

# TOWN OF SEABROOK ISLAND

Town Council Meeting  
May 24, 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 May 24, 2022, Town Council Regular Meeting to order at 2:30PM. Councilwomen Finke and Fox, Councilmen Goldstein (Virtual) and Kortvelesy, Town Administrator Cronin, Zoning Administrator Newman, and Town Clerk Watkins participated in the meeting. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the Freedom of Information Act had been met.

Mayor Gregg asked members of the audience to refrain from clapping after each comment or presentation as it distorts the audio.

### 2. Approval of Minutes:

- Town Council Regular Meeting Minutes – April 26, 2022
- Town Council Work Session Meeting Minutes – May 10, 2022
- Town Council Public Hearing for the DSO Meeting Minutes – May 17, 2022

Councilman Kortvelesy moved to approve the previous Town Council Regular Meeting Minutes of April 26, 2022; Councilwoman Finke seconded. All voted in favor.

The previous Town Council Regular Meeting Minutes of April 26<sup>th</sup> were approved.

Councilwoman Finke moved to approve the previous Town Council Work Session Meeting Minutes of May 10, 2022; Councilman Kortvelesy seconded. All voted in favor.

The previous Town Council Work Session Meeting Minutes of May 10<sup>th</sup> were approved.

Councilwoman Finke moved to approve the previous Town Council Public Hearing for the DSO Meeting Minutes of May 17, 2022; Councilwoman Fox seconded. All voted in favor.

The previous Town Council Public Hearing for the DSO Meeting Minutes of May 17<sup>th</sup> were approved.

### 3. Presentations:

- Ted Flerlage, *Preserve Seabrook*: Presentation regarding Short-Term Rentals

Mr. Flerlage presented the Preserve Seabrook Group rebuttal to the Short-Term Rental Ad Hoc Committee report.

- Paul McLaughlin, *Preserve Seabrook*: Presentation regarding Short-Term Rentals

Mr. McLaughlin presented the Preserve Seabrook Group rebuttal to the Short-Term Rental Ad Hoc Committee report.

- Nancy Buck, *Coastal Getaways*: Presentation regarding Short-Term Rentals

Ms. Buck presented in favor of the Short-Term Rental Ad Hoc Committee report and responded to the rebuttal of the Preserve Seabrook Group.

**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.**

Beverly Beard, 191 High Hammock, comment for the use of Seafields was an exit and not an entrance coming in. Town Administrator Cronin clarified the use of the access on Seabrook Island Road with regards to the Seafield development.

Bob Schnick, 3440 Deer Run (look at email submitted), commented in favor of the Preserve Seabrook Group and is in favor of the Town imposing limits on short-term rentals.

Susan McLaughlin, 3061 Baywood Drive, comment in opposition on Short-Term Rental Ad Hoc Committee supplement with regards to violations.

Robert Cherry, 2471 Racquet Club Drive, commented on regimes condos and town homes with regards to the Short-Term Rental Ad Hoc Committee Report and to expand a rental cap on all residential units.

Cynthia Davis, 2595 Jenkins Point, comment in favor of regulations proposed by the Preserve Seabrook Group.

Terrance Little, no address given, comment in favor regulations proposed by the Preserve Seabrook Group.

Steve Cunio, 195 High Hammock Villas, comment to have a three-seat arbitration with regards to short-term rentals.

Bill Thomas, 2135 Royal Pine Drive, commented on cap proposed by Short-Term Rental Ad Hoc Committee and to reduce the percent cap island wide.

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

- **Advisory Committees**

- Community Promotions and Engagement Committee

Councilwoman Fox summarized the communications update for the Town and summarized the Community and Promotions Engagement Committee Meeting in May.

- Environment and Wildlife Committee

Councilwoman Finke noted there was no Environment and Wildlife Committee Meeting in April.

- Public Safety Committee

Councilman Kortvelesy reminded everyone of the upcoming Disaster Awareness Day on June 17<sup>th</sup>. This event is in conjunction with the Town of Kiawah and will be held on Kiawah.

Councilman Kortvelesy added food will be provided along with door prizes.

- Public Works Committee

1. Consideration of a proposal for design services related to a new town garage facility

Councilman Goldstein updated Council on the status of the Seabrook Island Road Design.

Councilman Goldstein summarized the proposal for the new town garage facility for Council.

