1. CALL TO ORDER.

Chairman Hellyer called the meeting to order at 6:00 p.m. Chairman Hellyer, and members Brown, Pesce, Sluder and von Buseck were present. Members Lane-Laveglia and Truett were absent. A quorum was present. Others Present: Town Clerk Herrmann, Planning, Building & Zoning Director Morris, and Permit Flood Coordinator Mazzo.

2. PLEDGE OF ALLEGIANCE.

Chairman Hellyer led the Pledge.

3. PUBLIC HEARING.

Chairman Hellyer opened the public hearing at 6:01 p.m. and explained that a public hearing for the property rezoning was held at the July meeting, but a second public hearing was being held to ensure the public received proper notice and had an opportunity to speak.

A. Amend Town Code Chapter 17, Article III, §17-395, Use Chart to allow for “Bingo” as a permitted use in the Highway Commercial (C1) Zoning district.

Ms. Mazzo said a request was made to have bingo presented for consideration as an allowable use in the Highway 17 C1 Commercial Zoning District. Bingo is a legal enterprise for nonprofit organizations in South Carolina. The public hearing was properly advertised. The decision paper and supporting codes are on file.

Mr. Sluder believed bingo was already allowed in several establishments. Ms. Morris said not to staff’s knowledge. The amendment to make bingo an allowable use would allow a stand-alone businesses.

Mr. Gary White, Lakeside Drive, asked how much space was needed to open a bingo parlor; usually the places have a lot of tables. Chairman Hellyer said the C1 District runs along Highway 17 from Melody Lane to 17th Avenue North. Mr. Brown noted that it would be up to the owner to determine how big the structure should be, if it is allowed.

Mr. Faron Young, 8th Avenue South, asked if the town received any revenue from bingo parlors, and how the licenses were issued. Ms. Morris said nonprofit agencies are required to have a business license, but the town administrator said there is no revenue for the town. Mr. Sluder and Mr. Brown both referred to the state mandated regulations for bingo parlors and said, if Town Council adopts bingo parlors as an allowable use, those would be incorporated.

Mr. Dan Barchorski, Palmas Drive, asked if anyone had a project in anticipation of this being approved. Ms. Morris said not to her knowledge. Chairman Hellyer said there are multiple uses in each district, but bingo is not allowed. Someone requested that the commission consider the use in the C1 District. Mr. Sluder said the commission cannot guarantee that there isn’t some project; but to his knowledge there is not.
Mr. Larry McKeen, 6th Avenue South, said bingo is available in Garden City, and it should be played there.

Ms. Cindy Griggs, Lakeside Drive, asked why the town would allow bingo, if it doesn’t gain any revenue. It makes sense to leave it in Garden City; if things change, then address the matter.

B. Rezoning of parcels listed below from current zoning designation to Public Land (PL).

- 811 1st Avenue North from C4 to PL
- 409 3rd Avenue South from R2 to PL
- 312 9th Avenue South from R1 to PL
- 610 10th Avenue South from R2 to PL
- 112 13th Avenue South from R3 to PL
- 114 13th Avenue South from R3 to PL
- 600 Dogwood Drive South from R3 to PL
- 115 Highway 17 North from C3 to PL
- 617 Lakeside Drive from R3 to PL
- 11 Myrtle Drive North from R2 to PL
- 413 Pine Drive R2 to PL
- 829 Pine Drive from C3 to PL
- 12 Pinewood Drive North from C3 to PL
- 202 Poplar Drive [North] from C1 to PL
- 720 Sandy Lane from C1 to PL
- 730 Sandy Lane from C1 to PL
- 740 Sandy Lane from C1 to PL
- 750 Sandy Lane from C1 to PL
- 760 Sandy Lane from C1 to PL
- 212 Surfside Drive from C3 to PL
- 400 Surfside Drive from R2 to PL
- 410 Surfside Drive from R2 to PL
- 728 Surfside Drive from R2 to PL
- 300 Willow Drive South from R2 to PL
- 310 Willow Drive South from R2 to PL
- 10 Yaupon Drive South from C4 to PL
- 16 Yaupon Drive South from C4 to PL

Ms. Mazzo reiterated that a public hearing for the Public Land District (PL) was held at the July meeting, but this hearing was scheduled to ensure the public had proper notice. The decision paper and supporting documents are on file. In response to the notice for this hearing, over 100 calls and/or comments were received. There were no responses to the notice for the July public hearing. The purpose of the PL District is to identify government land.

