PLANNING COMMISSION REGULAR MEETING
TOWN COUNCIL CHAMBERS
Tuesday, November 6, 2018 at 6:00PM

1. CALL TO ORDER – Carrie Johnson, Chair

2. PLEDGE OF ALLEGIANCE

3. AGENDA APPROVAL

4. MINUTES APPROVAL – October 2, 2018 and Special Meeting Minutes October 11, 2018

5. PUBLIC COMMENTS ON AGENDA ITEMS

6. PUBLIC HEARING

Repealing Section 17-209 Violations; filing of complaints and reserve that section of the ordinance for future amendments.

7. BUSINESS ITEMS

a. Recommendations to council on Item 6.

b. Approval of a preliminary plan to construct a new street to be located on Frontage Road directly across from 11th Ave. North meeting SCDOT standards and approve street name.

8. COMMISSION DISCUSSION

Any topic the board wishes to discuss

9. PUBLIC COMMENTS – General Comments

10. PLANNING COMMISSION COMMENTS.

11. ADJOURMENT.

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (B).
The public is invited to attend all meetings and events.
1. CALL TO ORDER. Chairman Johnson called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Johnson, Vice Chairman Lauer, and members Mabry, Mastrovante, and McKeen. Member Gambino was absent. One seat is vacant. A quorum was present. Others Present: Town Clerk Herrmann, Director Morris, and Permit Flood Coordinator Mazzo.

2. PLEDGE OF ALLEGIANCE. Chairman Johnson led the Pledge of Allegiance.

3. AGENDA APPROVAL. Mr. Lauer moved to approve the agenda as presented. Ms. Mabry second. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Ms. Mastrovante stated that she was absent on September 4th and she did not make the comments or make the motion to adjourn. Chairman Johnson referred to line 69 on September 4th and said Ms. Partin actually supports the mixed use district, the word ‘ambivalent’ was incorrect. Ms. Mastrovante moved approve the September 4th minutes as amended, and August 13 and July 9. Mr. McKeen second. All voted in favor. MOTION CARRIED.

5. PUBLIC COMMENTS- Agenda Items.

Mr. Lee Lewis, South Ocean Boulevard, supported the entertainment district, but asked why the map now included Old Colony Realty. How does zero setbacks affect existing properties on the outer edges of the C4 district? Can 1st Avenue South and South Seaside Drive be bidirectional once the C4 is established, because if business increases there will be more business and traffic should not be directed through the residential areas? He was concerned about noise levels after 9:00 p.m.

Mr. Paul Scott, South Yaupon Drive, said he and his wife were 32 year permanent residents in the proposed entertainment district, and would like to be excluded from the district, if the prohibition on rebuilding residual structures is adopted.

Mr. Bill Kit, North Ocean Boulevard, asked several questions about ownership, building heights, etc. Chairman Johnson explained that questions could be answered later, this section was for comments only.

6. PUBLIC HEARING.

Ms. Morris presented updates and amendments to the entertainment district based on previous meetings. After discussion, the commission CONCURRED to change the source decibels to 100; to include low country architectural designs; to include the color palate B, with planning staff using discretion for supplementary colors from palate A. Parking garages are not a permitted use. The increased height at the pier is due to FEMA flood regulations, but it will not exceed the allowable 55 height restriction.

Chairman Johnson opened the public hearing at 6:26 p.m.

A. Comments will be heard now on the proposed amendments to establish an entertainment district. There were no comments.

B. Comments on establishing an overlay district in the entertainment district.
Mr. William Kit, North Ocean Boulevard, asked if the diner, ice cream shop, and bait shops were the only things being rebuilt. Chairman Johnson said another building was being added on the pier side.

Ms. Morris said all buildings will be at the 55 foot height limit. A pier workshop is scheduled on October 4th at 10:00 a.m. where drawings will be presented. He was concerned that view from his house to the beach access would be blocked.

C. Proposed rezoning of properties from amusement to entertainment district. Chairman Johnson said in response to the question of Old Colony Realty being added to the entertainment district that it was done at the owner's request. There were no comments. A discussion was held regarding rebuilding of residential homes in the entertainment district being prohibited. Mr. McKeen moved to remove the property at 18 South Yaupon Drive from the entertainment district. Ms. Mastrosante second. Ms. Morris explained that the owners have the right to apply to be included in the entertainment district in the future. All voted in favor. MOTION CARRIED.

Ms. Charlene Henderson, North Cherry Drive, asked if the 48-percent damage ordinance applied to all of the town. Ms. Morris said if the property is located in a special flood hazard area, it would have to comply with current codes to be reconstructed.

Chairman Johnson declared the public hearing closed at 6:41 p.m.

7. BUSINESS ITEMS.

A. Amendment to Chapter 17 to establish the Entertainment District (C-4). Mr. McKeen moved to recommend Item 6.A. [as amended during public hearing] to Town Council. Mr. Lauer second. All voted in favor. MOTION CARRIED.