Council clarified the procedure on approving the proposal and if the Public Works Committee reviewed and approved the proposal.

Members of the audience inquired if services for this went through a formal bidding process. Town Administrator Cronin noted as this is a professional service, formal bidding procedures were not needed. Town Administrator Cronin clarified for the audience when formal bidding procedures would be used.

Councilwoman Finke moved to approve the proposal by the architect for the garage; Councilman Kortvelesy seconded. All voted in favor.

**The proposal for the design services related to the new town garage facility were approved.**

- **Special Committees**

None.

- **Ad Hoc Committees**

- Short-Term Rental Ad Hoc Committee: Discussion with Council on the Report

Councilwoman Finke presented to Council the supplement to the previous report based off the commentary received after it was presented last month. Councilwoman Finke encouraged all to read the supplement along with the report to hopefully clarify some misinterpretations of the data.

Councilwoman Fox also encouraged all to read the report along with the supplement and noted concern for the impact rental caps could do to the market.

- **Board of Zoning Appeals**

None.

- **Planning Commission**

None.

- **State Accommodations Tax Advisory Committee**

None.

- **Utility Commission**

Commissioner Smith-Jones summarized the Utility Commission meeting of May 18<sup>th</sup>, 2022, April and Year to Date financials, water usage, and noted the Commission will have a proposal to Council about the use of ARPA funds.

## **7. Reports Town Officers:**

- **Mayor**

- Update Concerning SIPOA Policy for Short-Term Rentals

Mayor Gregg noted that on May 16, 2022, the Seabrook Property Owners Association Board of Directors approved new Policies, Procedures and Guidelines pertaining to rentals within SIPOA's jurisdiction. The new material is available at the SIPOA website under the Visitors and Guests tab at:

(<https://sipoa.org/wp-content/uploads/2022/05/SIPOA-Rental-Policies-Procedures-Guidelines.pdf>)

Mayor Gregg added that during this meeting It was noted that implementation of the contemplated fees for SIPOA gate passes would be delayed in view of existing bookings for the coming summer.

- Update Concerning SIPOA Community Center Project

Mayor Gregg noted that during an informal discussion with leadership of SIPOA on May 18, it was reported that an architectural design firm has been engaged to provide services to SIPOA for its expected re-design of the SIPOA Community Center. It is expected that sufficient design detail will be in place in time for a funding referendum later this year.

- Update Concerning SIC Seasonal Staff

Mayor Gregg noted that during an informal discussion with leadership of the Seabrook Island Club on May 18, it was noted that the Club anticipates having seasonal staff on hand by May 25.

- **Town Administrator**

- Request to consider a resolution in support of the nomination of Mr. Alex Townsend of Simpsonville, KY for the U.S. Lifesaving Association (USLA) Heroic Act Award for actions taken on May 3, 2022, that directly resulted in the successful rescue of a drowning victim

Town Administrator Cronin read an email received from Island Beach Services regarding a recent drowning incident on Seabrook Island in which the actions of Mr. Alex Townsend directly resulted in the successful rescue of the victim.

Town Administrator Cronin requested a verbal or written resolution in support of the nomination of Mr. Alex Townsend of Simpsonville, KY for the U.S. Lifesaving Association (USLA) Heroic Act Award.

**Mayor Gregg and Council approved the request without objection.**

- **Town Clerk/Treasurer**

- Report of Financials for the Month of April 2022

Ms. Watkins summarized the financials for April as follows:

- Total fund balance ending on April 30, 2022, was \$6,861,954 an amount about \$951,485 more than the balance as of April 30, 2021.
- Unrestricted revenue for April totaled \$105,094, and unrestricted revenue for the year totaled \$314,487, representing about 20.5% for the 2022 annual budget and being about \$179,137 less than for the same period in 2021.
- Expenditures for April totaled \$159,065, and expenditures for the year totaled \$455,483 which is 32.3% of the 2022 annual budget.

- Expenditures for the year were about \$193,330 more compared to the same period of 2021.
- Excess of expenditures under unrestricted revenues was \$5,971 for April and excess of expenditures under revenues was \$140,996 for the year compared to an excess of revenue over expenditures of about \$171,072 as of April 30, 2021, reflecting the reduction in revenues in the period this year as compared last years.

- **Town Attorney**

None.

- **Zoning Administrator**

None.

