jr. (via email)
Mr. Eric Greenway
Ms. Hillary A. Austin
Thomas J. Keaveny, II, Esq.
Mr. Richard S. Bolin

II. MOTION TO INTERVENE – NECESSARY PARTY

Academy Park is the owner of the Property, and, as such, is a necessary party to this Appeal under the South Carolina Supreme Court's holding in *Spanish Wells Property Owners Association, Inc. v. Board of Adjustment*, 295 S.C. 67, 367 S.E.2d 160 (SC 1988), a copy of which is attached hereto as Exhibit B.

A necessary party is a person or entity whose interests will be affected by the outcome of a proceeding. Because Academy Park is the owner of the Property on which the approved Project will be located, and this Appeal seeks to reverse the SRT's approval of the Project, it is clear that Academy Park's interests will be affected by the outcome of this Appeal. If Academy Park does not have the ability to fully participate in this Appeal, it will be denied the right to defend its interest in the SRT's approval of the Project.

Article VI, Sections 2, 3, and 5 of the Rules of Procedure for the Planning Commission adopted by the County Council on 22 November 2004 (the "Rules of Procedure") acknowledge the right of the property owner to participate in an administrative appeal hearing if the property owner is not the appeal applicant. Academy Park is the owner of the Property and is not the applicant in this Appeal, and therefore has the right to participate in this Appeal.

Academy Park asks that the Planning Commission consider and grant this Motion to Intervene, and recognize Academy Park as a necessary party entitled to fully participate in this Appeal.

III. MOTION TO DISMISS – STANDING

A. Mr. Bolin lacks standing to appeal or otherwise challenge the 7 March 2018 decision of the SRT approving the subdivision of the Property for the following reasons:

1. Mr. Bolin is not an aggrieved party under the County's Community Development Code (the "CDC"), nor is he a party in interest under Section 6-29-1150(C) of the Code of Laws of South Carolina (1976), as amended¹ (the "SC Code"), because his application for this

¹ SC Code Section 6-29-1150(C) provides that action by the County's Planning Staff to approve or disapprove a land development plan "may be appealed to the planning commission by any party in interest."



Appeal does not demonstrate that he will be adversely affected by the subdivision and development of the Property in any specific manner different from any other property owner within the County generally, and within Academy Estates Subdivision in particular.

2. Mr. Bolin's application for this Appeal does not allege that he has a personal stake in or will suffer any actual, individualized, particular injury or harm as a result of the subdivision and development of the Property. Therefore, Mr. Bolin has no standing under the legal precedent of the South Carolina Supreme Court's decision in *Sea Pines Ass'n for Protection of Wildlife, Inc. v. South Carolina Dept. of Natural Resources*, 345 S.C. 594, 550 S.E.2d 287 (SC 2001), a copy of which is attached hereto as Exhibit C.
- B. The various persons whose names are on Attachment 1 to Mr. Bolin's application for this Appeal cannot be considered appealing parties because they did not sign the application for this Appeal. Mr. Bolin cannot represent those persons nor can he assert their individual status in furtherance of his application for this Appeal, and he cannot obtain standing by alleging he is acting in another's interest if he himself has suffered no individual injury under the legal precedent established by the South Carolina Court of Appeals in *Lennon v. South Carolina Coastal Council*, 330 S.C. 414, 498 S.E.2d 906 (SC App. 1998), a copy of which is attached hereto as Exhibit D.
- C. Mr. Bolin cannot represent the various persons whose names are on Attachment 1 to his application for this Appeal since he did not bring this Appeal as attorney for those persons. Permitting Mr. Bolin to represent those persons before the Planning Commission would be allowing Mr. Bolin to engage in the unauthorized practice of law.
- D. In the alternative, if the various persons whose names are on Attachment 1 to Mr. Bolin's application for this Appeal are deemed to be appealing parties, then they lack standing to appeal or otherwise challenge the 7 March 2018 decision of the Staff Review Team approving the subdivision of the Property for the following reasons:
1. The various persons whose names are listed on Attachment 1 to Mr. Bolin's application for this Appeal are not aggrieved parties



under the CDC, nor are they parties in interest under SC Code Section 6-29-1150(C), because this Appeal does not demonstrate that any of those persons will be adversely affected by the subdivision and development of the Property in any manner different from any other property owner within the County generally, and within Academy Estates Subdivision in particular.

2. Mr. Bolin's application for this Appeal does not allege that any of the various persons whose names are on Attachment 1 to Mr. Bolin's application for this Appeal has a personal stake in or will suffer any actual, individualized, particular injury or harm as a result of the subdivision and development of the Property. For this reason, none of those persons has standing under the legal precedent of the South Carolina Supreme Court's decision in *Sea Pines Ass'n for Protection of Wildlife, Inc. v. South Carolina Dept. of Natural Resources*, cited above.

Academy Park asks that the Planning Commission consider this Motion to Dismiss, hold (1) that Mr. Bolin lacks standing to pursue this Appeal, and (2) that the various persons whose names are on Attachment 1 to Mr. Bolin's application for this Appeal either (a) are not appealing parties in this Appeal, or (b) lack standing to pursue this Appeal, and dismiss this Appeal with prejudice.

IV. MOTION FOR CONTINUANCE OF HEARING

Academy Park requests that the Planning Commission consider its Motion to Dismiss at its next regularly scheduled meeting to be held on 7 May 2018, in advance of any hearing on the merits of this Appeal. If Mr. Bolin has no standing to pursue this Appeal, and if the various persons whose names are on Attachment 1 to Mr. Bolin's application for this Appeal either are not considered appealing parties, or if those persons have no standing to pursue this Appeal, then this Appeal must be dismissed, and there will be no need for a hearing on the merits of this Appeal. Therefore, considering the substantial amounts of time required of the various Planning Commission members in reviewing the issues attendant to, and preparing for a hearing on, the merits of this Appeal, and the substantial amounts of time required of the County Staff and Academy Park in preparing for a hearing on the merits of this Appeal, Academy Park moves that the hearing on the merits of this Appeal be



continued until no earlier than the Planning Commission's regularly scheduled meeting to be held on 4 June 2018.

Article V, Section 5 of the Rules of Procedure provides that the Planning Commission may continue the hearing of an appeal to a fixed date, time, and place.

