

TOWN OF SEABROOK ISLAND

Town Council Meeting
April 26, 2022 – 2:30 PM



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MINUTES

1. Call to Order – Roll Call – Freedom of Information – Pledge of Allegiance

Mayor Gregg called the April 26, 2022, Town Council Regular Meeting to order at 2:30PM. Councilwoman Finke, Councilmen Goldstein and Kortvelesy, Town Administrator Cronin, Zoning Administrator Newman, and Town Clerk Watkins participated in the meeting. Councilwoman Fox was absent. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the Freedom of Information Act had been met.

2. Approval of Minutes:

- Town Council Regular Meeting Minutes – March 22, 2022

Councilwoman Finke moved to approve the previous Town Council meeting minutes of March 22nd, 2022; Councilman Kortvelesy seconded. All voted in favor.

The previous meeting minutes of March 22, 2022 were approved.

- Town Council DSO Workshop Meeting Minutes – March 29, 2022

Councilwoman Finke moved to approve the DSO Workshop meeting minutes of March 29th, 2022; Councilman Kortvelesy seconded. All voted in favor.

The previous meeting minutes of March 29th, 2022 were approved.

- Town Council Work Session Meeting Minutes – April 12, 2022

Councilwoman Finke moved to approve the previous Work Session meeting minutes of April 12th, 2022; Councilman Kortvelesy seconded. All voted in favor.

The previous meeting minutes of April 12th, 2022 were approved.

3. Presentations:

None.

4. Public Hearing Items:

None.

5. Citizens Comments:

Town Clerk Watkins listed the individuals who submitted public comments prior to the meeting.

A copy of the comments is available with these minutes and upon request.

6. Reports of Town Boards, Commissions, and Committees:

- **Advisory Committees**

- Community Promotions and Engagement Committee

None.

- Environment and Wildlife Committee

Councilwoman Finke noted there was no committee meeting in April and that the committee in May to discuss changes to the beach ordinance.

- Public Safety Committee

Councilman Kortvelesy summarized the April public safety committee meeting and mentioned the upcoming Disaster Awareness Day will be on June 17th and the next Disaster Recovery Council Meeting will be sometime in June.

Council discussed whether the Disaster Awareness Day will be held at Kiawah and whether lunch will be provided.

- Public Works Committee

Councilman Goldstein summarized a recent meeting with the Town Administrator Cronin, Zoning Administrator Newman, and the owners of Bohicket Marina about the logistics of the potential roundabout in front of Bohicket Marina.

- **Special Committees**

None.

- **Ad Hoc Committees**

Councilwoman Finke updated Council the short-term rental ad hoc committee is on target to report their findings and recommendations to Council in May, and summarized SIPOA's long range committee meeting

- **Board of Zoning Appeals**

None.

- **Planning Commission**

None.

- **State Accommodations Tax Advisory Committee**

None.

- **Utility Commission**

Commissioner Smith-Jones thanked Council for coming to tour the facility on Friday April 22nd, 2022.

Commissioner Smith-Jones summarized the Utility Commission meeting of April 20th, 2022, March and Year to Date financials, water usage, wastewater data in addition to meter installs, connections and locates for March.

7. Reports Town Officers:

- **Mayor**

- Reminder of Upcoming Main Road Segment C Public Meetings

Mayor Gregg reminded members of Council that Charleston County has scheduled public meetings on April 28 and May 2 to present alternative proposals for road improvements on Johns Island designated as Main Road Corridor Segment C (an area comprising portions of Maybank Highway, River Road and Bohicket Road). Together with the public meetings, Charleston County will enable public comment concerning the alternative proposals.

- Update of MUSC outreach in Seabrook Island

Mayor Gregg summarized a meeting he had with Brian Panique, representing MUSC on April 21st.

Mayor Gregg added Mr. Panique informed him that it is expected there will be a groundbreaking ceremony this summer and construction will begin in the fall.

Mayor Gregg noted Mr. Panique indicated that the fundraising goal has been increased to \$17 MM and that about \$6.5 MM has been raised. Additionally, community informational efforts including presentations already made to the Kiawah-Seabrook Exchange Club and Seabrook Island Real Estate, an expected event at the Lake House (not yet scheduled) and an event planned for Kiawah River in May.

Mayor Gregg added that Mr. Panique inquired as to whether the Town would be willing to “host” meetings with small groups of residents. Additionally, Mr. Panique encouraged the Town to consider making a financial commitment that would serve to demonstrate the Town’s support for bringing the facility to the

community thereby setting an example of financial support for other organizations in the community.