B. Amendment to Chapter 17 to add Entertainment Overlay District. Ms. Mastrosante moved to recommend Item 6.B. to Town Council. Ms. Mabry second. All voted in favor. MOTION CARRIED.

C. Amendment to rezone properties from Amusement District to Entertainment District. Mr. Lauer moved to recommend Item 6.C. [as amended during public hearing] to Town Council. Ms. Mastrosante second. All voted in favor. MOTION CARRIED.

8. Any other matters of concern or information to be discussed by Planning Commission. There was no other discussion.

9. PUBLIC COMMENTS - General. There were no public comments.

Ms. Charlene Henderson, North Cherry Drive, believed the decibel level should be measured at the closest residence instead of the source. A running refrigerator creates 50 decibels; 100 is factory machinery; a car horn is 110; a nearby helicopter is 105, and 120 is an ambulance siren. That level on a consistent basis would create a nuisance.

Ms. Debbie Mattingly, 15th Avenue South, asked about the height FEMA was requiring the pier to be. Ms. Morris offered to provide the information after the meeting.

10. COMMISSION COMMENTS.

Ms. Mabry was thankful the town was spared during the recent hurricane and flooding. She encouraged everyone to help in any way they could, because many people were suffering.
Mr. Lauer reminded everyone that the planning department was open daily to receive and answer questions.

Mr. McKeen welcomed the first time attenders, and welcomed them back. Your opinions are valuable to the commission.

Ms. Mastrosante enjoyed that the public was involved, and asking questions. We will do what we can to help our neighbors that are suffering.

Chairman Johnson said the commission listened to public comments. Measuring decibels to the nearest residence from the business establishment would require several measurements since the businesses are spread throughout the area. In her opinion, a source decibel would be easier to establish and monitor. The town’s current noise ordinance sets the cutoff time at 10:00 p.m. Please keep those affected by the storm in your thoughts and prayers. Collection locations are throughout the area.

11. ADJOURNMENT. Ms. Mastrosante moved to adjourn at 6:49 p.m. Ms. Mabry second. All voted in favor. MOTION CARRIED.

Approved: November 6, 2018

Carrie Johnson, Chairman

Clerk’s Note: This document constitutes action minutes of the meeting that was digitally recorded. Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and interested parties via the town’s email subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice was also posted on the town website at www.surfsidebeach.org and the marquee.
1. CALL TO ORDER. Chairman Johnson called the Planning & Zoning Commission special meeting
to order at 6:00 p.m. Commission members present: Chairman Johnson, Vice Chairman Lauer, and
members Gambino, Hellyer, Mabry, Mastosante, and McKeen. A quorum was present. Others Present:
Permit Flood Coordinator Mazzu.

2. PLEDGE OF ALLEGIANCE. Chairman Johnson led the Pledge of Allegiance.

3. AGENDA APPROVAL. Ms. Mastosante moved to approve the agenda. Ms. Gambino second. All
voted in favor. MOTION CARRIED.

Clerk's Note: Due to the nature of this meeting, it is transcribed verbatim, except for salutations
and recognition of speakers.

4. PUBLIC COMMENTS- Agenda Items.

Hello. My name is Terry Lauer. I live at # # # Harbor Lights Drive in Surfside Beach. After hearing
the votes of the amendments to the ordinance of the October 9th council meeting, I was absolutely
appalled. I can't believe how blinded we the people in the chambers were, or matter fact, how blinded
the people of the town will be. First, after hearing the ordinance information was just given to the council
just prior to the meeting. There should be; there should have been a ruling to table the vote. No way, no
possible way would you have been able, the council would be able to view this, the ordinances that were
there, or how they would affect any of the other possible ordinance that they voted for. They were
unaware that changing some of the ordinance could possibly lead to stormwater trouble causing
flooding in some areas. Causing tax payers money to go to repairs. Secondly, they didn't realize they
were subjecting many of us to that fall of stormwater causing flooding. Secondly [sic.] adding possibly
resident properties to the E district when we already know there's big issues with parking in our town.
Now, we're gonna have buildings in that area. I'm on the zoning [board of appeals] committee. I know
how long it takes me to go over ordinances; to make the best decision for the homeowners or the
business, or just the people who are applying for the ordinance. I view the ordinances. I spend hours
looking at the ordinances. I hear the owners. I hear Sabrina. I hear neighbors that may be involved.
Then, I alone, alone, I make a vote. None of that, none of the people on council could have possibly
done an ordinance review to make a vote in that short of time. Sadly, the town's best interest was not
shown by the council by making a vote that was in that short of time. They did not consider any of the
consequences that could infect this, and mainly, they did not take in advice any of the planning and
zoning, and I know many of you spent hours and hours going over these ordinances. If they took an
interest, they would have asked; and we were all blindsided sitting in the audience. Sadly, the best
interest of our town was not shown.