If the Planning Commission does not dismiss this Appeal, then Academy Park asks that the Planning Commission consider this Motion for Continuance of Hearing, to continue hearing on the merits of this Appeal until no earlier than the Planning Commission's regularly scheduled meeting to be held on 4 June 2018.

Academy Park reserves the right to submit additional materials, documents, and information to the Planning Commission in connection with this Motion to Intervene, Motion to Dismiss, and Motion for Continuance of Hearing, and this Appeal.

Academy Park also advises the Planning Commission that if there is a hearing on the merits of this Appeal, it will seek to cross examine Mr. Bolin and any other appealing parties under oath, and will ask that the Chairman of the Planning Commission issue subpoenas to compel witnesses to attend any hearing on the merits of this Appeal under Article VI, Section 2 of the Rules of Procedure.

Respectfully submitted on behalf of Academy Park on 18 April 2018.



This signature is an electronic reproduction

Chester C. Williams, Esquire
Law Office of Chester C. Williams, LLC
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COUNTY OF BEAUFORT
STAFF REVIEW TEAM
ACTION FORM

Exhibit A (1 page)

MEMBERS PRESENT- Hillary (Present/2nd Motion), Nancy (Present/For), Chuck (Present/1st Motion), Eric (Present/Abstain)
STAFF PRESENT - Tony Criscitiello (Planning Director), Tamekia Judge (Zoning Analyst III), Eric Greenway (Assistant Director),
Tanner Powell (Stormwater), Ryan Lyle (AES Representative), Amanda Flake (Natural Resource Planner)

PROJECT NAME

Academy Park Subdivision

PROJECT TYPE

Residential Subdivision

APPLICANT/DEVELOPER NAME, ADDRESS, PHONE NUMBER

Robert Sample, P.O. Box 228, Beaufort SC 29901

PROJECT LOCATION

Lady's Isl.

PIN

200-015-558/559/560

LAND AREA (ACRES)

17.5

LOTS/UNITS

25

BLDG AREA (SQ FT)

DATE OF REVIEW

3/7/2018

OVERLAY DISTRICT

HCOD

FIRE DISTRICT

LISH

ZONING DISTRICT

LICP

TYPE OF SRT REVIEW (CHECK ONE TO RIGHT): CONCEPTUAL PRELIMINARY FINAL

SRT ACTION (CHECK ONE BELOW):

APPROVED NO CONDITIONS:

DISAPPROVED / REASON(S):

APPROVED WITH CONDITIONS / CONDITIONS:

APPROVED SUBJECT TO CONDITIONS / LIST OF CONDITIONS:

- Applicant shall submit Covenants and Restrictions addressing open space, Natural Resource Protection and Wetlands ownership.
- The Tree Reforestation fund amount is \$44,240.00 to be split between the Applicant and Beaufort County per the Stormwater agreement.

DEFERRED / PLEASE SUBMIT THE FOLLOWING:



ZONING AND DEVELOPMENT ADMINISTRATOR

3/7/2018
DATE

H

Supreme Court of South Carolina.
SPANISH WELLS PROPERTY OWNERS
ASSOCIATION, INC., Respondent,

v.

BOARD OF ADJUSTMENT OF the
TOWN OF HILTON HEAD ISLAND,
South Carolina, Petitioner.

In re CALIBOGUE SQUARE SUBDIVI-
SION.

No. 22859.

Heard March 8, 1988.

Decided April 11, 1988.

After town planning commission granted preliminary development permit, property owners association appealed the commission's action to the Board of Adjustment. The Board of Adjustment denied the appeal, and association appealed to the Court of Common Pleas. The Court of Common Pleas, Beaufort County, John H. Waller, Jr., J., granted Board of Adjustment's motion to dismiss, and association appealed. The Court of Appeals, 292 S.C. 542, 357 S.E.2d 487, reversed, and board sought review. The Supreme Court granted certiorari to review, and held that party, who was granted development permit, was necessary party to appeal of its permit.

Reversed.

West Headnotes

Zoning and Planning 414 ↔ 1602

414 Zoning and Planning

414X Judicial Review or Relief

414X(B) Proceedings

414k1600 Parties

414k1602 k. Necessary and indispensable parties. Most Cited Cases

(Formerly 414k582.1, 414k582)

Party who was granted development permit was necessary party to appeal of its permit.

****161 *67** Curtis L. Coltrane and James M. Herring, of Herring, Meyer & Coltrane, P.A., Hilton Head Island, for petitioner.

Phillip C. Lyman, of Lyman & Howell, P.A., Hilton Head Island, for respondent.

***68 PER CURIAM:**

This case involves a development dispute on Hilton Head Island. This Court granted certiorari to review the decision of the Court of Appeals in *Spanish Wells Property Owners Ass'n v. Board of Adjustment*, 292 S.C. 542, 357 S.E.2d 487 (Ct.App.1987). We now reverse and remand.

The Hilton Head Island Planning Commission granted a preliminary development permit to Calibogue Yacht Properties, Inc. (Calibogue). Respondent Spanish Wells Property Owners Association, Inc. (Spanish Wells) objected to the issuance and appealed to petitioner Board of Adjustment (Board). The Board denied the appeal, and Spanish Wells appealed to the circuit court. The Board moved to dismiss under Rule 12(b)(7), SCRCP, arguing that Calibogue was a necessary party to the appeal under Rule 19, SCRCP. The circuit court granted the motion to dismiss, but allowed Spanish Wells fifteen days leave to join Calibogue. Spanish Wells instead appealed the order; the Court of Appeals reversed, holding that Calibogue was a proper, but not necessary, party to the appeal.

The sole question we address here is whether a permittee is a necessary party to

an action to revoke a development permit.

Other jurisdictions are divided on whether the permittee or successful applicant is a necessary party to an appeal instituted by an aggrieved party. The emerging majority view is that the permittee is a necessary party. See 3 Rathkopf, *The Law of Zoning and Planning* § 42.05[3] (4th Ed.1980 & Supp.1987) (citing numerous cases espousing "ascending" view); 101A C.J.S. *Zoning and Planning* § 301 (1979).

