



# TOWN OF PAWLEYS ISLAND PLANNING COMMISSION MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585  
11-07-2022 – 10:00 AM

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**PRESENT:** John Hildreth, Ed Fox, Robert Moser, John LaMaster, Frances Green, Buddy Keller (Zoom)

**ABSENT:** Mark Hawn

**STAFF PRESENT:** Daniel Newquist (Town Administrator), Daniel O'Hara (Town Clerk)

**ADDITIONAL PRESENT:**

**1. CALL TO ORDER**

John Hildreth called the meeting to order at 10:01 AM.

**2. PUBLIC COMMENTS**

Carmen Mills asked if the board could introduce themselves so they would know who everyone is.

**3. APPROVAL OF MINUTES**

**A. 8-5-2022 PC MEETING**

John Hildreth requested a motion for approval or denial. John LaMaster stated that at the approval of the 6-13-2022 minutes a request was made to remove a sentence, which was then included in the motion to remove it during the 8-5-2022 meeting minutes. **John LaMaster made a motion to approve the minutes with the removal of the sentence in the motion. Robert Moser seconded the motion. All voted in favor.**

**4. BUSINESS**

**a. SEA LEVEL RISE ADAPTATION STUDY DRAFT OVERVIEW**

Daniel Newquist stated that the draft plan is scheduled for completion and adoption by Town Council by the end of the year. Daniel mentioned two grant opportunities that the Town has recently applied for that fall within the objectives and goals mentioned in the plan. Daniel stated that there was a very good initiative to engage the community and gather input for the study. Daniel noted that there is a five-year review listed in the plan. John LaMaster noted that there are planning commission action items listed in the plan. John LaMaster continued to state that the first one listed is to schedule a workshop within the first quarter of the new year. Daniel Newquist stated that the idea of that was to get an 18-month plan to determine what initiatives the Town wants to pursue within the near future. John Hildreth stated that there is no action required on the item.

- Carmen Mills asked whether the study looked at point source flooding referencing a pipe installed on Highway 17 that drains into the creek and whether it was determined if it has any impacts on the flooding experienced on the Island. Daniel Newquist mentioned there are mentions of stormwater infrastructure needs in the plan. Fran Green provided insight into the discussion stating that the water runoff from those drains would not create a significant impact on the flooding on the Island. Daniel Newquist mentioned that this study does not take into account the influence of stormdrains outside of the Town's jurisdiction on flooding. Daniel then mentioned that the County was working on a project to address stormwater and he would see if there was any connection.

**b. COMPREHENSIVE PLAN DISCUSSION**

Daniel Newquist reminded the Planning Commission an update of the Comprehensive Plan was initiated previously but has been on pause for much of 2022. Daniel mentioned there are new state requirements for municipalities to include a Resilience element. Daniel stated that at the next meeting there should be a full review of what the Town currently has drafted and discuss remaining items that need to be completed. John LaMaster stated that he had consolidated comments into a word document of the current version of the plan. The Planning Commission agreed that a thorough review of the current document would be best to make sure that the Town would be eligible for grants and various funding opportunities.