Chairman Hellyer said there are 27 properties listed, and asked if that was all inclusive of town-owned properties. Ms. Mazzo said it was town-owned and Horry County-owned; any government owned property. Chairman Hellyer said the pier was not included, and asked how many others were not on the list. Ms. Morris said the pier was not added, because it is located in the most stringent flood zone. The pier has to be elevated to meet the district requirements, and needs the 55-height limit allowed in the C4 Entertainment District. The recommendation for the PL district height limit is 35-feet. To the best of her knowledge, this list is all inclusive, except the pier. If there are additional town-owned or other government properties, they will be presented to the commission with a public hearing scheduled.

Chairman Hellyer said there was talk of proposed construction on public land, and asked if such plans existed. Ms. Morris said not to her knowledge; however, on social media there is a lot of discussion about this. Under the PL restrictions, any construction must be a minimum of 75-feet from any residential district; warehouses or public works facilities must have a 150-foot distance. Most of the properties are in residential zones, which makes it almost impossible to construct buildings. As far as staff knows, the current uses will continue. To allow construction on these properties, the commission would have to reconsider the setback requirements in the district.

Mr. von Buseck asked if the planning commission could change the district if a project came about in the future. Ms. Morris said yes, the commission could make a recommendation to Town Council. The property would have to be posted; a notice published in the newspaper; the neighbors within 150 feet notified, and a public hearing held before that recommendation could go to council.

Mr. Pesce said last month the commission discussed that there is no cost related to this. The purpose is to have a fluid set of height and setback limits for all municipal property. Ms. Morris said right.
Mr. Faron Young, 8th Avenue South, believed the signs should have the hearing date and time. He had to call to find out when the hearing was scheduled, which was inconvenient because staff is busy and cannot always answer the phone. Based his research, creating a PL district would allow the town to use it for any public use, which means it could be turned into a parking lot to earn revenue. He asked if there is an advantage to creating a PL district, but had only heard vague answers. He asked for a response to that question. He regularly uses the town parks, and they are a draw for tourists who take their children to play. If this action allows the town to make changes to the parks without public input, he opposes it.

Chairman Hellyer said that same question was asked last month. He asked if the town could change the parks without any notice. Ms. Morris said most of the parks were built with PARD (SC Parks and Recreation Department) grants, which prohibits changing the use. Chairman Hellyer asked if that applied to all parks. Ms. Morris did not know. Ms. Herrmann believed that every park had either a grant or deed restrictions, except perhaps Martin Field. Violating terms of a grant will require the town repaying the grant in today's money. She could not speak for Town Council, but was very confident that none of the parks would be changed.

Mr. James Lavoy, North Oak Drive, said his property abuts the newly purchased property at 212 Surfside Drive. He was upset that he was not notified of the town's intention to create a parking lot, and he didn't want to see the trees cut. He demanded that the town put a privacy fence between his property and the parking lot. Chairman Hellyer said that his concerns should be addressed to Town Council. The planning commission had no purview over that project.

Ms. Betty Lowery, 4th Avenue North, said the public was notified by an email message through the town's email subscription service that is available for everyone. Subscribers receive meeting notices, agendas, event notices, and the agendas include links so you can see documents. There was a lot of misinformation about this. Most of the trees are hollow, because of heart rot, which is not the town's fault. The property was privately owned. There is risk of a limb falling on a car or pedestrian. The design for the parking lot is on the town website. A parking space was eliminated to save a tree. The town has done everything that it can. She suggested to those who felt left out that they sign up for the town's email service, which you can do on the website homepage. You can always contact town hall, if you have questions. We need to be more aware, and take advantage of what is available.