#### **8. Ordinances for Second 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 ***[Request to consider proposed amendments to Ord. 2022-04 and to defer second reading approval pending additional review and recommendation by the Planning Commission]***

Town Administrator Cronin summarized the process between first reading, the public hearing, and up for second reading. Town Administrator Cronin noted that as amendments have been made to the DSO, state law requires it be referred to the Planning Commission prior to approval for second reading.

Councilwoman Finke moved to open the floor for discussion on Ordinance 2022-04; Councilwoman Fox seconded.

Council clarified the process for adoption after today’s meeting.

A copy of Staff Recommended Amendments can be found on the Town Website: [https://www.townofseabrookisland.org/uploads/1/1/5/0/115018967/staff\\_recommended\\_amendments\\_to\\_draft\\_dso\\_zoning\\_map.pdf](https://www.townofseabrookisland.org/uploads/1/1/5/0/115018967/staff_recommended_amendments_to_draft_dso_zoning_map.pdf)

Councilwoman Finke moved to approve staff’s recommended amendment for section 2.1 E 2; Councilwoman Fox seconded.

Council clarified the penalties and how to enforce the violations associated with this amendment.

A vote was taken on the amendment; all voted in favor.

**The amendment to section 2.1 E 2 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.2 A 3; Councilwoman Fox seconded.

Council clarified if this amendment conflicts with SIPOA's ARC approval process.

A vote was taken on the amendment; all voted in favor.

**The amendment to section 2.2 A 3 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.2 A 6; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 2.2 A 6 was approved.**

Councilman Kortvelesy moved to approve staff's recommended amendment for section 2.2 A 9; Councilwoman Finke seconded. All voted in favor.

**The amendment to section 2.2 A 9 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.2 A 13; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 2.2 A 13 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.3 A; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 2.3 A was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.4 E; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 2.4 E was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.4 F; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 2.4 F was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.5 C 3a; Councilman Kortvelesy seconded.

Council clarified with members of the audience height requirements allowed in this district, and if modifications were made how would that affect an owner's rights to build on that property.

A vote was taken on the amendment; all voted in favor.

**The amendment to section 2.5 C 3a was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 2.5 E 2; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 2.5 E 2 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment to Table 3-1; Councilman Kortvelesy seconded.

Council clarified what allowable uses are allowed in the AGR district, and the difference between the AGR district and recreation.

A vote was taken on the amendment; all voted in favor.

**The amendment to Table 3-1 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 4.1; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 4.1 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment to Table 4-2; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to Table 4-2 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment to Table 4-3 and Table 4-3a; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to Table 4-3 and Table 4-3a were approved.**

Councilwoman Finke moved to approve staff's recommended amendment to Table 5-2; Councilwoman Fox seconded. All voted in favor.

**The amendment to Table 5-2 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment to Table 5-3 and add a footnote mirroring language from the current DSO regarding the restoration of combined lots; Councilwoman Fox seconded.

Council discussed adding back the language regarding the subdivision of lots to restore from the current DSO.

A vote was taken on the amendment; all voted in favor.

**The amendment to Table 5-3 with the added footnote was approved.**



Councilwoman Finke moved to approve staff's recommended amendment to Table 5-3a and Table 5-3b; Councilwoman Fox seconded. All voted in favor.

**The amendment to Table 5-3a and Table 5-3b were approved.**

Councilman Kortvelesy moved to approve staff's recommended amendment for section 5.4; Councilwoman Finke seconded.

Council clarified the language of c 2 (iv) and if the high ground includes ponds created for run off.

Council discussed the scrivener's errors in the section to be amended, and if the property on Jenkins Point would be included with SIPOA.

A vote was taken on the amendment; all voted in favor.

**The amendment to section 5.4 was approved.**

Councilman Kortvelesy moved to approve staff's recommended amendment to Table 7-2; Councilwoman Finke seconded. All voted in favor.

**The amendment to Table 7-2 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 7.5 H 4; Councilwoman Fox seconded. All voted in favor.

Council clarified if this should include changes to the regulations of short-term rentals. Mayor Gregg noted that any potential changes to the regulations of short-term rentals will be made in a separate ordinance.

A vote was taken on the amendment; all voted in favor.

**The amendment to section 7.5 H 4 was approved.**

Councilman Kortvelesy moved to approve staff's recommended amendment for section 9.4 O 4 a(ix); Councilwoman Finke seconded.