We find the reasoning behind the majority rule convincing. Designating the permittee a necessary party insures the most vitally interested party's participation in the appellate process. See *Cathcart-Maltby-Clearview Community Council v. Snohomish County*, 96 Wash.2d 201, 634 P.2d 853 (1981) (owner-applicant is party "most affected" and is necessary to any proceeding to invalidate his interest). Participation*69 by the most interested party serves judicial economy. Additionally, the majority rule insures that where a circuit court reverses a permit approval, the permittee will be bound because it is a party to the appeal. See *Hidden Lake Development Co. v. District Court*, 183 Colo. 168, 515 P.2d 632 (1973); accord *Board of Commissioners of Mesa County v. Carter*, 193 Colo. 225, 564 P.2d 421 (1977); *Lanaux v. City of New Orleans*, 489 So.2d 329 (La.Ct.App.1986); *Schroeder v. Burleigh County Board of Commissioners*, 252 N.W.2d 893 (N.D.1977).

For the foregoing reasons, we adopt the majority rule and hold that a development permittee is a necessary party to an appeal of its permit. The trial court therefore correctly ruled that Calibogue was a necessary party to Spanish Wells' appeal of the permit approval. Accordingly, the decision of the Court of Appeals to the contrary is

**162 reversed and the circuit court's order is affirmed.

REVERSED.

S.C.,1988.
Spanish Wells Property Owners Ass'n, Inc.
v. Board of Adjustment of Town of Hilton
Head Island
295 S.C. 67, 367 S.E.2d 160

END OF DOCUMENT

Westlaw

550 S.E.2d 287

345 S.C. 594, 550 S.E.2d 287

(Cite as: 345 S.C. 594, 550 S.E.2d 287)

Exhibit C (9 pages)

Page 1

▷

Supreme Court of South Carolina.
SEA PINES ASSOCIATION FOR THE PROTECTION OF WILDLIFE, INC., Advocates Working for Animals and Respect for the Environment a/k/a AWARE, The Fund for Animals, Inc., Animal Protection Institute, and the Humane Society for the Prevention of Cruelty to Animals, Appellants,
v.
SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY SERVICES ASSOCIATES, INC., Respondents.

No. 25326.

Heard June 8, 2000.

Decided July 23, 2001.

Rehearing Denied Aug. 22, 2001.

Wildlife organizations challenged issuance by Department of Natural Resources of permits to lethally reduce deer population in wildlife sanctuary on island and sought temporary restraining order, which the Circuit Court, Richland County, James Carlyle Williams, Jr., J., denied. The Court of Appeals issued oral writ of supersedeas. On grant of organization's motion to certify case for review, the Supreme Court, Toal, C.J., held that: (1) organizations could not allege particularized harm as a result of termination and did not have standing to challenge issuance of permits, and (2) Department did not act ultra vires when it issued permits.

Affirmed.

West Headnotes

[1] Action 13 ↪13

13 Action

13I Grounds and Conditions Precedent

13k13 k. Persons entitled to sue. Most Cited Cases

To have standing, one must have a personal stake in the subject matter of the lawsuit, that is, one must be a real party in interest.

[2] Parties 287 ↪6(2)

287 Parties

287I Plaintiffs

287I(A) Persons Who May or Must Sue

287k6 Real Party in Interest

287k6(2) k. Who is real party in interest. Most Cited Cases

A real party in interest is one who has a real, material, or substantial interest in the subject matter of the action, as opposed to one who has only a nominal or technical interest in the action.

[3] Action 13 ↪13

13 Action

13I Grounds and Conditions Precedent

13k13 k. Persons entitled to sue. Most Cited Cases

A private person does not have **standing** unless he has sustained, or is in immediate danger of sustaining, prejudice from an executive or legislative action; such imminent prejudice must be of a personal nature to the party laying claim to **standing** and not merely of **general** interest common to all members of the **public**.

[4] Associations 41 ↪20(1)

41 Associations

41k20 Actions by or Against Associations
41k20(1) k. In general. Most Cited Cases

When an organization is involved, the organization has standing on behalf of its members if one or more of its members will suffer an individual injury by virtue of the contested act.

[5] Action 13 ↪13

13 Action

13I Grounds and Conditions Precedent
13k13 k. Persons entitled to sue. Most Cited Cases

Party seeking to establish standing carries burden of demonstrating each of three elements for standing: first, plaintiff must have suffered an injury in fact, second, there must be a causal connection between the injury and the conduct complained of, and third, it must be likely that the injury will be redressed by a favorable decision.

[6] Action 13 ↪13

13 Action

13I Grounds and Conditions Precedent
13k13 k. Persons entitled to sue. Most Cited Cases

An aesthetic interest in wildlife is a legally protected interest that can provide standing to challenge an injury to that interest.

[7] Environmental Law 149E ↪652

149E Environmental Law

149EXIII Judicial Review or Intervention
149Ek649 Persons Entitled to Sue or Seek

Review; Standing

149Ek652 k. Organizations, associations, and other groups. Most Cited Cases
(Formerly 199k25.15(4.1) Health and Environment)

Wildlife organizations did not have standing to challenge issuance of permits by the Department of Natural Resources to lethally reduce deer population in wildlife sanctuary, as organizations could not allege particularized harm as a result of termination; there was no evidence that opportunity to view and enjoy deer would be diminished by permits because it was not certain that reducing size of herd would decrease number of deer actually viewed by residents, and alleged injury would not necessarily be redressed by favorable decision because Department also had plan to non-lethally reduce deer population on island.

[8] Administrative Law and Procedure 15A ↪749

15A Administrative Law and Procedure

15AV Judicial Review of Administrative Decisions

15AV(D) Scope of Review in General

15Ak749 k. Presumptions. Most Cited Cases

Administrative Law and Procedure 15A ↪791

15A Administrative Law and Procedure

15AV Judicial Review of Administrative Decisions

15AV(E) Particular Questions, Review of

15Ak784 Fact Questions

15Ak791 k. Substantial evidence. Most Cited Cases

Findings of an administrative agency are presumed correct and will be set aside only if unsupported by substantial evidence.

[9] Administrative Law and Procedure 15A
↪791

15A Administrative Law and Procedure

15AV Judicial Review of Administrative Decisions

**15AV(E) Particular Questions, Review of
15Ak784 Fact Questions**

15Ak791 k. Substantial evidence. Most Cited Cases

Under the substantial evidence rule, a reviewing court will not overturn a finding of fact by an administrative agency unless there is no reasonable probability that the facts could be as related by a witness upon whose testimony the finding was based.

