

Town of Seabrook Island
Ways and Means Committee Meeting
July 16, 2019
2:30 P.M.

After the pledge of allegiance, Mayor Ciancio called the meeting to order. Council members Gregg, Finke and Wells, Town Clerk Allbritton and Town Administrator Cronin attended the meeting. Mayor Ciancio led the pledge of allegiance and confirmed that the requirements of the Freedom of Information Act had been met.

Jim Dobson of the Dog Advocacy Working Group made a presentation in support of his group's request to amend the beach ordinance insofar as the ordinance relates to dogs off leash. The Advocacy Group's proposal which includes: (i) limiting the "summer months" from Memorial Day to Labor Day, (ii) permitting dogs to be off leash during summer months before 9:30 a.m. and after 5:00 p.m. in all areas but the "restricted bird area," and (iii) extending the off leash hours during the "winter months" to before 10:00 a.m. and after 4:00 p.m. in all areas but the "restricted bird area." He noted that the Seabrook Island Turtle Patrol had no objection to the proposed changes and stated that dogs were not a primary predator of turtles. He provided photographs which showed that, for the areas of the beach covered by the pictures, and, at the dates and times of the pictures (June 9th at 8:30 a.m., July 2nd at 9:30 a.m., July 2nd at 5:30 p.m., July 9th at 9:30 a.m.), there were few, if any, people using the beach. He also showed photographs purporting to show that, at the date and time of the pictures (unidentified), there was an absence of birds on the beach. He asserted that he had observed that few people use the beach prior to 10:00 a.m. and most people leave about 5:00 p.m. He also asserted that members of the beach patrol had approached him to volunteer their opinion that beach use prior to 10:00 a.m. is "very low." Mr. Dobson stated that Seabrook Island's two and one-half (2 ½) miles of critical habitat was less than one-tenth of one percent of the total critical habitat area and that Seabrook Island was a "small player." He then reviewed the effect of the Endangered Species Act and said that, contrary to the assertion made by the representative of US Fish & Wildlife, he had found scientific reference that vehicles on the beach served to limit the "abundance" associated with piping plovers. He also expressed his opinion that the Town's

ordinance may violate the critical habitat rules not to “restrict recreational beach use.” He noted that Seabrook Island was not a critical habitat for the red knot and that dogs were not listed as a threat to the red knot. He reviewed SCDNR data (2006 – 2010) reflecting a limited count of piping plover and red knot on Seabrook Island. He stated that his group would accept moving the “dog area” but thought a “dog area” was not necessary. He then offered the comparison of the summer and winter hours for five (5) communities located in South Carolina, Florida and Georgia. In conclusion, Mr. Dobson asserted that Seabrook’s restrictive dog ordinance was impairing the market value of Seabrook Island’s real estate and was probably a factor of why people were not moving here. He said that it was his view that Seabrook Island was also not a major tourist destination. In conclusion, Mr. Dobson reviewed his group’s several requests and suggested that his group wanted the summer leash restrictions to run from Memorial Day to Labor Day; and that, if his group did not get what they wanted, they would seek relief from the State of South Carolina or may litigate. The Mayor reviewed the leash laws of twelve (12) neighboring South Carolina communities and noted none started as late as Memorial Day or ended as early as Labor Day as requested by the petitioners.

Martha Goldstein presented on behalf of the Seadogs and stressed that the organization had sought compromise and balance and a rational approach for the access of dogs to the beach. Ms. Goldstein recited her organization’s efforts in the adoption of the 2006 ordinance and in particular the “off lead area”. She stated that the current ordinance was the result of a good faith effort among the various interested constituencies and that over the past thirteen (13) years the agreement had worked well for both property owners and renters. Ms. Goldstein said that the current “designated area” is the widest part of the beach creating the best buffer between off lead dogs, dunes, turtle nesting areas and people who prefer not to interact with dogs, and there was no reason to change the ordinance that has worked effectively. Ms. Goldstein said that her organization did not want to see any change to the Town’s beach ordinance.