Beth Kohlmann, # # # South Ocean Boulevard. I want to first thank each and every one of you
here. This is a state-mandated committee. We know that, and the lack of respect that was shown
towards you was very upsetting to me as a citizen. I don't understand as a former councilperson how
Exhibit A was even put into play. It's not on any website that I can find. I might be wrong, but I can't
find it anywhere. If it was part of our council; part of their agenda, and certainly part of this E district. It
should have been for everybody to see. I, I just can't wrap my brain around that Exhibit A. Furthermore,
somebody had to type up Exhibit A, and there was only one member of council that I could tell from
listening to the meeting, because I did miss it, there was only one that was; that stood up and was
surprised by it, which means he was excluded from that. I would assume then that the other ones
must've known about it. I don't know that either. But if they did, that's another violation, and it's wrong
to do. With the stormwater, first off, I was, I was for the E district. Now I'm backtracking, thinking whoa, whoa, whoa. With all the flooding that has gone on in North and South Carolina, and all the victims that are surrounding our little town right now, and there are many people. Just take a ride out there on the Intracoastal. It's heartbreaking. It's sad. You would think because of those things that we would be more diligent as a town. Not you all, 'cause you've done it; but our council. So I am just floored and then at the meeting before that, which was, on, which meeting was this one, October 9. No, I got it backwards. Hold on a minute. It was the one before that. September 25th, I stood up during comments then where they did their title only, which takes three readings, and they did a first reading on the E district, which is fine. They had a public thing. They did their first reading. That's fine. Then they went on to do first reading to amend the land use, and then another first reading to rezone C3 to C4, but they only had a first reading on making an E zone. So that's not even done. You have to have two readings before you can do anything. So, and then I got up and I told them please look it up. They said get with the lawyer they'll explain it. The lawyer high-tailed it out of the building. So I never got my answer and Mark Johnson was the only person that said publicly I would like to be there when you speak to her after the meeting. I want to know the answer that question. So, I still don't have the answer to that, and nobody else in the room will either. But again, as everybody comes up tonight, and I hope more will, remember that the P&Z commit committee here are not the ones we need to yell at tonight. It's, it's really not. They're doing a great job. It's the next Town Council meeting where we have to hold that; their feet to the fire, and asked them about this exhibit. They don't get to do that. It's wrong. Thank you.

Lavern Kreklau, ### South Hollywood here in Surfside, and I just have a couple of things. The no parking restrictions; if those come into play, what about the people that have already have [sic] parking that the council's probably not going to let them get rid of, and it's not fair to them, 'cause these new businesses, people going to try to park wherever they can, and those are private lots, and if I was one of those businesses, I would start charging or put up gates and validate 'em or whatever, but that's just another thing. The other thing is there's no stormwater retention. The way I understand it, it's going to change our insurance rate, and everybody's insurance will go up that has flood insurance. Well, why should we pay so they don't have to have retention of water? They should at least be required to retain the first inch or whatever. To have no storm retention is just not right. That's it.

Hi, Mary Maruca, 7th Avenue South. I, I was not able to attend the meetings and after listening to them it is very disturbing. Not the P&Z meeting. I think the P&Z did a great job. The presentation was good. You kind of covered all bases for what people were asking for in the E district, both residents and the businesses that were looking for it. I don't know what happened Tuesday night. That was just; and; and I'm not sure what we're gonna do about it. It was like they threw everything that you said out the window, and kind of did whatever they wanted to do. I'm in a pickle here, too, 'cause, you know, I'm affected by it in a few ways. I'm affected by it personally, and, and my business. So although I was for the E district, I had some reservations, they were answered, or I thought they were answered. Now I'm really; how much further is it going to go? The no parking; yeah, you know that was an issue of mine from the beginning. The stormwater, there is [sic] severe stormwater issues in that area already, and it's, if there's no stormwater it's just gonna be worse. You know the, the, I believe the P&Z said ten o'clock for open music. I don't know. I'm gonna start playing the music just as loud at that 100 decibels from my car out in front of some of these councilmembers houses, because I'm gonna be allowed to do that. It's public property, just like the E district can do until 12 o'clock at night. I mean, if I'm staying two blocks away from that and I have children that are going to bed, I don't want to listen to that until midnight. That's just absurd. I thank you for, for your, all of your efforts in getting this to be what it should be for our town and I hope we can all work together to make it right, so thank you.

Ms. Johnson: Okay, if we have no further public comments, we will move on to the discussion item. Item A discussion of amendments made to the entertainment district at the October 9th, 2018 council meeting.
A. Discussion. Discussion of the amendments made to the entertainment district at the October 9th, 2018 council meeting.