[10] Administrative Law and Procedure 15A
↪785

15A Administrative Law and Procedure

15AV Judicial Review of Administrative Decisions

**15AV(E) Particular Questions, Review of
15Ak784 Fact Questions**

15Ak785 k. Clear error. Most Cited Cases

Administrative Law and Procedure 15A ↪791

15A Administrative Law and Procedure

15AV Judicial Review of Administrative Decisions

**15AV(E) Particular Questions, Review of
15Ak784 Fact Questions**

15Ak791 k. Substantial evidence. Most Cited Cases

A court may not substitute its judgment for that of an agency as to the weight of the evidence on ques-

tions of fact, unless the agency's finding are clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record.

[11] Game 187 ↪5

187 Game

187k5 k. Licenses. Most Cited Cases

Department of Natural Resources did not act ultra vires when it issued permits to lethally reduce population of deer in wildlife sanctuary on island, even though deer population was healthy, as there was substantial evidence to support Department's determination that rapid increase in size of deer population, increase in deer/vehicle collisions, and potential spread of bacterial disease by deer constituted a threat to health, safety, and welfare of the public. Code 1976, § 50-11-880.

[12] Game 187 ↪5

187 Game

187k5 k. Licenses. Most Cited Cases

Department of Natural Resources could issue permits for the taking of deer in a wildlife sanctuary.

****289 *596 Harold W. Jacobs and J. Michelle Childs**, both of Nexsen Pruet Jacobs & Pollard, LLP, of Columbia, for appellants.

Ester Haymond and James A. Quinn, of Columbia, for respondent South Carolina Department of Natural Resources; Stephen A. Spitz, of Columbia, and Roberts Vaux and Gray B. Taylor, of Vaux & Marscher, P.A., of Bluffton, all for respondent Community Services Associates, Inc.

TOAL, Chief Justice:

Sea Pines Association for the Protection of

Wildlife, Inc., Advocates Working for Animals and Respect for the Environment ("AWARE"), the Fund for Animals, Inc., Animal Protection Institute, and the Humane Society for the Prevention of *597 Cruelty to Animals ("Appellants") challenge the South Carolina Department of Natural Resources' ("Department") issuance of permits to lethally eliminate a substantial number of white-tailed deer in the Sea Pines Public Service District ("Sea Pines") on Hilton Head Island.

FACTS/PROCEDURAL BACKGROUND

Sea Pines is a 5,280 acre private, suburban community located on the southern portion of Hilton Head Island, South Carolina. The South Carolina General Assembly established Sea Pines as one of eleven wildlife sanctuaries designated under S.C.Code Ann. § 50-11-880(1) (Supp.2000). Sea Pines provides habitat for numerous species of wildlife, including the white-tailed deer.

Many Sea Pines residents enjoy observing, interacting, and photographing the deer and other wildlife in the sanctuary. However, over the past several years, many residents and homeowners have become concerned with the growing number of deer. Residents of Sea Pines have complained about landscape damage, increased number of automobile collisions ^{FN1}, and more frequent confrontations between deer and humans. In response, Community Service Associates, Inc. ("CSA") ^{FN2} embarked on a program designed to study the deer population. CSA hired both Todd Balentine, a local naturalist, and also Dr. Robert Warren, a professor of Wildlife Ecology and Management at the University of Georgia School of Forest Resources, to conduct a study of the deer population problem.

FN1. Mr. William Bloom, a statistician with the South Carolina Department of Public Safety, concluded that motorists within Sea Pines were 6.5 times more likely to have a deer/vehicle collision than motorists in South Carolina generally.

FN2. CSA is an association of property owners in Sea Pines formed to hold and manage the common property in Sea Pines and to provide security. All Sea Pines property owners are mandatory, dues-paying members of CSA.

Dr. Warren conducted an in-depth scientific analysis of the deer herd in Sea Pines. In conjunction with Dr. Warren's studies, six public meetings were held, the residents were surveyed, and two Master's theses were written. At the conclusion of his research, Dr. Warren issued a comprehensive *598 report and a Project Proposal on May 14, 1998, which served as a basis for the issuance of the permits in this case. Pursuant to the Project Proposal, a scientific study would commence in July 1998, and continue into the year 2000. At the conclusion of the study, lethal techniques would be used to remove 100 to 200 deer, or approximately fifty percent of the herd, in the southern portion of Sea Pines where the concentration of deer was the greatest.

Appellants oppose the lethal reduction of the population of white-tailed deer. The lead Appellant, Sea Pines Association for the Protection of Wildlife, Inc. ("SPAPW"), an organization of Sea Pines residents or property owners, was formed for the specific purpose of promoting the use of non-lethal means of resolving conflicts between humans and wildlife. On August 25, 1998, Appellants filed a Summons and Complaint seeking: (1) a temporary restraining order to restrain the Department from issuing any further permits for the taking or killing of deer within Sea Pines and to restrain CSA and the University of Georgia from acting on any existing **290 permits; (2) a temporary injunction and permanent injunction against the issuance of permits by the Department to CSA without meeting the requirements of section 50-11-880; and (3) a declaratory judgment determining whether the Department complied with the requisite statutes, rules, and regulations relative to the

issuance of permits in a wildlife sanctuary, and whether the Department violated the constitutional rights of the residents of Sea Pines by failing to afford them due process.

On September 10, 1998, the trial court denied Appellant's Motion for a Temporary Injunction. Appellants then filed a Petition for a Writ of Supersedeas with the South Carolina Court of Appeals. In a panel hearing on September 23, 1998, the Court of Appeals granted Appellant's petition, which reinstated the temporary restraining order until the trial of the case. On November 20, 1998, the Court of Appeals issued an order holding the appeal in abeyance pending the outcome of a trial on the merits of the case.

A non-jury trial was held from March 15, 1999 to March 17, 1999, where the trial judge vacated the temporary injunction and dismissed the action with prejudice, holding: (1) Appellants lacked standing to pursue the matters alleged in the *599 Complaint; (2) there are no statutory or constitutional due process requirements for notice or opportunity to be heard concerning the issuance of the permits; and (3) the actions of the Department in the issuance of these permits has been in total compliance with the statutory laws of this State.

On March 10, 1999, the Department issued a permit to CSA and the University of Georgia to collect up to ten male white-tailed deer for a herd health check. On July 13, 1999, the Department issued a permit to CSA and the University of Georgia for the removal of up to one hundred deer in Sea Pines during the period between September 15, 1999 and January 1, 1999. Appellants filed a Petition for a Writ of Supersedeas with the trial court to prevent CSA or any of its agents from acting on the latter permit, which was denied. Appellants filed another Writ of Supersedeas with the Court of Appeals challenging the latter permit, which was granted by order dated September 3, 1999.

