

# TOWN OF SEABROOK ISLAND

## Planning Commission Meeting

January 10, 2018 – 2:30 PM

Town Hall, Council Chambers  
2001 Seabrook Island Road



## MINUTES

Present: Robert L. Driscoll (Chair), Lori Leary (Vice-Chair), Ken Otstot, Cathy Patterson, Wayne Billian, Joe Cronin (Town Administrator), Lynda Whitworth (License and Permit Specialist)

Absent: None

Guests: Katrina Burrell (SIPOA ARC), Donna Brown (Seabrook Island Club), Don Romano (Seabrook Island Club), John Wilcox (Seabrook Island Club), Phillip Squire (Resident)

Chairman Driscoll called the meeting to order at 2:30 pm. Town Administrator Cronin confirmed that the requirements of the Freedom of Information Act were fulfilled and the meeting agenda was properly posted.

### ELECTION OF CHAIR & VICE-CHAIR FOR 2018

Chairman Driscoll opened the floor for nominations for Chair. Ms. Patterson nominated Mr. Driscoll to serve as Chair for 2018. Mr. Billian seconded the nomination. There being no further nominations, the motion to elect Mr. Driscoll as Chair for 2018 was approved by a vote of 5-0.

Chairman Driscoll opened the floor for nominations for Vice-Chair. Ms. Patterson nominated Ms. Leary to serve as Vice-Chair for 2018. Mr. Otstot seconded the nomination. There being no further nominations, the motion to elect Ms. Leary as Vice-Chair for 2018 was approved by a vote of 5-0.

### APPOINTMENT OF SECRETARY

Chairman Driscoll stated that the new Town Administrator, Joe Cronin, would assume the role as Secretary to the Planning Commission as part of his duties as Zoning Administrator. Chairman Driscoll asked for unanimous consent to appoint Mr. Cronin as Secretary. There was no objection, and Mr. Cronin was appointed by a vote of 5-0.

Chairman Driscoll recognized the town's License and Permit Specialist, Lynda Whitworth, and thanked her for her many years of dedicated service as Secretary to the Planning Commission.

### APPROVAL OF MINUTES

1. **December 6, 2017:** Mr. Billian made a motion to approve the minutes from the December 6, 2017, meeting, as submitted. Ms. Leary seconded the motion. The motion was approved by a vote of 5-0.

## **OLD BUSINESS ITEMS**

1. **Revised Lighting Plan: Seabrook Island Racquet Club:** Chairman Driscoll called on representatives from the Seabrook Island Racquet Club to present an overview of their request. Ms. Donna Brown and Mr. Don Romano spoke on behalf of the Club. Ms. Brown stated that the original plan would have required digging up the gazebos at the courts, which the club was seeking to avoid. She added that the revised lighting plan would allow 10 additional lighting fixtures, but 6 fewer poles. The poles would be 2' shorter on the tennis courts and 4' shorter on the pickleball courts. Town Administrator Cronin noted for the record that the address listed on the agenda should have been 1701 Long Bend Drive, rather than 3772 Seabrook Island Road.

Chairman Driscoll opened the discussion by asking about off-site impacts associated with the revised lighting plan. Mr. Romano noted that there would not be an off-site impact to neighboring property owners. Town Administrator Cronin presented a copy of the photometric plan, which showed that lighting levels would be reduced to 0.0 footcandles before reaching neighboring residential properties.

Mr. Otstot asked if the lighting would be located within the same footprint as the original plan. Ms. Brown responded that the lighting plan covered the same tennis and pickleball courts as before. The only difference was that there would be 6 fewer poles, 10 more fixtures, and the lights would be 2' to 4' shorter in height than the lights which were originally approved. Ms. Brown also noted that the price of LED lights had decreased significantly, so the Club was also seeking to change the lighting type from metal halide to LED. She added that LED lights would give off a cooler light, would last longer, and would be more energy efficient. Mr. Romano added that the Club originally thought that the overall cost would be lower, given the fewer number of poles; however, the current plan was expected to cost \$6,000 to \$7,000 more than the original plan.