**The amendment to section 9.4 O 4 a(ix) was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 10.5; Councilwoman Fox seconded. All voted in favor.

**The amendment to section 10.5 was approved.**

**Councilman Goldstein left the meeting at 6:15PM**

Councilwoman Finke moved to approve staff's recommended amendment for section 11.5 B; Councilwoman Fox seconded. All voted in favor.

The amendment to section 11.5 B was approved.

Councilman Kortvelesy moved to approve staff's recommended amendment to Table 13-3; Councilwoman Fox seconded. All voted in favor.

The amendment to Table 13-3 was approved.

Councilwoman Finke moved to approve staff's recommended amendment to Table 14-2; Councilwoman Fox seconded. All voted in favor.

The amendment to Table 14-2 was approved.

Councilwoman Finke moved to approve staff's recommended amendment to Table 14-5; Councilman Kortvelesy seconded. All voted in favor.

The amendment to Table 14-5 was approved.

Councilman Kortvelesy moved to approve staff's recommended amendment for section 14.6 D 12; Councilwoman Fox seconded. All voted in favor.

The amendment to section 14.6 D 12 was approved.

Councilwoman Finke moved to approve staff's recommended amendment for section 15.2 Councilman Kortvelesy seconded. All voted in favor.

The amendment to section 15.2 was approved.

Councilwoman Finke moved to approve staff's recommended amendment for section 15.3 Councilwoman Fox seconded.

Council clarified State Statute requirement for notifications to amendments to zoning.

A vote was taken on the amendment; all voted in favor.

The amendment to section 15.3 was approved.

Councilman Kortvelesy moved to approve staff's recommended amendment for section 15.3 B 2 f (iii); Councilwoman Finke seconded. All voted in favor.

The amendment to section 15.3 B 2 f (iii) was approved.

Councilwoman Finke moved to approve staff's recommended amendment for section 19.2; Councilman Kortvelesy seconded. All voted in favor.

The amendment to section 19.2 was approved.

Councilwoman Finke moved to approve staff's recommended amendment for section 19.2 E 2 c; Councilwoman Fox seconded. All voted in favor.

**The amendment to section 19.2 E 2c was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 19.2 E 3 c; Councilwoman Fox seconded. All voted in favor.

**The amendment to section 19.2 E 3 c was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 19.3; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 19.3 was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 19.3 B; Councilwoman Fox seconded. All voted in favor.

**The amendment to section 19.3 B was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 22.2 B; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to section 22.2 B was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for section 22.2 E 3; Councilwoman Fox seconded. All voted in favor.

**The amendment to section 22.2 E3 was approved.**

Councilman Kortvelesy moved to approve staff's recommended amendment for APP A; Councilwoman Finke seconded. All voted in favor.

**The amendment to APP A was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for APP B; Councilwoman Fox seconded. All voted in favor.

**The amendment to APP B was approved.**

Councilwoman Finke moved to approve staff's recommended amendment for APP C; Councilman Kortvelesy seconded. All voted in favor.

**The amendment to APP C was approved.**

Councilman Kortvelesy moved to approve staff's recommended map amendments; Councilwoman Finke seconded. All voted in favor.

The amendments to the map were approved.

Councilwoman Finke moved to refer Ordinance 2022-04 as amended to the Planning Commission and allow the Town Administrator to correct any remaining scrivener errors; Councilman Kortvelesy seconded. All voted in favor.

Ordinance 2022-04 was referred to the Planning Commission as amended.

**9. Ordinances for First Reading:**

None.

**10. Other Action Items:**

- Resolution 2022-30: A resolution to express support for improvements of roads on Johns Island.

Councilwoman Finke moved to approve Resolution 2022-30; Councilman Kortvelesy seconded. All voted in favor.

Resolution 2022-30 was approved.

**11. Items for Information or Discussion:**

None.

**12. Citizen Comments:**

Ava Kleinman, 1400 Nancy Drive, thanked Council for listening to the public regarding the property on Jenkins Point and clarified the procedures for rezoning.

Anna Wartinbee, Jenkins Point, discussed with Council the zoning designation to the 30-acre parcel on Jenkins Point.

**13. Council Comments**

None.

**14. Adjournment**

Councilwoman Finke moved to adjourn the meeting; Councilwoman Fox seconded. All voted in favor.

The meeting adjourned at 7:05PM.

Date: June 3, 2022

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