Ms. Kim Hutchinson, Cypress Drive, said the parks are a huge part of her daily routine. She asked if Floral Clubhouse was in a flood zone, because she wondered if the building was being raised. She couldn't believe the town would put a parking lot in the middle of those beautiful trees. She was having an addition built on her home, and she had to have permits "up the yen-yang," and believed private property owners should be notified when growth is damaging trees.

Mr. Larry McKeen, 6th Avenue South, was very sympathetic to Mr. Lavoy's position. Those of us who are active know a few days before a meeting when the agenda is published. In his opinion, you have to work to get to the documents. It isn't logical that a man who isn't active would know this is going on. In his opinion, he should have been notified. He liked the idea of putting up a privacy fence. Chairman Hellyer asked how the planning commission would be involved in carrying this forward. Mr. McKeen said he knew it isn't the commission's purview, but since it was brought up, he wanted to comment. The mayor said recently that the parking lot would be completed in a month, so Mr. Lavoy will be very upset. Even though there is probably no legal requirement, he believed the abutting property owners should have been notified. Chairman Hellyer said there was no requirement to hold a public hearing before the parking lot was created. In lieu of any requirement, it was not done. Mr. McKeen understood, and was simply expressing his opinion.
Ms. Linda Woodlief, Sparrow Drive, said after hearing the discussion, she did not know what the advantage was to changing the zoning to PL. Ms. Morris said the town administrator directed staff to rezone the properties that are owned or leased by the government entities to public land. This was done in other municipalities and the county. The reason is that there are various zoning districts throughout the properties with different uses, heights, and setbacks. Government uses are already allowed in every zoning district. By rezoning the properties to PL, residential and commercial development is prohibited. To allow those uses, the rezoning process must be followed to change the zoning district. This protects the property. If the town chose to sell any of its property now, there is no requirement for a public hearing; the property would just be advertised for sale. Once the properties are zoned PL, then the town must follow the rezoning process, which will ensure the public has notice.

Mr. Sluder asked why the property wouldn't revert to the original zoning, if the town decided to sell. Ms. Morris said it would, but the rezoning process she just described has to be used, because the code doesn't stipulate an automatic reversion. State law requires advertising, notifications, and a public hearing. Mr. Sluder asked if the town could purchase property for resale. Ms. Morris said as long as it had not been rezoned PL. She reiterated that the listed properties would require the rezoning process, if any of those were sold. Mr. Sluder suggested adding a reversion clause to change the property to its original zone prior to any sale by the town. Ms. Morris said that would eliminate any notice to the public, because the rezoning process would not have to be followed if there is an automatic reversion. However, she said, “I would be very comfortable advertising it and letting the public know that it is going to be reverted.”

Mr. Sluder asked why reversion language was not included. Ms. Morris said the town administrator said he has no thoughts of selling any property. A reversion clause can be added; it is up to the commission for recommendation.

Chairman Hellyer said the town doesn't have to hold public hearing to purchase property, so why would it be required to sell property. Ms. Morris said rezoning the property to PL would require the process, because residential or commercial uses are not allowed in the PL district.

Mr. Sluder said if council decided to sell public property, a recommendation is not required of the planning commission. If the property reverted to its original zoning district that would ensure the property wouldn't have a different zoning from the pre-PL District.

Chairman Hellyer asked if the new parking lot was on the list. Ms. Morris said it is 212 Surfside Drive, which is currently zoned C3 Commercial and that district allows parking lots.

Mr. Faron Young, 8th Avenue South, asked if the town could sell property now. Ms. Morris said yes, but if it is sold now under the current zoning the public does not have to be notified. If the property is zoned PL, or if there is a reversion clause like we have in existing planned developments, the public would have to be notified that the property is reverting back to its original zoning district. Mr. Young was concerned that so many properties were included. He believed there was too much risk of changing some of the smaller parks. He relayed a story about his previous home and was concerned with too much development too quickly, and did not want to see high rises along the beach. The public doesn't have much say, which was proved with the parking lot. He asked the commission to consider his comments.

Ms. Brenda Norris, Willow Drive South, asked what was going to happen to the historical property at 3rd Avenue South and Willow Drive. Based on the conversation here, that property can be sold. Mr. Brown said it could be sold now because it is not public land. If the property is zoned public land, then it would be restricted from being sold and what could be put there. Ms. Herrmann said when the property was purchased it was designated as historical property. Chairman Hellyer said if it is designated PL, then it cannot be sold without a public hearing.