On November 24, 1999, CSA file a Motion for Emergency Protection of the Public Health and Safety of Sea Pines Residents and Visitors. The Court of Appeals issued an order denying the Motion, but it noted the stayed permit expired on January 1, 2000, and there was nothing to prevent CSA from requesting another permit. The Department issued a permit to CSA to remove up to two hundred deer from Sea Pines on January 11, 2000. Appellants filed a separate suit on January 13, 2000, and requested a temporary restraining order that the trial court denied. The Court of Appeals issued an oral Writ of Supersedeas in this matter.

On March 13, 2000, this Court granted Appellant's Motion to Certify Case for Review. The following issues are before this Court on appeal:

I. Do Appellants have standing to challenge the Department's issuance of permits for the lethal elimination of deer in the Sea Pines' wildlife sanctuary?

II. Do Appellants, and other affected persons or organizations, have a right to notice and an opportunity to be heard prior to the Department's issuance of permits for the lethal elimination of deer in the Sea Pines' wildlife sanctuary?

*600 III. Did the Department properly issue permits for the lethal elimination of deer in the Sea Pines' wildlife sanctuary by making proper factual and legal determinations under section 50-11-880 that the deer, due to size, disease, or other extraordinary factors, posed a threat to the health, safety, and welfare of the public, or to itself, or other species in or around the sanctuary?

IV. Did the Department properly issue permits under section 50-11-1050 and section 50-11-1090 for the taking of deer in a wildlife sanctuary?

****291 LAW/ANALYSIS**

I. Standing

Appellants argue the trial court erroneously determined they do not have standing. The trial court reasoned that because the deer are the property of the State of South Carolina and not its individual residents, Appellants do not have standing because they cannot allege a particularized harm as a result of the deer's termination. We agree with the trial court's ruling.

[1][2][3][4] To have standing, one must have a personal stake in the subject matter of the lawsuit. In other words, one must be a real party in est. Charleston County Sch. Dist. v. Charleston County Election Comm'n, 336 S.C. 174, 519 S.E.2d 567 (1999). "A real party in interest is one who has a real, material, or substantial interest in the subject matter of the action, as opposed to one who has only a nominal or technical interest in the action." *Id.* at 181, 519 S.E.2d at 571 (quoting Anchor Point, Inc. v. Shoals Sewer Co., 308 S.C. 422, 428, 418 S.E.2d 546, 549 (1992)). A private person does not have standing unless he has sustained, or is in immediate danger of sustaining, prejudice from an executive or legislative action. Baird v. Charleston County, 333 S.C. 519, 511 S.E.2d 69 (1999). Such imminent prejudice must be of a personal nature to the party laying claim to **standing** and not merely of **general** interest common to all members of the **public**. *Id.* (citing Citizens for Lee County, Inc. v. Lee County, 308 S.C. 23, 416 S.E.2d 641 (1992)). When an organization is involved, the organization has standing on behalf of its members if one *601 or more of its members will suffer an individual injury by virtue of the contested act. Sierra Club v. Morton, 405 U.S. 727, 92 S.Ct. 1361, 31 L.Ed.2d 636 (1972).

[5] In Lujan v. Defenders of Wildlife, 504 U.S. 555, 112 S.Ct. 2130, 119 L.Ed.2d 351 (1992), the United States Supreme Court enunciated a stringent standing test. Lujan set forth the "irreducible consti-

tutional minimum of standing," which consists of the following three elements:

First, the plaintiff must have suffered an 'injury in fact'—an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not 'conjectural' or 'hypothetical'. Second, there must be a causal connection between the injury and the conduct complained of—the injury has to be "fairly ... trace[able] to the challenged action of the defendant, and not ... th[e] result [of] the independent action of some third party not before the court." Third, it must be 'likely,' as opposed to merely 'speculative,' that the injury will be 'redressed by a favorable decision.'

Id. at 559–61, 112 S.Ct. at 2136 (internal citations omitted); see also Beaufort Realty Co. v. S.C. Coastal Conservation League, 346 S.C. 298, 551 S.E.2d 588 (S.C. Ct.App. 2001). The party seeking to establish standing carries the burden of demonstrating each of the three elements. *Id.* at 561, 112 S.Ct. at 2136–37.

[6] The first element requires the plaintiff to suffer an injury in fact, or a particularized harm. The Department argues that an aesthetic interest in wildlife is not a legally protected interest because under South Carolina law there is no protected interest in an individual wild animal, until that animal is reduced to possession. S.C.Code Ann. § 50–11–10 (Supp.2000) ("All wild birds, wild game, and fish, ... are the property of the State."). According to the United States Supreme Court, "The desire to use or observe an animal species, even for purely esthetic purposes, is undeniably a cognizable interest for the purpose of standing." *Id.* at 562, 112 S.Ct. at 2137.^{FN3} Furthermore, South Carolina case law has *602 specifically recognized an injury **292 to one's aesthetic and recreational interests in enjoying and observing wildlife is a judicially cognizable injury in fact. See S.C. Wildlife Fed'n v. S.C. Coastal Council, 296 S.C. 187, 371 S.E.2d 521 (1988) (holding environmental groups

and League of Women Voters had standing because they suffered injuries as a result of decisions by the Coastal Council which affected the members' use and enjoyment of the fish and wildlife of the wetlands); *Ogburn-Matthews v. Loblolly Partners (Ricefields Subdivision)*, 332 S.C. 551, 505 S.E.2d 598 (Ct.App.1998) (holding property owners adjacent to wetlands had standing to challenge the issuance of a permit to fill the wetlands because the permit would adversely affect the property owners' use and enjoyment of the wetlands).

FN3. See also Sierra Club, supra ("Aesthetic and environmental well-being like economic well-being, are important ingredients of the quality of life in our society, and the fact that particular environmental interests are shared by the many rather than the few does not make them less deserving of legal protection through the judicial process."); *Japan Whaling Ass'n v. American Cetacean Soc'y*, 478 U.S. 221, 106 S.Ct. 2860, 92 L.Ed.2d 166 (1986) (holding plaintiffs alleged a sufficient injury in fact because whale watching and studying of their members will be adversely affected by continued whale harvesting).