Ms. Mabry: Madam Chair, would you like to go over, would you like to go over with the, the audience what changes were made to our recommendation, because everyone that's called me they have no idea. Chairman Johnson: Glad to. Ms. Mabry: Okay, do you want us to start or do you want to start?
Chairman Johnson: It doesn't matter. I can, I can start. The first one, amend the table in Section 17-303 to reflect zero front yard and rear yard setbacks for C4, the entertainment district. This blatantly goes against our Comprehensive Plan. To amend minimum lot size for lots in the entertainment district to match R3 district minimum. The minimum lot size in the entertainment district is 3,000 ft. The minimum lot size for single-family detached dwelling unit is 30,600 ft. [sic]. Amend minimum lot width to 30 feet.
Amend to remove maximum building and impervious coverage provision. There again, this goes against our Comprehensive Plan. To amend to remove area required to be landscaped provision. Amend to remove stormwater management provision. All these go against our Comprehensive Plan. Amend to allow for residential use for properties located in C4. Amend to remove the first sentence which reads in the districts permitting the sale or consumption of alcohol in combination with a restaurant use in C2, 3, and 4, no outdoor bars for the service of alcohol should be permitted. Removing that. Amend Section 17-396.34(e) to reflect that the entertainment district shall allow for outdoor entertainment until 12 midnight. Amend the first sentence of Section 17-502(a)(3) to read commercial uses located within the entertainment district that are deemed to be nonconforming with the creation of the district and as of the date of the ordinance that are damaged by fire or any other cause should be permitted to restore or reestablish the use of or to establish any other use permitted in the entertainment district using the same footprint height and square footage as existed prior to the fire or other cause. Amend Section 17-502(a)(3) to remove the last sentence reading structures must comply with the current flood damage prevention ordinance, and all other federal, state, and local laws that are applicable. They want to remove that. Amend Section 502(e) to remove last sentence reading accessory uses shall conform to the requirements of all local, state, and federal requirements. Again, removing that. Amend the table in Section 14-420 to define parking code as T as there shall be no parking requirements for any parcel that is currently occupied by a structure. Doing away with all of the parking requirements. Anybody else want to go on?

Ms. Mabry: Yes, alright, one of the things they did, is we have, they are now allowing homes. Now just remember when it came to us we were told to establish an E district. Now they're allowing single-family, duplexes, multiple homes in the E district. They're allowing 30 foot lots to build on. They're taking away the parking. You can easily put at this point in time without doing much counting over 12 homes in the E district. That's not entertainment purposes. We were told this was going to be an entertainment district. Well, if you put 12 homes down there lot line to lot line, how crowded, how overrun do you think that's gonna be? So they took our recommendation and put zero, zero, and zero, and they can now build, I know, over 12 homes in that little area. You do not have to have any parking that includes Neal and Pam's parking; that includes River City Café parking; Bubba's parking, any parking. Homes can go there. There's no requirement to have a business there. That is the one of the things that really upset me, I think the most, because I feel like everyone was (***) the sled, when we said this was an entertainment district. I got a many, many calls on that. Another thing [sic] that I got calls on was the floodplain. If we leave this ordinance as it stands, we will be lucky if FEMA allows us to even purchase any flood insurance in town. This goes against FEMA. We don't get choices, folks, when it comes to federal government. They don't make suggestions. They come in here every year and audit. So those two things, floodplain management goes against every ordinance. You cannot sit there and say that you do not have to abide by state and federal law. Those are my biggest concerns. They have taken that away, and quite frankly, I feel like this committee, after this discussion, I will be making a motion.

Mr. Lauer: I'll just add, I just want to connect a few dots. When they say they allow for residential use and then do away with stormwater management, impervious coverage, take the setbacks to zero, my next concern is what about raising the height? You can put 12 homes there, but you could
Chairman Johnson: Okay, anybody else? Comments? I just want to bring up a couple other things, too. The Town of Surfside Beach participates in the National Flood Insurance Program and as part of this program property owners are eligible to receive subsidized flood insurance, and in return the town has adopted and must continuously enforce the flood damage prevention ordinance, which they have thrown out here in these amendments they did. Presently, the town has a rating of nine [sic] primarily due to the recentness of the town's participation and the town's continued participation in the CRS program should assist in further interest rate reductions in the future. That's going away with these amendments. Flood insurance will go up for everybody in the town. I just think they; they did this and blatantly had no regard whatsoever for the residents of this town, and what it could do with stormwater. We know for fact that Carolina Forest homeowners have sued Horry County, because of some flooding they had in that area, because they didn't do things the way they should have been done, and the same thing will happen here, if we allow this to happen. We'll have residents suing the Town of Surfside Beach, because they're gonna get flooded. Go ahead, anybody else. I've got plenty here, so if somebody wants to speak, go ahead.

Ms. Gambino: I'd just like to echo, I agree the stormwater is a major issue. The no parking's a major issue. And the setbacks are a tremendous problem. They have just ripped town apart, and I hope you guys see that because someone voted these folks in and this town is in a mess because of it. P&Z can only do so much, and we are a good group. We work together real [sic] well. Respect one another, and make decisions for the residents of this town. Not just for a few. So, it really is more than disappointing. It's unbelievable.