Ms. Cindy Griggs, Lakeside Drive, had about 45 years of experience in parks and recreation. The town's park lands and waterways were big draws to bring them to town. She was excited to hear that
many parks had PARD grants. She asked which parks had PARD grants, because they have to remain as parks. Ms. Herrmann said yes, unless the town pays back the grant in today’s money. She asked Ms. Griggs to contact her after the meeting to get the information. Ms. Griggs asked about the various lakes and waterways. Ms. Herrmann explained the town’s lakes and waterways were part of the stormwater management system, and are necessary to comply with the town’s MS4 Permit. There are many different laws and regulations that impact what the town does. Ms. Griggs mentioned the pond at 6th Avenue South and said it was maintained very nicely, and asked if that was changed to PL, could it be changed without a public announcement. Chairman Hellyer said according to what Ms. Morris said, if the property is designated PL, it cannot be sold without a public hearing. Ms. Morris said that was exactly right. Ms. Griggs said all the different uses were “just crazy.” To change them to PL would make a consistent set of regulations that governed all the properties. Ms. Morris said that is correct. Ms. Griggs said the town could not change the property without a public hearing that would be announced. Ms. Morris said if the property is zoned PL, they could only do what is a permitted use and meet the setback and height requirements. If a use is to be added, then that would be advertised in the newspaper, and a public hearing would be held. If the property was sold, whether the reversion clause is added or not, the property would have to be rezoned by going through the notification process mentioned earlier. Ms. Griggs said a reversion clause would make the zoning the same as it is now. Ms. Morris said yes, which would be safe. In her opinion, that was a great idea. Ms. Griggs asked how this impacted Martin Field. Mr. Sluder said if there are no grants on Martin Field, the town could sell it now or use it for a parking lot. Ms. Griggs said if it was designated PL, it could not be sold without a public hearing. Mr. Sluder said correct, and asked if there would be a different effect on other properties. Ms. Morris said many of the current zoning districts allow many more uses than PL, so it is a protection. Chairman Hellyer said bingo cannot be played on public land. Ms. Morris said correct, unless a government entity buys it.

Chairman Hellyer asked if the water tower property was on the list. Ms. Morris said it is 202 Poplar Drive South. Chairman Hellyer asked if the water tower is on North Poplar behind Valentino’s Restaurant. Chairman Hellyer said the Frontier station house was not on the list. Ms. Morris said 202 Poplar Drive North is the water tower address [there is a typo on the agenda].

Mr. Gary White, Lakeside Drive, believed council should delay second reading of this ordinance until people understand what is going on, and asked which properties were not in residential districts. Ms. Morris said there were several: the parking lot at Yaupon; the town hall complex, including the fire and police stations; the public works property on Sandy Lane; 12 Pinewood Drive North and 212 Surfside Drive, the two recently purchased lots for a parking lot. She explained that the second reading before Town Council is to create the public land district. A recommendation to rezone these properties has not yet been made by the commission to council. Mr. White said some councilmembers wanted to add more uses to the PL district. Ms. Morris said the planning commission only makes recommendations to council. The commission recommended removing correctional facilities and rehabilitation centers. At first reading Town Council added asked that those two uses be added back for consideration at second reading. Mr. White asked how council could be stopped from adding those uses to the PL District. Ms. Morris said he could speak at the next council meeting during the agenda comments.

Mr. Farrow Griggs, Lakeside Drive, said he was an attorney for 47 years in North Carolina and did a lot of zoning work. From what he heard, this seems like “an awfully good idea;” to go from many mixed use zoning to a public land zoning makes perfect sense. He wasn’t familiar with reversion clauses, because they were not used in North Carolina, but said it also had merit. He heard comments tonight that on all these properties there were either deed restrictions, protective covenants, ‘reverters’ on some, or grants involved. It seemed to him that having the town attorney to review the various properties to determine exactly how they are encumbered would help the public understand how much they are really protected. It isn’t about being public land; it’s about what is on the [record.]