- Update of proposed development at Freshfields Village

Mayor Gregg reminded members of Council that in September 2021, the Town of Kiawah announced a request for annexation in connection with proposed development for a parcel of land located behind Freshfields Village.

Mayor Gregg added on April 7, he met with a representative of the developer (Riverstone Properties) who informed him that the developers are now pursuing a rezoning request with Charleston County. The developer indicated the planned development will be a Harris Teeter grocery store about two thirds larger than the current grocery at Freshfields. While primary access to the site will be from an existing encroachment on Kiawah Island Parkway, current planning contemplates a connection from the site to Freshfields Village.

- Report of SIPOA decision of proposed shuttle service

Mayor Gregg summarized recent informal discussion with representatives of Seabrook Island Property Owners Association (SIPOA), which indicated that SIPOA does not support the shuttle service that had been proposed by the Seabrook Island Club.

- **Town Administrator**

- Beach Patrol Update

Town Administrator Cronin updated Council that Beach Patrol has started on April 1st from 9-5 on the beach, and after Memorial Day there will be four beach patrol officers on the beach.

- Business License and Short-Term Rental Permit Deadline (April 30, 2022)

Town Administrator Cronin noted the new deadline for renewing a business license and/or a short-term rental is due by April 30th. Town Administrator Cronin added anything received after April 30th will be subject to penalties.

- Peak Season Rules for Pets on the Beach

Town Administrator Cronin reminded all “peak season” beach rules are in effect as of April 1st. Town Administrator Cronin added the signs on the beach that were vandalized have been replaced, and replacement buoys have been ordered.

Council discussed peak season rules and what areas of the beach are affected by those rules.

- Main Road Section C Public Meetings

Town Administrator Cronin encouraged all to attend the upcoming Main Road Segment C Public Meetings.

- **Town Clerk/Treasurer**

- Report of Financials for the Month of March 2022

Ms. Watkins summarized the financials for March as follows:

- Total fund balance ending on March 31, 2022, was \$6,833,845 an amount about \$1,124,728 more than the balance as of March 31, 2021.
- Unrestricted revenue for March totaled \$102,451, and unrestricted revenue for the year totaled \$161,394, representing about 10.5% for the 2022 annual budget and being about \$102,204 less than for the same period in 2021 (consistent with revised due date for license renewals).
- Expenditures for March totaled \$134,187, and expenditures for the year totaled \$296,419, which is 21% of the 2022 annual budget.
- Expenditures for the year were about \$50,170 more compared to the same period of 2021.
- Excess of expenditures over unrestricted revenues was \$31,736 for March and excess of expenditures over revenues was \$135,025 for the year compared to an excess of revenue over expenditures of about \$47,232 as of March 31,2021, reflecting the reduction in revenues in the period this year as compared last years.

- Update on ARPA Reporting Requirements

Ms. Watkins summarized the ARPA reporting requirements for the April 30th deadline and the final steps to submit the annual report.

- **Town Attorney**

None.

- **Zoning Administrator**

Zoning Administrator Newman updated Council on the past three weeks with part time code enforcement officers which will increase during the peak season.

8. Ordinances for Second Reading:

None.

9. Ordinances for First Reading:

- Ordinance 2022-04: An ordinance to repeal and replace the Town of Seabrook Island Development Standards Ordinance (“DSO”); to repeal and replace the Town of Seabrook Island Zoning Map; and to repeal conflicting provisions from the Town Code for the Town of Seabrook Island.

Councilwoman Finke moved to approve Ordinance 2022-04; Councilman Goldstein seconded.

Councilman Kortvelesy moved to create another RSF category for all properties zoned AG to maintain the current housing density; no second was given.

The motion was denied.

Town Administrator Cronin summarized the enacting ordinance proposed, what the DSO covers, and the process thus far.

Town Administrator Cronin noted there were about 3,000 grammatical and housekeeping changes, and some minor changes.

Town Administrator Cronin summarized the substantive DSO amendments since the Town Council Workshop.

Council clarified whether the definition of waste receptacles to include recycling, SIPOA rules and regulations for waste receptacles, and the difference in enforcement between SIPOA and the Town. Council clarified the Town's enforcement the Town would need to verify the violation has occurred.

Council clarified the setback amendment for accessory structures in R-SF1, R-SF2, and R-SF3, and the allowance to build within the setbacks. Council clarified whether there is a recurring problem that the amendment addressed.