Chairman Driscoll asked whether the rules and limitations related to court lighting would be different than those that were originally proposed when the lighting plan was originally approved. Mr. Romano responded that the lights would still be on a timer, and would be activated by a button. He stated that the lights would automatically dim at 9:15 pm, and would shut off at 9:30 pm. Ms. Brown added that the lights would stay off if there was no activity on the courts.

Ms. Patterson asked how the lights would compare to those located at the equestrian center, adding that those lights shine into her house, as well as the homes of her neighbors. Mr. Romano stated that the lights at the courts would be a different type, covering a smaller area, and oriented downward. He added that the Club was also considering changing the lights at the equestrian center at some point in the future.

Mr. Billian asked if the lights would have motion detectors. Mr. Romano responded that plans for motion detection have not been finalized, but motion detectors were expected to be included.

Mr. Billian also asked if the lights fixtures would be flat, so that light would be directed downward. Mr. Romano responded in the affirmative. Ms. Brown indicated that a photo of the proposed fixtures was included in the lighting plans.

Chairman Driscoll noted that there was a lot of interest from neighboring property owners when the lights were first discussed, and asked if notification had been provided that a revised plan would be reviewed at this meeting. Town Administrator Cronin stated that notification had been provided via email to the community managers of neighboring properties. He added that a subsequent notification was sent when the meeting date was changed from January 3<sup>rd</sup> to January 10<sup>th</sup>.

Mr. Phillip Squire, a member of the SIPOA Board, asked for an opportunity to provide comments. Mr. Squire stated that the board had determined that the lighting plans would not be subject to the POA's review; however, as a town resident, he had concerns about light spill and glare, the brightness and type of lights, additional noise at the tennis courts, and insects. He urged members of the Planning Commission to reject the revised plans as submitted.

Chairman Driscoll and Mr. Otstot asked if the club had any response to Mr. Squire's concerns. Mr. Romano stated that, per the manufacturer, the light fixtures would not attract as many insects as other types of fixtures. In addition, the revised lighting plan included shorter lights, which would all face downward, and therefore, would have a minimal amount of light spill. Mr. Romano stated that the club had held no fewer than 7 meetings with neighboring property owners. He added that just about every other tennis facility in the region is lighted, and in this instance, the Club was seeking to light only 2 tennis and 2 pickleball courts, rather than all of the courts.

Ms. Patterson asked if there had been complaints from other when the lights were installed at the equestrian center. Mr. John Wilcox from the Seabrook Island Club responded that there were some complaints when they were installed approximately 12 years ago, but that the Club had made adjustments over time to address the concerns of neighboring property owners.

Mr. Billian asked if the lights would meet the SIPOA's Dark Sky requirements. Ms. Katrina Burrell, the administrator of the SIPOA's Architectural Review Committee (ARC), responded that Seabrook Island was not a certified Dark Sky community, but that in general, the ARC tries to meet the Dark Sky standards. Mr. Billian asked whether the POA would allow a homeowner to install the type of light which was being proposed by the Club. Ms. Burrell responded that the ARC is typically more concerned with the location and type of fixture. She added that lights under 3,100 Kelvin give off more of a yellowish color light, while lights over 3,100 Kelvin are more white in color. She stated that the ARC generally requires lights above 3,100 Kelvin.

Ms. Patterson noted that many houses still have exterior flood lights. While these were allowed in the past, they are no longer allowed today.

Mr. Otstot stated that he was concerned about potential light spill onto Seabrook Island Road. Mr. Romano responded that light spill onto the road would be very minimal. Town Administrator Cronin also noted that while the photometric plan did show some light spill onto the road, the lighting levels in this location were expected to be approximately 0.1 to 0.2 footcandles, which was a very low level.

Chairman Driscoll stated that since there were parameters of use attached to the original approval, such parameters should again be included if the Planning Commission elects to approve the revised lighting plan.

Mr. Billian added that he supported restricting the use of lights after 9:30 pm, but that the Planning Commission should also consider a parameter to restrict the use of the lights at the tennis and pickleball courts early in the morning.

Chairman Driscoll stated that he was concerned that there was no response from neighboring property owners. He asked Mr. Squire how he had heard about the request to change the plans. Mr. Squire responded that the Club had notified the SIPOA Board of their request, but that the board had determined that this request was not within their jurisdiction. Mr. Romano added that, in an effort to be a good neighbor, the Club felt it was right to notify the board of their intent.