Ms. Betty Lowery, 4th Avenue North, heard some confusion about the [new proposed] parking lot and public land. As a former planning commission member, she served when a section around the pier
was rezoned C3 with the intention of trying to stop residential encroachment into what we hoped would be a business district. Parking lots were an allowable use in C3. The parking lot did not occur because of the proposed public land district. It was already allowed. Purchase was attempted years ago, but it was entirely too expensive. Ms. Lowery said multiple generations of her family use the town’s parks. With current zoning the town could sell the dog parks and housing could be built. In her opinion, the PL District and including the town-owned and government properties would guarantee that uses would remain as they are. If in the future, the town chose to sell or change its parks, the PL regulations would require public notices and perhaps the public could stop changes. We really want to keep the parks.

Ms. Dianne Buczek, Millwood Drive, asked if the proposed parking on Surfside Drive would be a lot or a garage. Mr. Brown said it would be a lot. Ms. Morris said Town Council approved the basic layout of the parking at the special meeting on August 5th; those plans are online.

There were no other public comments. Chairman Hellyer closed the public hearing at 7:13 p.m.

4. Agenda Approval.

Mr. von Buseck moved to approve the agenda. Mr. Brown second. All voted in favor. MOTION CARRIED.


Mr. von Buseck moved to approve the March 7 and July 2 meeting minutes. Mr. Pesce second. All voted in favor. MOTION CARRIED.

6. Public Comments on Agenda Items.

There were no comments.

7. Business

(1) 3A – Vote on recommendations to send to Town Council. [Add Bingo as an allowable use in the C1 Commercial District.]

Mr. Brown said a number of the public spoke against allowing bingo. Surfside Beach has height requirements, because we don’t want to be like Garden City or Myrtle Beach. There is a safety aspect to consider. Recently, there was a double homicide at a bingo parlor on Highway 501 in Myrtle Beach. None of the information received about bingo parlors included any security requirements. Ensuring town residents’ safety should be first and foremost. If bingo is adopted as an allowable use, safety requirements should be included. There is a bingo parlor in neighboring Garden City, which is just south of town. There is no revenue generated for the town from bingo. He asked if there was a business ‘waiting in the wings,’ and if so, what were those plans? We need to protect the town and allow businesses that will improve the town; provide revenue to spend on the town, and make changes to make the town better and prosper. The way bingo is now, in his opinion, the business would not add anything to the town. He did not support recommending the use.

Chairman Hellyer had limited experience with bingo, other than he was assigned security for bingo parlors in a four county area when he was a deputy sheriff. There are many people who like to play bingo. It could be a tourist attraction, but there are security issues. You cannot stop business by nonprofit organizations just because they don’t pay revenue tax. He was unsure about his decision.

Mr. Sluder agreed with Chairman Hellyer, and thought regulating businesses instead of letting the open market take care of itself was “going down a rabbit hole.” He understood [the points stated.]
Mr. von Buseck also agreed. Currently, bingo is illegal in town. Adding the allowable use would allow the market [to determine whether it’s economically sound.] Since bingo is operated by nonprofit organizations, the town does not gain any revenue. But, during the off season, bingo would provide an entertainment option. He did not have a definitive answer.

Mr. Pesce was not sure whether traffic at night would be good for the town, or whether the cash [required to operate] would negatively impact the safety of the surrounding businesses. If the town could prosper from allowing the bingo use, it might be revisited in the future. Without a definite business plan, he did not support the recommendation at this time.

Mr. Pesce moved to recommendation to Town Council that adding bingo as an allowable use in the C1 Commercial District be denied. Mr. Brown second. All voted in favor. MOTION CARRIED TO DENY.

(2) 3B – Vote on recommendations to send to Town Council. [Rezone town-owned and government-owned property to Public Land (PL)]

Mr. Brown believed there was a lot of misinformation distributed, but in his opinion, the PL district will restrict property in a good way. It protects those properties in residential districts. It gives notice and limits what can be placed on them. The question was asked at the last meeting, ‘why hasn’t this been done in the past, because other towns have this?’ The answer was, ‘well, that was a good question. We probably should’ve done it a long time ago.’ We’d like to blame the past planning commissions that didn’t pass this. (Laughter.) He supported recommending approval to Town Council, and added that the town needs to ensure the correct information was publicized to correct all the misconceptions.