[7] Nonetheless, according to *Lujan*, the Appellant's injury has to be actual or imminent, not conjectural or hypothetical. In order for the injury to be "particularized," it must affect the plaintiff in a personal and individual way. *Lujan*, 504 U.S. at 561, 112 S.Ct. at 2136; see also *Beaufort Realty, supra* (finding one must suffer an actual injury in fact, not a prospective concern of future harm, in order to satisfy the *Lujan* test). Appellants presented no evidence their opportunity to view and enjoy the deer would be diminished by the permits. The Appellant's injury is conjectural because it is not certain that reducing the size of the herd would decrease the number of deer actually viewed by the residents each day. Because deer population growth has remained constant on Sea

Pines, the deer population decrease proposed by the Department may have little or no effect on the residents' ability to enjoy the deer.

Even if we assume Appellants have alleged a particularized harm, Appellants failed to present evidence the injury would be redressed by a favorable decision in this case. As the trial judge noted in his order, the goal of the Appellant's plan was *603 to reduce the size of the deer herd. According to Gordon Stamler, the lead Appellant, their plan was to first use all necessary non-lethal means to reduce the deer population, including educational pamphlets, education of wildlife officers, using roadside reflectors, enforcing the speed limits, and electric fencing. If, after using these non-lethal means, the Department determines pursuant to section 50-11-880 that the deer herd needs to be reduced due to health or safety concerns, the Department would use immunocontraception, a form of birth control. Therefore, it is unlikely that the alleged injury would be redressed by a favorable decision in this case because the Appellant's immunocontraception plan would cause the same injury—a reduction in the population of deer in Sea Pines.

In conclusion, although Appellants have an aesthetic interest in Sea Pines' deer and the environment, they are denied standing because they failed to satisfy the three-pronged *Lujan* test. Because we find Appellants lack standing, we decline to address the due process issue.

II. The Permits

Appellants argue the trial court erred in determining the Department complied with section 50-11-880 when it issued permits to kill deer in Sea Pines based on the presence of disease, overpopulation, and the number of deer/vehicle collisions. Appellants also argue the trial court erred in determining the Department may issue permits for the taking and killing of animals in a wildlife sanctuary der S.C.Code Ann. § 50-11-1050 and S.C.Code Ann.

§ 50–11–1090. We disagree.

[8][9][10] This Court reviews the Department's permitting decisions pursuant to the standard articulated in the Administrative Procedures Act (“APA”). The findings of an administrative agency are presumed correct and will be set aside only if unsupported by substantial evidence. *Kearse v. State Health & Human Servs. Fin. Comm'n.*, 318 S.C. 198, 456 S.E.2d 892 (1995). Under the substantial evidence rule, a reviewing court will not overturn a finding of fact by an administrative agency “unless there is no reasonable probability that the facts could be as related by a witness upon whose *604 testimony the finding was based.” *Lark v. Bi-Lo, Inc.*, 276 S.C. 130, 276 S.E.2d 304 (1981) (citations omitted). Thus, a court may not substitute its judgment for that of an agency as to the weight of the evidence on questions of fact, unless the agency's finding are clearly erroneous**293 in view of the reliable, probative, and substantial evidence on the whole record. *Rodney v. Michelin Tire Corp.*, 320 S.C. 515, 466 S.E.2d 357 (1996). Substantial evidence is evidence which would allow reasonable minds to reach the conclusion the administrative agency reached in order to justify its action. See *Miller by Miller v. State Roofing Co.*, 312 S.C. 452, 441 S.E.2d 323 (1994).

In section 50–11–880, the General Assembly designated eleven specific areas of the state as wildlife sanctuaries and provided that, within these areas, it is unlawful to “attempt to take or kill any wildlife.” S.C.Code Ann. § 50–11–880 (Supp.2000). The statute further directs the Department to monitor these sanctuaries and assigns to the agency the following discretionary rights:

If the department determines that, due to size, disease, or other extraordinary factors, a particular population of a species located in, on, or around a sanctuary described above constitutes a threat to the health, safety, and welfare of the public or to itself, or other species in, on, or around the sanctuary, it

may authorize the taking of a sufficient number of species to reduce or eliminate the threat. The wildlife must be taken by department personnel or other persons acting under their supervision and the authorization for the taking limits the number of animals taken and the days, times, and methods to be used.

S.C.Code Ann. § 50–11–880 (emphasis added).

[11] We find the Department did not act *ultra vires* when it issued the permits in this case because there is substantial evidence in the record to support the Department's determination that the increase in the size of the deer population, the increase in deer/vehicle collisions, and the potential spread of *605 *Ehrlichiosis*^{FN4} by the deer^{FN5} constitutes a threat to the health, safety, and welfare of the public.

^{FN4.} *Ehrlichiosis* is a bacterial disease spread by infected ticks. Most infections are mild and can be treated with antibiotics. Severely ill patients can develop abnormally low numbers of white blood cells, abnormally low numbers of platelets, or kidney failure. The risk of severe illness and complications is highest in the elderly.

^{FN5.} Dr. Warren testified that the deer herd on Sea Pines may pose a threat to the public because the herd health surveys show that there is a very high incidence of *Ehrlichiosis*. He states that the fatality rates for both types of *Ehrlichiosis* infections in humans is relative high, especially in elderly people. Dr. Warren would not agree that there is no unique health risk associated with *Ehrlichiosis* because one hundred percent of the deer he examined had been exposed to *Ehrlichiosis*.

To refute the evidence presented by the Depart-

ment, the Appellants relied on the testimony of their expert, Dr. Allen Rutberg, a senior scientist with the Humane Society of the United States. Dr. Rutberg testified that the deer population of Sea Pines was healthy and there is "no evidence ... that the size of the deer population is in any way a threat to the deer." He also testified that he saw no justification for using lethal means to eliminate the deer at this time. However, he admitted he saw no evidence on the issue of deer population growth. He stated "I've seen no evidence at all that the population of deer at Sea Pines is growing or not growing." Dr. Rutberg's testimony does not discredit the findings of the Department because the health of the deer has nothing to do with the fact the deer population is growing at a rapid rate, dramatically increasing the number of deer/vehicle collisions in Sea Pines.