Mr. Otstot reminded members that the plans had already been approved, and in his opinion, the revised lighting plan was an improvement over the original plans.

There being no further discussion, Chairman Driscoll called for a motion.

Mr. Otstot made a motion to approve the change in light fixtures, as requested by the Club. Town Administrator Cronin asked for clarification as to whether Mr. Otstot's intent was to also approve the increase in the number of fixtures, decrease the number of poles, reduce the height of the light poles, and incorporate the original parameters restricting the use of the lights. Mr. Otstot responded in the affirmative. Ms. Leary seconded the motion. The motion was approved by a vote of 5-0.

## **NEW BUSINESS ITEMS**

- 1. Text Amendment: Official Zoning Map:** Town Administrator Cronin provided a brief overview of the request, the purpose of which was to review and provide a recommendation on a draft text amendment to Section 4.10 of the Development Standards Ordinance (DSO). Town Administrator Cronin stated that there was a conflict between Section 4.10, which states that the zoning map located in the lobby of town hall is the "final authority" regarding the zoning status of all property in the town, and section 20.90, which states that a rezoning ordinance is effective the day following council's approval. Because of

the limited number of rezonings approved each year, the map at town hall has historically been updated only once per year. The draft text amendment would remove this conflict by amending Section 4.10 to say that the zoning map at town hall, “together with any amendments approved pursuant to Article 20 of this Ordinance but not yet incorporated into the printed version of the map,” would be the final authority in regards to a property’s zoning status.

Chairman Driscoll asked if the draft ordinance had been reviewed by the Town Attorney. Town Administrator Cronin responded that the language included in the draft ordinance was crafted in consultation with both the Mayor and the Town Attorney.

Chairman Driscoll reminded members of the Planning Commission that the purpose of this request was to submit a recommendation to Town Council in regards to the draft ordinance.

Ms. Patterson made a motion to submit a recommendation to Town Council in favor of approval. Mr. Otstot seconded the motion. The motion was approved by a vote of 5-0.

## **ITEMS FOR INFORMATION / DISCUSSION**

1. **Status Update: Village at Seabrook Model “K”**: Town Administrator Cronin provided a status report on Model “K” in the Village at Seabrook, which received conditional approval at the December meeting. Town Administrator Cronin stated that he had received written confirmation from the SIPOA ARC Administrator, Katrina Burrell, confirming that the design had been properly reviewed and approved by the ARC Board and the Village at Seabrook Board. Having satisfied the conditions for approval, the design was subsequently approved by town staff.

Ms. Patterson requested clarification as to whether an email would constitute “written confirmation.” Town Administrator Cronin responded that the town’s ordinance did not specify how written confirmation should be provided in this particular situation, but that it was his interpretation as Zoning Administrator that email communication would constitute written confirmation.

2. **Recombination Plat: 3740 & 3744 Seabrook Island Road**: Town Administrator Cronin notified members that staff had administratively approved a recombination plat for 3740 and 3744 Seabrook Island Road. Since recombination plats may be approved by staff under the DSO, this item was provided as information only.

Mr. Otstot asked if staff knew the purpose of the recombination plat. Town Administrator Cronin responded that it was his understanding that the owner of the two lots wanted a larger lot for the purpose of constructing a larger home. Katrina Burrell of the SIPOA ARC added that she understood the applicant was seeking additional privacy, as well as a reduction in POA assessments, both of which the combined lot would facilitate.

Chairman Driscoll asked what would happen if the POA did not approve a plat that was consistent with the town’s subdivision ordinance. Town Administrator Cronin responded

that the town's subdivision ordinance does not require POA approval. Since the town and POA do not have jurisdiction over each other's rules and regulations, it is possible that the town could approve and record a plat that was inconsistent with POA's requirements. If this were to occur, it would be a private matter between the applicant and the POA.

There being no further business, Mr. Billian made a motion to adjourn the meeting. Ms. Leary seconded the motion. The motion was approved by a vote of 5-0 and the meeting was adjourned.

Minutes Approved: February 15, 2018



Joseph M. Cronin  
Town Administrator