Council discussed encroachments with regards to Table 2-4, E, Encroachments into Required Side Yard Setbacks, the requirements for a variance, and the difference between discretionary construction vs. nondiscretionary construction, and current regulations in the DSO.

Council tabled discussion to resume other items of the agenda at 4:08PM. Council resumed discussions of Ordinance 2022-04 at 4:25 PM.

Council clarified how an existing lot of record would redevelop which is zoned in the multifamily district.

Council clarified what housing diversity is within a mixed-use development.

Council clarified the definition of the critical line for a wetland within the marsh area requirements.

Council clarified the definition of waterbodies and adding it as a defined term.

Council clarified if designation for LSV parking was needed.

Council discussed adding charging stations for electric vehicles.

Council clarified signs put in the right of way behind the gate, and other temporary signs.

Council clarified what a reserve strip or parcel is with regards to streets.

Council clarified the street naming policy per the changes made in the previous ordinance.

Council clarified whether there was a need for special temporary use permit regulations with regards to when the Town is operating under an emergency.

Council clarified who the other officials are listed under the Stop Work Order/Ordinance Summons.

Council discussed potentially increasing the fees in the fee schedule, with regards to zoning permits.

Town Administrator Cronin summarized the modifications to the significant changes as discussed.

Councilman Kortvelesy moved to approve the amendments as discussed; Councilman Goldstein seconded. All voted in favor.

The amendments were approved to Ordinance 2022-04 with regards to the DSO.

Council voted all in favor to approve Ordinance 2022-04 as amended.

Town Administrator noted the upcoming public hearing for Ordinance 2022-04 on May 17th, 2022, at 2:30 PM.

10. Other Action Items:

- Temporary Use Permit Extension: Camp St. Christopher Temporary Kitchen: Request from the St. Christopher Camp & Conference Center to extend the Temporary Use Permit for the 46' x 8.5' temporary kitchen trailer at 4552 St. Christopher Lane until July 7, 2022

Zoning Administrator Newman noted nothing has changed since the previous submittals.

Councilwoman Finke moved to approve the temporary use permit extension for Camp St. Christopher temporary kitchen; Councilman Kortvelesy seconded. All voted in favor.

The temporary use permit extension for Camp St. Christopher temporary kitchen was approved.

- ARPA Funding Agreement: Request to approve an agreement with the U.S. Department of the Treasury regarding the terms, conditions, and obligations for the use of federal funds under the American Rescue Plan Act of 2021 (ARPA)

Councilwoman Finke moved to approve the ARPA funding agreement; Councilman Kortvelesy seconded. All voted in favor.

The ARPA funding agreement was approved.

- Resolution 2022-28: A resolution designating an authorized representative and contact person for purposes of the American Rescue Plan Act of 2021 (ARPA)

Councilwoman Finke moved to approve Resolution 2022-28 with the Mayor as the authorized representative, and Town Administrator Cronin as the contact person; Councilman Kortvelesy seconded. All voted in favor.

Resolution 2022-28 was approved.

- Resolution 2022-29: A resolution electing the standard allowance for lost revenues under the American Rescue Plan Act of 2021 (ARPA)

Mayor Gregg and Town Administrator Cronin summarized the standard allowed under ARPA final rule guidelines with regards to the standard deduction.

Councilwoman Finke moved to approve Resolution 2022-29; Councilman Kortvelesy seconded. All voted in favor.

Resolution 2022-29 was approved.

11. Items for Information or Discussion:

None.

12. Citizen Comments:

Ted Flerlage, Baywood Drive, noted a request to present on the short-term rental issue was denied by the Mayor to be put on the agenda per Ordinance 2022-01 which was adopted in March 2022. Mr. Flerlage further commented in opposition to Council's management of the short-term rental ad hoc committee with regards to not having a public hearing on the committee report.

Paul McLaughlin, 3061 Baywood Drive, commented in opposition to the ordinance 2022-01 that was adopted in March 2022.

Annie Smith-Jones, Longbend Drive, commented on the changes to the DSO with regards to setbacks and to work with the Architectural Review Committee.

13. Council Comments

None.

14. Adjournment

Councilwoman Finke Moved to adjourn; Councilman Kortvelesy seconded. All voted in favor.

The meeting adjourned at 6:09PM.

Date: May 4, 2022

Prepared by: *Katharine E. Watkins*
Town Clerk/Treasurer