Ms. Mastroantes: Another thing that needs to be brought up is for one section of Exhibit A, D it says for a deck to be built needs to be revised on, or council could abandon the Coastal A line and adopted a new Coastal A line. If that happens, people that are not currently in Coastal A will be in Coastal A and that will be a big problem, and I don't think they even need to tell you that. They will just make the new line, and boom, you're in there, and your rates go up. So that's really important everybody's aware of that, because it's gonna affect people that are not even in it. Right now, it's a current straight-line, but now they have on the proposed, it goes up around lake areas and all over the place. This basically benefit [sic] two businesses so they can build a deck, and it clearly states that for the deck to be built on those two businesses. So, I hope everyone is aware of that and keeps an eye on that, as well.

Mr. McKeen: I just have a comment. In Exhibit B [sic], this isn't part of what read, but there's a whole bunch of statements about accessory structures. Did any of you understand what their intent is? I mean, when you see four or five things that mention accessory structures, there's gotta be something I'm not thinking of they're planning. Anyone creative and can think of how they ... I don't know.

Chairman Johnson: I don't know what (***) Mr. McKeen: But, it's suspicious. Chairman Johnson: Yes, very suspicious.

Ms. Maby: I'd like to one point. FEMA does not allow accessory buildings in that area, at all. None. Nada. Now they're saying you can build over 12 homes and put accessory buildings under there. You will not see the day you can afford, if you can get, flood insurance. You can't do that. That's a FEMA requirement. That's not a Surfside Beach requirement. We have to adopt their laws, but that's FEMA, and that's not about CRS and getting a reduced rate. That's just basic. That's just the minimum you can do. So, your insurance is gonna go up, if you can get it. God bless you, if we let this stay. Flood plain management; FEMA, they tell us what to do. Council does not have the right to ever usurp itself on federal law. God bless, we do it enough on state law. But, we surely; I think we just kind of like moved up a notch. We went right on to the federal, and we can't do that. It has to be stopped. So when everyone is finished, I'm gonna present a motion, and see if we can get some clarity.
Chairman Johnson: Well, protecting the beachfront is essential to Surfside Beach’s long-term viability as a coastal community, and currently predictions are afforded at the state lev, level, and at the state level the South Carolina Department of Health and Environmental Controls Office of Coastal Resource Management regulates new construction along the beachfront. They have certain setback lines. All of these amend; there's just; it's total disregard for our Comprehensive Plan, for state and federal laws. It was done in such a way that nobody knew what was going on. None of this was read at the meeting, and like we said, I know for fact that at least one person up here got it right before the meeting. I don't know about any of the other ones or not, but he got it right before the meeting and the only one to vote no. And I just; I think is a blatant disregard for, like I said, for the residents of this town, and I really think that is probably illegal. I don't know that for sure, but any rate, it was totally unethical what was done. It was the most unethical thing I have seen done in this town in 34 years that I have lived here, and how those people that set up here and did that can look themselves in the mirror and feel good about themselves, I wonder.

Ms. Gambino: One other thing, she; she is correct that the amendments were not read out loud, and they by law have to be read out loud and on record as an amendment. That's the law. End of story.

Mr. Lauer: I'll just add again, just informationally, I know that there are a lot of people that are here tonight that weren't at the meeting on Tuesday, but that was a second reading. They had already passed the ordinance as a first reading without much discussion. It was passed without a wink. I mean it just went through so you can imagine most people figured that it was a done deal. Second reading would also pass without any changes, and when the changes came as they have mentioned here, there was no discussion. Sabrina Morris was at the podium. They could've asked her any questions. They could've discussed it in a multitude of ways. They choose not to bring it up; choose not to discuss it, and you know, such a lack of transparency just appalls me. Thank you.

Ms. Mabry: Alright, I would like to make a motion that the planning and zoning commission seek legal advice regarding amended Sections 17–502(a)(e) and 502(E) of the Ordinance 18–07, excuse me, 0874. This motion includes any and all amendments made by the Surfside Beach Town Council referred to as Exhibit A. This motion is not limited in scope to stormwater requirements or floodplain management, but any and all amendments that may adversely alter the quality of life issues for its citizens, visitors, and businesses. This motion includes taking advice and actions recommended by the attorney of the commission’s choosing. Ms. Mastrovante: Second that motion. Chairman Johnson: All in favor? All members voted in favor. MOTION CARRIED.

Ms. Mabry: I would like to make a motion that the commission give the authority to the chair to choose an attorney and act on our behalf. Ms. Mastrovante: Second that motion. Chairman Johnson: All in favor? All members voted in favor. MOTION CARRIED.

Chairman Johnson: Any other matters of concern or information that you all would like to discuss?

COMMISSION DISCUSSION.