The Mayor advised Council that he had requested data from Coastal Science Engineering with respect to the historical width of the beach between boardwalks’ numbers one (1) and nine (9) on the assumption that the width would vary

commensurate with the periodic relocation of Captain Sam's Inlet, and expected that information to be available for the August Ways & Means committee meeting. He expected that Council would follow the process in place, which includes a beach population study, through the month of September; but noted that, because his term would expire in November, so that he could express a view on the issue, he may want to accelerate the timetable.

Councilman Gregg requested Council to review the proposed changes to the Memorandum of Understanding (MOU) between the Town and SIPOA regarding the respective obligations of each organization in the event of a natural disaster. He stated that, in addition to changes to align better with more recent FEMA guidance concerning reimbursement for "cut and toss" debris clearing from private roadways, proposed changes addressed alignment of the MOU to practice and changes in the readiness conditions adopted by the State, Charleston County and the Town.

Councilman Wells complemented the Town Administrator on the recovery of the \$125,000 grant from Charleston County which will reimburse the Town for a portion of the monies spent on the Seabrook Island Road drainage project. Councilman Wells also asked the Mayor to follow up with Charleston County on the dip in the inbound lane of Betsy Kerrison, just before the circle, which he thought was evidence of a structural problem.

Town Administrator Cronin reviewed the five (5) ordinances which are scheduled for second reading at the next regularly scheduled council meeting and responded to questions and comments from the Mayor. He noted that the ordinance prohibiting the distribution of single use plastic carryout bags, plastic straws and polystyrene coolers had been placed on the website and that a number of residents had provided comments thereon and that no comments had been received on the Town's Comprehensive Plan. He then reviewed the request of the Seabrook Island Racquet Club for a Temporary Use Permit for the Alan Fleming Tennis Tournament which includes the erection of a frame tent on the Racquet Club front lawn, temporary seating and three banner flags. He reported on the Charleston County C-Fund reimbursement of \$125,000, previously referenced by Councilman Wells.

The Town Administrator advised Council that he had distributed to council members a “DSO Blueprint” prepared by the consultant the Town had retained to review and revise the Town’s Development Standards Ordinance. He noted that the “blueprint” was a documentation of the consultant’s review of the DSO and consisted of (i) so-called “housekeeping” matters, (ii) significant items and (iii) major policy decisions. The Town Administrator encouraged council members to review the “blueprint” in detail in advance of a scheduled August meeting. The Mayor noted that it was important for Council to provide the consultant with an early direction on the matters identified in the “blueprint.”

The Town Administrator reported on an appeal to the Zoning Board of Appeals taken by a resident of the Village at Seabrook with respect to the Zoning Administrator’s interpretation that the Town’s setback ordinance superseded the setbacks identified in a plat which had been made part of the PUD for that area. He noted that the ordinance adopting the PUD stated that the setback lines for that area were to be set by the SIPOA Architectural Review Board. He stated that the hearing on the appeal was set for mid-August. The Mayor noted that issues presented by the appeal were very complex, and that any resolution of the issue would adversely affect some property owners.

The Town Administrator then reviewed miscellaneous changes to Article 2 of the Town Code which were being presented for discussion purposes. The proposed changes included a number of “technical” changes as well as substantive changes such as a proposal to extend the length of terms for the Mayor and council members from two (2) to four (4) years and to compensate council members for their service. The Town Administrator noted that Seabrook Island and Kiawah Island are the only two municipalities in Charleston County which do not compensate their council members. The Mayor noted that a four-year term for council members was the only way the Town could implement staggered terms and avoid the potential of a complete turnover of Mayor and council members. The Mayor also suggested that the decision should be that of the council members who have indicated an intention to continue service in the election this fall. The Mayor also suggested that he recognized the substantial time and effort put in by council members and he could appreciate offering compensation but

that, given the uncompensated service of Seabrook Island residents and property owners who served on the Club and POA boards, he would not be in favor of compensation for the Town's elected officials. The Mayor also noted that, if we were to go to four-year terms, the decision would have to be relatively prompt and urged council members to make their wishes known shortly.

Upon conclusion of the Mayor's comments, a motion to adjourn the meeting was made by Councilman Gregg, seconded by Councilman Wells and unanimously approved.

There being no further business, the meeting adjourned at 4:30 p.m.



Town Clerk

Date: July 23, 2019