#### **BUILDING DEPARTMENT SERVICES- ACTION ITEM**

Daniel Newquist started by explaining what has happened since the last meeting. Daniel mentioned that he had been in contact with CC&I and stated that they were slow in providing a contract for review. Daniel mentioned that their location in the Upstate may lead to a slow turnaround on inspections. Daniel mentioned that he had a conversation and meeting with SAFE Built on their software and their capabilities. Daniel mentioned that Robert Cox served as the building official for Georgetown County, Daniel also continued to note references from other municipalities in the area and their review of the services offered by SAFE Built. Daniel stated that with advice and help from the Town Council and both John Hildreth and John LaMaster, he plans to move into a contract with SAFE Built. John LaMaster asked if there had been any review of the fee schedule. Daniel Newquist mentioned that he has been trying to schedule a meeting with SAFE Built to work on the next steps. Daniel continued to explain that the original contract presented to the Town was an hourly rate. While he had requested an 80% to 20% split. Daniel mentioned that they sent an adjusted fee schedule that the Town would need to justify an 80% to 20% revenue split. John LaMaster stated that SAFE Built includes other fees into their fee schedule that the County does not. This led to a discussion about the current fee schedule versus the proposed fee schedule from SAFE Built. John LaMaster stated that he would like to attend the meeting with Daniel to discuss some of the conditions of the proposal. This led to a discussion about whether there should be an update on the fee schedule for the town. Carmen Mills asked whether or not the incorporation of the building department was to gain revenue for the Town. Daniel Newquist stated that it is not the main focus. Daniel continued to explain to them that it was something that the Town had been pushing for to streamline the process for property owners and to make sure the Town's ordinances are enforced. Buddy Keller stated the last thing you would want to do is to go into an hourly pay rate. Robert Moser asked Buddy Keller if in his experience if there was segregation in fees for permits based on mechanical, electrical, and plumbing. Buddy Keller stated that in his experience with commercial buildings it is, but he does not seem to believe that it should necessarily be the case for residential. Daniel Newquist explained to the Planning Commission that there are multiple factors surrounding this issue and it may be better served to revisit the fee schedule after entering into a contract with SAFE Built than to wait. John LaMaster stated that Daniel is proposing that the Town should enter into a contract with SAFE Built with the current fee schedule as there would not be enough time to amend them before the first of the year. Robert Moser stated that the Town should make sure the permit included the mechanical, plumbing, and electrical. Daniel summarized that he is seeking a recommendation from

the Planning Commission to receive the Town Council's approval to negotiate a contract with the selected company.

Daniel stated that the Town has issued a conditional notice of termination with Georgetown County upon securing a contractor with a target date of December 31<sup>st</sup>. Daniel mentioned John LaMaster has drafted a termination agreement with the County to cover various key points; to ensure current permits are covered up to issuing a certificate of occupancy; to ensure that the transfer of current permits is covered if there is an extension; to discuss the protocol if a permit is submitted late in the year and whether the County will continue or if the Town will take it. Daniel also mentioned that it is important to obtain the permit history for our records. Daniel stated that it is important for the Town to have made sure that certain requirements are met, mentioning the recording of permit applications, and making sure the Town keeps them for the correct amount of time. Daniel also noted that there is a requirement for a building code board of appeals. Daniel mentioned that there is a provision for retaining the use of the County's board until the town selects its own. Fran Green asked if the council members had a copy of the contract before they met on Monday. John LaMaster mentioned that he believes the request from the mayor is to recommend to the Town Council and Daniel Newquist negotiates the contract with SAFE Built. Daniel explained that it could be until the December meeting that the Town Council receives a final contract for review. Daniel stated that there is some urgency to get the permitting process under Town supervision so that property owners can get the services they need at the start of the new year. John LaMaster noted that he has looked at the contract and stated it is ok and he would take another look and that aside from the fee schedule, it is pretty close. Robert Moser clarified today the commission needs to recommend the vendor to the Town Council and that following further meetings with SAFE Built and Town Council the commission will review the vendor contract and Georgetown County transition agreement. Daniel Newquist stated that the recommendation will be presented at the meeting on Monday, November 14<sup>th</sup>. But the contract will not be reviewed until the December 12<sup>th</sup> meeting. Robert asked if it would not be possible for the Town Council to decide to go with SAFE Built at the next meeting. Daniel Newquist stated that he would be able to get approval to negotiate a contract with SAFE Built at the November 14<sup>th</sup> meeting but would not present a contract until the December 12<sup>th</sup> meeting. John Hildreth asked for a recommendation. **John LaMaster started a motion to recommend to the Town Council that we enter into a building services agreement with SAFE Built subject to the Town Administrator agreeing to the terms of the contract. Ed Fox seconded the motion. All voted in favor, and none opposed.**

John LaMaster stated that if anyone has input on the termination agreement to let him know and that the Town should send copies to both SAFE Built and the County to make sure that they have no issues with them.