Ms. Mabry: Madam Chair, I think that we have covered, I'd say the heart of the amendments. We did not certainly go over each and every one, but we did get to the most important ones that are concerning. We are not attorneys up here. Unfortunately, I do not know enough, but I do have a lot of questions that I feel like that we need good legal advice. I mean even though we say we know it's against the law, we may get an attorney that says no, you're wrong, it is not. But, we also may get one that has an opinion that we can hang our hat on, and we need to know, because we were very confident that the recommendations that was [sic] sent from this body were legal. They worked with the Comprehensive Plan. They worked with stormwater management. They worked with FEMA. They worked with every other ordinance. I mean, we're even breaking the International Building Code that we have to
adopt by law. So, we took all that into consideration when we made these amendments. We didn't just say this is what we think we would like. So, scrapping all that; scrapping the Comprehensive Plan, the building code, all these other things, I do think that we need and for that reason I feel like the, this body would benefit from legal advice, and action, if necessary.

Chairman Johnson: Anyone else have anything? If not, then we'll move on to public comments. Five minutes per speaker.

PUBLIC COMMENTS.

Terry Lauer, again. I, actually, Al brought up the subject of the raised, the height limits. Never thought of that, and with buildings going up, if height limits go up that is drastically going to change the look of our town. Not only that I remember many people sitting at Holiday Inn when they were campaigning and said, oh, my, that's one of my concerns. The height limits will never go up. Well, they just voted probably for height limits to go up. Now, I haven't seen any of the plans up close, but I; they look nice. But I also think that one of the things the town should consider is the structures of being safe for hurricanes. If they're just wood, I don't know how safe it is when hurricane comes by. So that's just another thought of mine. Thank you.

Hi, Charlene Henderson, 612 Cherry Drive North. I, for one, am glad you're gonna be looking into this, and I'm glad you're hiring legal counsel. I think it's very prudent. I, for one, am very frightened at the speed of which the E district is taking form as an idea and been tsunami-ed [sic] down our throat. I don't see the reasoning for it, but it's usually follow the money, which I intend to try to do. I think it's just very interesting how it just became a black cloud of an idea. Now it's a real thing. Now after all this time fighting for us to get these, what's it called, the CRS ratings? That's all we heard about for meetings for how long now? And now, they're the same people that were adamant, that were forced people and businesses, they wanted to force 'em to build higher to, to meet these restrictions, and now they're throwing it out the window, because it benefits who? That's what I want to know. Who? Who is this benefitting? Thank you for your time. I really appreciate what you're doing, and I am so glad, so glad you clarified this tonight. It should have been done at the meeting the other night. They're keeping us in the dark. I don't appreciate that. Thank you.

Harry Kohlmann, South Ocean Boulevard. I want to thank you all. You had meetings. People came up; spoke to you; you listened; you compromised. You thought what the best plan was. You presented it to council. I don't even think they; I don't think most of 'em even looked at it. They got their marching orders, and they were told what was going to happen in this town. And, I'll tell you, in my opinion, their marching orders was [sic] from somebody who doesn't even live in this town. He makes a lot of money here. And in my opinion, it's Mil Servant. They got their marching orders from Mil Servant. So the members of the council who voted for this are either the corrupt or stupid. Which one is it?

Unknown speaker: I'll go with stupid. Mr. Kohlmann: Well, I wasn't asking you. (***) I mean how can they have done this? How could; one councilman only got it five minutes before. How can anyone chew on that? It's insanity. We have a mayor who is being guided by other people. Years ago when he was on council, he had a friend who wanted Nibbles Restaurant, and Mr. Childs did all he could to run him out of town. And how did that work out? This is insanity, and I really, I, I'm sincerely thanking you people, because you did what you're supposed to do, and you presented it to council, and they couldn't care less what you felt. They couldn't care less what the residents felt, except for one. The people who voted, the councilmembers who voted for this, they couldn't care less how we felt. You're not getting paid. You're residents. Residents came to you. You put all your ideas together and you came out with a great plan. It was a compromise. And the council couldn't care less what you felt. What a travesty. This is unbelievable. Like someone said over here for 34 years, I'll be here almost 11 years. I've never seen something like this before in this town. It's crazy. They, they, they backed; it's called back dooring. What's this for? This was supposed to be where there's no residential buildings anymore. You couldn't. Now they turned it around, and they can do it. No setbacks, no stormwater, no parking, and get this, I don't know if it was
here or a council meeting, there was a lawyer up and he was talking about what they’re gonna; what
their plan is gonna do. A taco stand and a coffee shop. All this non-regulations for a taco stand and a
coffee shop. How much money are we getting out of that? But with all these regulations taken away, the
people who own that property, they’re looking at big, big bucks. Their properties skyrocket. You can do
whatever you want. No regulations. No restrictions. Again, thank you.