Between May 1998 and March 1999, the deer herd on Sea Pines increased by one hundred animals, from five hundred to six hundred. As set forth in the accident reports compiled by CSA security, there were 43 reported collisions in 1998, 29 in 1997, 39 in 1996, 33 in 1995, 40 in 1994, and 18 in 1993. Thus, the average of reported deer/vehicle collisions from 1993 to 1998 is 33.6 collisions per year. Charles Ray Ruth, the statewide deer project supervisor for the Department, stated that the deer/vehicle collision rate in Sea Pines is eight times the rate in the remainder of the State.^{FN6} According to Mr. **294 Ruth, the size of the deer population poses a health threat to *606 other deer and to the public through increased vehicle collisions. Mr. Ruth's testimony and the other evidence of deer/vehicle collisions on Sea Pines provides substantial evidence to support the Department's holding that the size of the deer population poses a definite threat to the health and safety of Sea Pines' residents.

FN6. It is unclear whether this is the accurate rate of deer/vehicle collisions. In other sections of the record and in the briefs, the deer/vehicle collision rate is quoted as 6, 6.5, and 7 times greater on Sea Pines than in other

parts of South Carolina.

[12] Appellants also contend the Department has improperly issued permits for the taking of deer in Sea Pines under the auspices of statutes other than section 50-11-880. Specifically, the Appellants argue that sections 50-11-1050, 1090, and 1180 do not give the Department the authority to issue permits for the taking of deer in a wildlife sanctuary. However, wildlife sanctuaries are not specifically excluded from these statutes. Furthermore, section 50-11-880 is not a permitting statute. Once the Department makes a determination under section 50-11-880, another statute must be applied to issue the permits. Mr. Ruth, the Department's statewide deer project supervisor, was aware of the specific differences between the various sections, he explained during his testimony the basis and justification for each permit issued, and why he issued each permit pursuant to only certain code sections.

CONCLUSION

Based on the foregoing, we **AFFIRM** the trial court's order as modified, holding the Appellants do not have standing under Lujan, and the Department's issuance of permits for the lethal elimination of deer on Sea Pines was in compliance with the laws of this State.

MOORE, WALLER, BURNETT and
PLEICONES, JJ., concur.

S.C.,2001.
Sea Pines Ass'n for Protection of Wildlife, Inc. v.
South Carolina Dept. of Natural Resources
345 S.C. 594, 550 S.E.2d 287

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C

Court of Appeals of South Carolina.
Gered LENNON and Bonnie H. Zanetti,
Appellants,
v.
SOUTH CAROLINA COASTAL COUN-
CIL, A State Agency, and Peter B. Fellman
and Robert Braden, Respondents.

No. 2812.
Heard March 5, 1998.
Decided March 23, 1998.

Individual and adjacent property owner
appealed decision of the South Carolina
Coastal Council in the Circuit Court, Char-
leston County, John L. Breeden, Jr., J., to
issue special permits to property owners.
The Court of Appeals, Goolsby, J., held
that individual did not have standing to
bring suit.

Dismissed.

West Headnotes

[1] Action 13 ↪13

13 Action
13I Grounds and Conditions Precedent
13k13 k. Persons entitled to sue.
Most Cited Cases

No justiciable controversy is presented
unless party has standing to maintain ac-
tion.

[2] Action 13 ↪13

13 Action
13I Grounds and Conditions Precedent
13k13 k. Persons entitled to sue.
Most Cited Cases

Party must allege actual controversy in
which he has personal stake to show that

litigation is justiciable.

[3] Zoning and Planning 414 ↪1585

414 Zoning and Planning
414X Judicial Review or Relief
414X(A) In General
414k1584 Right of Review;
Standing
414k1585 k. In general. Most
Cited Cases

(Formerly 414k571)
Former geologist for Coastal Council
did not have standing to bring suit seeking
judicial review of Council's decision on be-
half of adjacent property owners affected
by decision, where geologist did allege any
individual injury.

****906 *414** Christopher McG. Holmes,
Charleston, for appellants.

***415** Mary D. Shahid, of the Office of
Ocean & Coastal Resource Management,
of Charleston, S.C. Department of Health
& Environmental Control; and Ellison D.
Smith, IV, Charleston, for respondents.

GOOLSBY, Judge:

Intervenors Gered Lennon and Bonnie
Zanetti appeal from the decision of the
South Carolina Coastal Council to issue
special permits to property owners Peter B.
Fellman and Robert Braden for construc-
tion on beachfront property. The circuit
court upheld the council's decision. We dis-
miss the appeal for lack of standing.

FACTS

Peter Fellman and Robert Braden, part-
ners in the real estate business, bought two
lots located on Folly Beach for \$50,000 in
April 1985. Several years later, in Decem-
ber 1993, Braden and Fellman applied to

the council pursuant to the South Carolina Beachfront Management Act for special permits to be able to build on their lots. The permitting committee recommended to the council that the permits be denied.

The recommendations to the council were appealed. The council consolidated the appeals and referred them to a hearing officer to conduct an evidentiary hearing and to make factual findings and a recommendation. Gered Lennon, formerly a geologist with the council, acting *pro se*, intervened. The hearing officer recommended that the permits be granted or that the lots' fair market value be paid.

The council, after a hearing, issued its Final Administrative Order granting the permits. Lennon, joined by Bonnie Zanetti, a Braden and Fellman neighbor, then filed a summons and complaint requesting judicial review of the council's decision. The circuit court affirmed. Lennon appeals.

DISCUSSION

[1][2] A threshold inquiry for any court is a determination of justiciability, *i.e.*, whether the litigation presents an active case or controversy. "No justiciable controversy is presented unless the plaintiff has standing to maintain the action." *416 *Brock v. Bennett*, 313 S.C. 513, 519, 443 S.E.2d 409, 413 (Ct.App.1994). "A plaintiff must allege an actual controversy in which he has a personal stake." **907 *Energy Research Found. v. Waddell*, 295 S.C. 100, 102, 367 S.E.2d 419, 420 (1988).

[3] Lennon argues he has standing by virtue of the regulations of the South Carolina Coastal Council and its practice and procedure for contested cases. We disagree. The regulation on contested case process for permitting requires that "[a]ll parties desiring to intervene in the con-

tested case hearing ... comply with" regulations 30-6(O), 30-6(P), 30-6(Q), and 30-6(R). 23A S.C.Code Ann.Reg. 30-6(D) (Supp.1997). Regulation 30-6(P), Grounds for Intervention, requires all who wish to intervene to show, among other things, that they "will be aggrieved or adversely affected by the final order." 23A S.C.Code Ann.Reg. 30-6(P) (Supp.1997).