**c. 2021 BUILDING CODE ADOPTION- ACTION ITEM**

Daniel Newquist stated that the State is adopting revised building codes provided by the International Codes Council. Daniel continued to explain that the Town would be required to adopt the new building codes by January 1, 2023. Daniel mentioned that our current ordinance references the current building code in place. Daniel noted that it is listed as a footnote in article 9 in the building and building regulations section. Daniel stated that the Municipal Association of South Carolina has been providing guidance and that he will share any draft ordinance with the Town attorney to make sure it is covered correctly.

Daniel stated that he has not received a draft ordinance yet, but he wanted to make sure to bring this to the Planning Commission's attention. John LaMaster asked how it would be possible to get two readings to pass an ordinance for Town Council before January 1, 2023. Daniel Newquist stated that he is relying on guidance from the Municipal Association on how to proceed with the situation. John LaMaster stated that the Town could draft a public notice that states that the Town is adopting the building codes and the Town Council could vote to adopt the 2021 building code subject to the ordinance language. Daniel stated that it would need to reference the new codes and not the 2018 codes as it does currently. Robert Moser asked if there was anything that was prohibited as far as the Planning Commission is concerned. Daniel stated nothing that he is aware of. And mentioned that he has not familiarized himself with the new codes but will rely on guidance and assistance from SAFE Built.

**d. SWIMMING POOL REGULATIONS: PRELIMINARY DISCUSSION**

Daniel Newquist stated that after the Hurricane a property owner wanted to clean out their pool and when removing the water, they flooded several properties and reached Myrtle Ave by Town Hall. Daniel mentioned that the Town Council asked to re-evaluate the ordinance. John LaMaster stated that technically it did conform with B-1 of the ordinance. **See attached ordinance.** Daniel stated that it could be argued that, but mentioned the major issue was that it flooded the neighbor's property. The planning commission briefly discussed the issue and determined that further research would need to be done on the matter. Daniel mentioned an approved swimming pool permit that might warrant further research and ordinance modification. Daniel mentioned that inground permanent pools are allowed but above-ground pools are not allowed. Daniel stated that recently the Town received plans for an inground pool with an elevated deck. Daniel stated that there could be problems with flood mitigation best practices. John LaMaster stated that the setback requirements on a pool should be looked at as well. Fran Green mentioned that the Planning Commission has not discussed pools since Bill Otis was Mayor.

**COMMENTS BY COMMISSION MEMBERS**

Robert Moser stated the issue with docks and permitting and what was discussed earlier are all relative to the cleanup. Robert mentioned that he is at a loss as to why the owners of the docks and floating docks are not responsible for the cost of cleanup. Robert mentioned that there are two walkways at the north end that are disconnected and non-usable and that need to be removed. John LaMaster stated that it was his understanding similar to the kind of discussion that the Town is having with the pier that if the dock is identifiable to someone then it would be their responsibility. Daniel Newquist stated that the next big cleanup is the creek and there will be a procurement process for this. Daniel mentioned that he requested the beach cleanup contractor to categorize the debris and break it down by percentage. Daniel stated that it would be harder to do this on the creekside, but it is definitely something that will be discussed. Daniel noted that there was drone footage done right before the storm and drone footage right after the storm. This footage would help the Town analyze the debris in the creek. Daniel noted the OCRM emergency orders for creek debris removal are still in place, but the Town may need to request an extension. Robert Moser stated that the contractors should be commended for their work, stating that they did a great job. Robert then thanked Daniel Newquist for helping get the project extended slightly north. Daniel stated that he plans to get back onto the beach to check the progress of the project. Daniel mentioned that dune fencing and dune disturbance have been frequent inquiries at Town Hall. Daniel stated that he wants to make sure that the Town proceeds

to promote the best management practices and education on the importance of these features on the beach. Robert Moser mentioned that the Town should start a lost and found following the storm stating that he had a bench that had washed up onto his property.

**5. ADJOURN**

**John LaMaster motioned to adjourn the meeting. Buddy Keller seconded the motion. John Hildreth adjourned the meeting.**

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**APPROVED**

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**DATE**

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**ATTEST**

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**DATE**