Mr. von Buseck also had concerns about whether this was a ‘public land grab’ or if there were plans to build things, but Ms. Morris answered his questions quite well.

Mr. Brown said that at the July meeting one piece of property had the correct PIN (Property Identification Number assigned by Horry County) number, but the wrong address. The commission voted to defer acting on that property until it was published correctly, and the public had proper notice. The commission members didn’t feel the surrounding homeowners received proper notice, because of the wrong address.

Mr. Pesce was in favor, and said he believed a lot of confusion was because there were so many property types to be included in the PL. He explained to those who were still at the meeting that the town website really was the best place to get information, and you should visit it frequently. Social media was mentioned several times tonight. That information is not from the town. That’s the grapevine. Please go to the source and find out there what the decision is and what the impact is. (Note: many individuals left once the public hearing ended.)

Mr. Sluder agreed, and said his personal recommendation would include Town Council at least discussing the positives and negatives of a reversion clause. He thanked everyone for their input, and suggested the town attorney be involved to ensure everything was done properly before the ordinance was presented to council. He saw the value in the PL District.

Chairman Hellyer said he heard no substantial negative comments, and thought there were many advantages to the PL District, especially not being able to remove a property from PL without a public hearing, which he thought was a good way to ensure public notice.

Mr. Brown moved to add a reversion clause to the ordinance. Mr. Sluder second. All voted in favor. MOTION CARRIED.
Mr. Brown moved to recommended approval of rezoning the properties to Town Council. Mr. Sluder second. All voted in favor. MOTION CARRIED.

8. Old Business - Article III District Regulations

Ms. Morris presented the decision paper, a copy of which is on file. Article III includes the allowed uses within the town limits in the various zoning districts. The zoning ordinance is a “permissive ordinance,” meaning that if a use is not included as being allowed, then it is prohibited. Section 17-008 of the Town Code was cited as the authority. Ms. Morris said for the record, “All of our ordinances before they go to council are reviewed by an attorney.” Permission to hold a public hearing on Article III was given by the previous commission, but since a new commission was seated, it was presented last month for review. She asked the business committee to review Article III; the chairman said the committee only had one question about radio stations, which are listed as restricted now. Radio and television stations are allowed in C1 and C2 districts, but the transmission tower must be located off site. She asked if the commission had recommendations or changes.

Mr. Sluder said the proposed definition for long term rentals was 12 months or more permitted in all zones except C4, MP, and PL. Short term transient rentals permitted in R3 and C3 are 31 days or less. He asked what the rule is for the gap between 32 and 364 days. Ms. Morris said the long term rental definition came about because there were several questions about short term rentals in R1, R2 and R3. Those districts only allow long term rentals, but there was no definition. The question was presented to the planning commission and this definition was proposed. In a district with only long term rentals, any term less than a year is not allowed. This commission may propose a change to that language, if you choose to do so. By the current code, houses cannot be rented for 45 or 60 days, except in a district where short term rental is allowed. Mr. Sluder believed that was an issue.

Mr. Pesce asked if back-to-back rentals were allowed. Ms. Morris said in the R3 District, which is called the transient rental district, you can have a long term lease or 45 day or 60 day lease. However, in R1 and R2, the more established residential use districts people [rent] long-term.

Chairman Hellyer said during the previous commission’s discussion when long term rentals were being discussed, rentals to “snow birds” was brought up. Those people rent for two or three months during the winter. He asked if a three month rent was considered short or long term. Mr. Sluder said that with the current internet applications allowing home rentals many people want to come south during the winter. Some of them might choose to be farther away from the beach in R1 or R2. It didn’t make sense to prohibit snow bird rentals in other districts. He asked if the town attorney reviewed this. Ms. Morris said the previous attorney reviewed it several times; the current attorney will review it before it is presented to council.