Lennon's motion to intervene indicated that he was intervening "*on behalf of* four affected parties" and that he represented "Mr. and Mrs. Charles Newmwn [sic], Ms. Bonnie Zanetti,^{FN1} Mr. John Ungaro, and Dr. John Logothetis, each property owners adjacent to the two lots at issue."

FN1. Zanetti was listed as a plaintiff in the appeal to the circuit court. The circuit court, however, determined Zanetti was not a proper party because she was not granted intervenor status during the administrative hearing. *See* 23A S.C.Code Ann.Reg. 30-6(O) (Supp.1997) (requiring one who wishes to intervene to file a motion with the council for leave to intervene). Neither Lennon nor Zanetti appealed this finding. Any attempt now to do so comes too late. *See Bochette v. Bochette*, 300 S.C. 109, 386 S.E.2d 475 (Ct.App.1989) (holding an appellant may not use the reply brief to argue issues not argued in the initial brief).

Although an organization may represent the interests of its members if its members "have alleged an individual injury in the adverse effect of a specific decision of the Coastal Council," *South Carolina Wildlife Fed'n v. South Carolina Coastal Council*, 296 S.C. 187, 190, 371 S.E.2d 521, 523 (1988); *see also Energy Research Founda-*

tion v. Waddell, 295 S.C. 100, 367 S.E.2d 419 (1988), Lennon is not an organization. In his brief, Lennon describes himself as a “*pro se* litigant,” and he cannot obtain standing by alleging he is acting in another’s interest if he himself has suffered no individual injury.

Lennon argues that the respondents have waived any standing issue because they have accepted him as a “proper party” *417 throughout the proceedings. He equates the standing issue with real party in interest, citing *Bardoon Properties, NV v. Eidolon Corp.*, 326 S.C. 166, 485 S.E.2d 371 (1997).

In *Bardoon Properties*, the supreme court determined that a party’s status as a real party in interest does not involve subject matter jurisdiction so that it may be waived if not timely raised. *Id.* The supreme court noted, however, that “there is a difference between the concepts of ‘standing,’ ‘capacity to sue,’ and ‘real party in interest.’ ” *Id.* at 169 n. 3, 485 S.E.2d at 373 n. 3 (citing 6A Charles A. Wright et al., *Federal Practice and Procedure* § 1542, at 328-29 (1990); *Firestone v. Galbreath*, 976 F.2d 279, 283 (6th Cir.1992)). The distinction is important here.

In the realm of public law, when governmental action is attacked on the ground that it violates private rights ... the courts have tended to rely on the judgemade [sic] doctrine of standing to sue. To the extent that standing in this context is understood to mean that the litigant actually must be injured by the governmental action that he is assailing, then it closely resembles the notion of real party in interest under Rule 17(a), inasmuch as both terms are used to designate a plaintiff who possesses a sufficient in-

terest in the action to entitle him to be heard on the merits....

However, several other elements of the standing doctrine are clearly unrelated to the rather simple proposition set out in Rule 17(a), and plaintiff must both be the real party in interest and have standing....

One significant context in which the two concepts diverge is when for standing purposes the plaintiff is required to show not only that he has been adversely affected by the governmental conduct that is under attack, but also that he has suffered an injury to a legally protected right....

Another point of departure is that standing acts as an element of the constitutional requirement that there be a “case or controversy”; when thus applied, *it acts as a **908 limitation on the subject matter jurisdiction of the federal courts. In this context, objections to standing, unlike Rule 17(a) objections, cannot be waived and may be raised by a federal court sua sponte.*

6A Charles A. Wright et al., *Federal Practice and Procedure* § 1542 (1990) (emphasis added) (footnotes omitted). South *418 Carolina courts, like the federal courts, require a justiciable case or controversy before any decision on the merits can be reached. *See Waters v. South Carolina Land Resources Conservation Comm’n*, 321 S.C. 219, 467 S.E.2d 913 (1996); *Crocker v. Barr*, 303 S.C. 1, 397 S.E.2d 665 (Ct.App.1990) (Goolsby, J., concurring), *rev’d on other grounds*, 305 S.C. 406, 409 S.E.2d 368 (1991).

We hold that Lennon does not have standing to challenge the decision of the South Carolina Coastal Council; therefore,

we dismiss the appeal.

DISMISSED.

HEARN and STILWELL, JJ., concur.

S.C.App., 1998.

Lennon v. South Carolina Coastal Council
330 S.C. 414, 498 S.E.2d 906

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30 April 2018

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Thomas A. Gasparini
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ALSO MEMBER OHIO BAR
(Inactive)

CERTIFIED CIRCUIT COURT
ARBITRATORS AND MEDIATORS

Mr. Anthony J. Criscitiello
Community Development Director
PO Drawer 1228
Beaufort, SC 29901-1228

Via email to tonyc@bcgov.net

Re: Academy Park Subdivision -- Appeal MISC 2018-03; Our File No. 01888-001

Dear Tony:

We refer you to our Motion to Intervene, Motion to Dismiss, and Motion for Continuance of Hearing we filed with the Planning Commission through you under cover of our letter to you of 18 April 2018 via email. We also refer you to the 23 April 2018 letter to you from Richard S. Bolin by which Mr. Bolin has requested "that the Planning Commission delay the hearing of any and all matters concerning my appeal until their June meeting, or later." We received a copy of Mr. Bolin's letter to you in last Friday's mail.

On behalf of our client, Academy Park, LLC, we hereby withdraw our Motion for Continuance of Hearing, and we hereby formally object to Mr. Bolin's request for a delay in the Planning Commission's hearing on any and all matters concerning his appeal.

We trust you and your staff will immediately forward this letter on to all of the members of the Beaufort County Planning Commission.

With best regards, we are

Very truly yours,

LAW OFFICE OF CHESTER C. WILLIAMS, LLC

This signature is an electronic reproduction
Chester C. Williams

CCW/

cc: Mr. Robert L. Sample, Jr. (via email)
Mr. Eric Greenway (via email)
Ms. Hillary A. Austin (via email)
Thomas J. Keaveny, II, Esq. (via email)
Mr. Richard S. Bolin