Chairman Johnson: Okay, if we have no further comments, we’ll move on to commission
comments.

COMMISSION COMMENTS.

Mr. McKeen: Yes, I imagine many of you read my Facebook post on the subject. So I just
wanted to reinforce one thing of that, and that is it’s not only the councilmen that deserve your ire, the
administrator was intimately involved in this. Had to be. When I asked him after the meeting, you know,
first of all, who wrote this, he said, well, it was written from input from many people. Wouldn’t tell me
who. I asked him did you put this out on the dais, and he said it’s all legal. I’ve done this. I’ve been
administrator and worked with many planning and zoning commissions. This is all legal and he walked
out. So keep him in mind, too, when you start complaining about council that it’s more than the council,
somebody else is helping them. This is all a story about greed, and you know, I’m appalled by it.
Everyone else appears appalled by it. I think all of you, or almost all of you, are appalled by it. I hope
something can be done to slow this down. I could live with some of these things in this document, but I
can’t live with no parking, excessive noise, and no stormwater control. You can fix those three things and
get rid of the residency, the residents, too. I forgot that one. Four things. Then I might be able to live
with a lot of this, ’cause I’m a compromiser. You know, that’s what the whole committee does up here. If
you’ve been to the meetings, we give and take to get something done. Anyways, that’s all I have to say.

Ms. Gambino: I just want to thank everyone for coming out and listening. It is very important. If
you could spread the news for the ones that may not know about all this that has been going on. And I
am just appalled, as well, but really not surprised. So, thank you for coming.

(**Unknown speaker from audience asked about the next council meeting date. Several
responded that the next meeting is October 23rd.)

Mr. Lauer: Yeah, I just want to remind you all that we are citizens of this town. And, we try very
hard to have your interest at heart. We really do. I hope you get a chance to take a look at these
amendments that were proposed at the last meeting and passed. See what they’re doing to the
ordinance. The ordinance is online. You can take a look. You can check it out, and see what’s going to
happen to the town, and I think as Mr. Kohlmann said, you can kind of follow the money here, and when
you take a look and start putting the things together, you can see that there’s a general idea of what is
going on. It’s not just to make Surfside beautiful. It’s not that at all. It’s not to help the residents who are
around the E district. It’s not that at all. It has to do with money. Thank you.

Ms. Mastrobuerto: Yeah, our planning committee [sic] has been working on this for quite a while.
We’ve listened to the businesses. We’ve listened to residents. The, we have had the fire, chief of the fire
department, chief of police department, our former parking committee, residents, and businesses all
involved, including Sabrina, as well. What we sent to, to council, those businesses in the E district could
doubled in size with what we sent to them, and that wasn’t good enough. So, now are in this
predicament. I feel like it was a bait and switch. First reading everything is fine. Second reading, let’s
throw these, cancel everything out, and just keep moving forward without the residents knowing. So
thank you for being here, and I’m glad that you guys are all involved, and please share this information
with your neighbors. Thank you.
Ms. Mabry: I want to make one little correction that I did not, I didn’t bring that up. They had first reading without any input from planning and zoning. They never got our recommendation and they did first reading anyway. Well, that gave us a hint that it might not go too well. Then second reading when you came up on the dais there was the amendments laying in a chair. They picked him up, looked at him and voted. Don’t tell me, because I’ve been on council, don’t tell me that there wasn’t a back door deal somewhere. You’re not gonna tell me that six councilmen didn’t know what was in those admit, amendments, and then turn around and voted for it. There was some kind of meetings, they were not in public, which are required to be, but there was [sic] some meetings. That didn’t get typed up; put on the dais, and voted on from what I was understanding, I was at home getting a blow-by-blow before they put it up there and made the motion, it was voted on and accepted. Nobody could’ve hardly flipped the page. (** from audience) I have, I have exactly what they had on their chair. I have it. We all have it. That was the amendments in writing. They did not put it on the web. They did not read it out. They did not make amendment in public. That is a fact. That has to be done. But I’m not here to beat up on council, because curse [sic.] I don’t care. I mean whatever they do is what they do. We have a responsibility to do what we do, and that’s where my focus is lying [sic.] So, hopefully, we’ll get some good advice. We’ll make some good steps, and will proceed in a positive direction, and it’s because of all of y’all coming out here and helping us that I think that we have one of the best E districts recommendations that we could have sent to council, and I’m very proud of it. Very proud of y’all for coming up and giving us the feedback that you did, so we’d have something that we could consider, compromise, and make a great, great, and that was because of you, so thank you very much.

Chairman Johnson: And I would just like to add to what Nicole was saying, and she talked about many months we work on this, and we listened to the public, and other people in the areas of expertise. She did leave out public works. We did have him in here and he was talking about the stormwater. He gave us advice on stormwater, as well. So this wasn’t something that we threw together, kind of obviously like this [sic] amendments were thrown together. We, we studied on it for very long time, and listened to a lot of people, and we know that we’re not always gonna satisfy everybody, but hopefully, we compromised enough that we satisfied most people, and we will be seeking legal counsel, and we’re gonna see how that comes out. But, hopefully, we can do something to stop this before it’s too late, and building permits are pulled and things are done truly harm this town. Do I have a motion to adjourn?