Chairman Hellyer recognized Mr. Sam Gambell, Willow Drive North. Mr. Gambell said he rents to snow birds from October until April. There were other reasons people needed shorter term rentals. Once he rented for four months to a family whose home was burned; another time he rented three or four months to a family who was building a house. He suggested that any rental less than 364 days be considered short term to simplify it.

Chairman Hellyer said the previous commission discussed having tenants sign a year lease, and leave the lease early. Ms. von Buseck said then people would be cheating to keep the law. He did not propose that. He agreed, many people come south during the winter and want to stay between two and five months to get away from the snow and bad weather. Mr. Sluder said his parents had to rent about five months, while their home was being refurbished. As Mr. Gambell said, that type rental occurs regularly in town.
Chairman Hellyer suggested a public hearing on the uses. Ms. Morris said a public hearing is required, and the short term rental options could be highlighted. Mr. Sluder asked if that included massage therapy uses. Ms. Morris said yes. Mr. Sluder and Mr. von Buseck agreed.

Mr. von Buseck said except for the chairman, all of the commission members were new. He didn't understand why massage therapy was only allowed as an accessory use. He is a construction worker and has first-hand knowledge of the importance of a therapeutic massage. Mr. Sluder said he definitely did not want to hurt any existing salons. Mr. von Buseck said the town receives tax revenue; we don't want to have a specific area for this type business, but there may be some negatives to having only accessory uses. Mr. Pesce said now medicinal masseuses are aligned with chiropractic offices, so there is a professional vetting that you may not have with a stand-alone business. Mr. von Buseck asked if there were concerns about unprofessional activities. Chairman Hellyer said that issue has history, which is the reason it came about. The goal was to stop those behaviors from happening again. Mr. von Buseck asked if that was the police department's responsibility. Chairman Hellyer said the police department and the business license office. Mr. von Buseck said Massage Envy would not be allowed to open under the new proposal. Ms. Morris said that was correct, unless it met the requirements. Mr. Sluder said that was a very well established business. He was concerned about placing an unnecessary regulation. Mr. von Buseck said the concern was to keep a 'red light' district from being established. Mr. Sluder said it was the police department's responsibility to control. Mr. von Buseck believed this regulation might lead to other prohibitions. In his opinion, it was restricting businesses and freedom of enterprise.

Ms. Morris said a public hearing on Article III will be advertised for the next meeting and the notice will be specific about massage establishments. Chairman Hellyer asked if that was the only item on the next agenda. Ms. Morris said that was correct.

Ms. Morris asked the commission if the next meeting could be changed to the second Tuesday, September 10th, because she would be out of town. Commission Members CONCURRED.

9. Public Comments – General

Mr. Sam Gambell, Willow Drive North, agreed that theoretically massage parlors could lead to other things, but he thought it was being restrictive to not allow them. Try to consider that this is still America, and as I understand it, we have pretty good law enforcement, so they can take care of business.

10. Commission Comments

Mr. Sluder thanked everyone for attending that stayed for the entire meeting. Have a great evening.

Mr. Pesce thanked everyone for their patience and comments. He really appreciated the feedback and for the commission members and community working collectively.

Mr. von Buseck thanked everyone for staying. He wished that [Mr. Lavoy] had stayed, because there were some comments that related to his comments. He understood getting emotional about things. Having met the commission members and staff, he was confident that they were diligent workers and cared about Surfside Beach. We here in town are ‘living the dream.’ We all want to preserve the town as a wonderful, beautiful place that is business friendly, and also great for vacationers and residents. That is one reason he volunteered to serve on the commission; to help maintain that balance. He was honored to be on the commission and was thankful and grateful to be living in Surfside Beach.

Mr. Brown echoed the comments and thanked everyone for coming out. Have a good evening. See you on September 10th.
Chairman Hellyer thought it was great that the public showed up; there were good comments. He liked the open communication. He hoped that everybody learned something about public land, and why it is important. Thank you for coming. The National Night Out sponsored by the police department is going on across the street, so stop by there.

11. Adjournment. Mr. Brown moved to adjourn the meeting at 7:47 p.m. Mr. Sluder second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: September 10, 2019

Robert Hellyer, Chairman

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