ADJOURNMENT. Ms. Mastosante moved to adjourn at 6:44 p.m. Ms. Mabry second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: November 6, 2018

Carrie Johnson, Chairman

Clerk’s Note: This document constitutes minutes of the meeting that was digitally recorded, and is not intended to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and interested parties via the town’s email subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice was also posted on the town website at www.surfbsidebeach.org and the marquee.
ISSUE

Repeal Section 17-209 Violations; filing of complaints and reserve that section of the ordinance for future amendments.

BACKGROUND

Section 17-209 was adopted with the initial code and is antiquated. The town has accepted anonymous, and telephone complaints for years. The section as codified does not require written documentation, however some have said the wording could be confusing and is certainly antiquated.

At least 98% of all anonymous complaint calls are legitimate in nature and action is taken.

The current ordinance reads:

Whenever a violation of this chapter occurs or is alleged to have occurred any person may file a written complaint. Such complaint shall state fully the causes and basis of the complaint and shall be filed with the code enforcement official. He shall record properly such complaint, immediately investigate, and take whatever action is necessary to ensure compliance with this chapter.

Council has requested the planning commission consider recommending repealing the section of the ordinance and reserve that section for future amendments.

Public Notice has been printed in the paper as required by SC State Code.
Decision Paper

Written By: Dennis Pieper, Town Administrator

1. SUBJECT: Method by which complaints are received by the PB&Z Department

2. PURPOSE: To direct the Planning Commission to consider a recommendation to repeal Section 17-209 that states

Whenever a violation of this chapter occurs or is alleged to have occurred any person may file a written complaint. Such complaint shall state fully the causes and basis of the complaint and shall be filed with the code enforcement official. He shall record properly such complaint, immediately investigate, and take whatever action is necessary to ensure compliance with this chapter.

3. FACTS:
(a) Section 17-209 was adopted with the initial code and is antiquated
(b) The town has accepted anonymous, and telephone complaints for years
(c) The town attorney states that Town Council must direct the Planning Commission to make its recommendation on the repeal of the section because it is in Chapter 17 that applies to zoning

4. ACTION: Move to direct that the planning commission consider repealing Section 17-209 at its November 6, 2018 meeting and that its recommendation be added to the December 11, 2018 council meeting agenda for Town Council’s consideration.
NOTICE OF PUBLIC HEARING

MHA

10-18-19

Zoning Department located at 393 Phe Drive Suite B, Glens Falls, NY

Copies of the documents to be considered are available for public inspection in the Planning, Building and Inspection office.

What ever action is necessary to ensure compliance with the Zoning Code must be conducted immediately. The decision will be announced and made available at the end of the hearing.

Whereas a violation of this chapter occurs as is alleged to have

Sec. 7-209 - Violation. Where a violation

The Planning Commission of the Town of Cambridge, Board of

The Planning Commission of the Town of Cambridge, Board of

The Planning Commission of the Town of Cambridge, Board of

ISSUE

Preliminary approval to construct a new street to be located on Frontage Road directly across from 11th Ave. North to meet SCDOT standards and approve street name.

BACKGROUND

Santee Cooper purchased 6.52 acres off of Hwy. 17 North to install a substation on the property. Service has reached its maximum capacity and a substation is necessary to service without interruption. In order to reach the property a 75 ft. permanent easement was granted to the properties in the rear (see attached drawing). The permanent easement will be the location of the proposed street. This street will allow access to the substation as well as access to the remaining property in the rear in the future. The future developer of the remaining property will be required to extend the street prior to development.

The street, proposed to be design and paved up to Santee Cooper property (approx. 237 ft.) while under construction will be inspected by the town’s public works department to ensure the street meets required SCDOT requirements. The street will be designated as a local street. Local street means a street used primarily for providing direct access to abutting property. This designation may change depending on the future use of the other vacant parcel.

After completion of the street the planning commission will be given a full report of the street construction and a request to approve the final plan will be presented at that time. Once approved by the planning commission the developer will record the street at the register of deeds of Horry County.

Street name: Santee Cooper request the street name be 11th Ave. N. Extension. The name is consistent with the town’s land development regulations since the proposed street is directly across from the existing 11th Ave. N. “Proposed streets that are obviously in alignment with other existing and named streets shall bear the assigned name of the existing street”. (Town Land Development Regulations).

A grading permit was issued for the project on October 18, 2018 to allow clearing in the area where the substation will be located. As required by ordinance a 25 ft. natural buffer will remain around substation.

RECOMMENDATION

Approve preliminary approval of the proposed street and approve street name as requested.