



# TOWN OF PAWLEYS ISLAND

## PLANNING COMMISSION MINUTES

Town Hall – Conference Room | 323 Myrtle Ave | Pawleys Island SC 29585  
4-11-2023 – 11:00 AM

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**PRESENT:** John Hildreth, Mark Hawn, Robert Moser, John LaMaster, Frances Green, Ed Fox

**ABSENT:** Buddy Keller

**STAFF PRESENT:** Daniel O’Hara (Town Clerk)

**ADDITIONAL PRESENT:** Mayor Henry (Virtual)

**1. CALL TO ORDER**

John Hildreth called the meeting to order at 11:00 AM.

**2. PUBLIC COMMENTS**

a. No comments were made.

**3. APPROVAL OF MINUTES**

**A. 2-24-2023 PC MEETING**

a. Mark Hawn made a motion to approve the minutes as written. John LaMaster seconded the motion. All voted in favor.

**4. TREE AND LANDSCAPING ORDINANCE: FOLLOW-UP DISCUSSION**

a. John Hildreth stated that he attended the Town Council meeting and was happy to give its approval. Mark Hawn passed around a photograph of a cedar that was cut down just before the ordinance was passed. He emphasized that it was something that was done to beat the deadline, but it would have been something that would have been regulated in this new ordinance. John LaMaster mentioned that there will need to be some additional edits made to the ordinance in the future. He stated that adding distinctions for palms and palmettos, and a typo requiring only trees of 4” DBH to be listed on a survey when the smallest protected trees are ornamentals with a 3” DBH. Mark Hawn asked if there was a plan set for Island wide communication on the Tree ordinance. He noted that there needs to be communication with residents to raise awareness. Robert Moser stated that the goal is not to fine people but for them to not cut trees. This led to a discussion about advertising the ordinance to residents to include important information from Nicole Elko on why this is important.

**5. SWIMMING POOL ORDINANCE AMENDMENT: DISCUSSION**

a. John Hildreth explained that the Town Council determined that the most important issues regarding swimming pools were the drainage and the setback requirements. He noted that the Town Council did not seem ready to address the setback requirements. John LaMaster stated that several Council members had concerns with limiting the setback requires on pools. He mentioned that they requested that the Planning Commission focus on the drainage issue. John LaMaster continued to explain that he could not find any other regulations on how to dispose of pool water. He noted that since the Georgetown Water and Sewer District does not allow for the direct draining of pools what does the County require? John Hildreth asked what Charleston requires. Daniel O’Hara stated he would look into this, and he would mention that to Charlie Barrineau, the Town’s Municipal Association of South Carolina representative to see if he is aware of any similar ordinances. Mark Hawn added that this is something that needs more research.

**6. HISTORIC HOME PROTECTION REGULATIONS: DISCUSSION**

a. John Hildreth asked Mark Hawn to share his discussion with a property owner on the Island. Mark Hawn explained that he met with the resident of the home and noted that the family has already added to the deed that nothing can be done to the property for 100 years. He emphasized that the only restriction or agreement on the property is strictly

within the family, and it is not on a conservation easement. Mark Hawn continued to provide background on conservation easements, noting that both owners that he spoke with were not interested in it. John Hildreth provided input on his conservation easement. This led to a discussion about conservation easements and how they are assessed. John Hildreth asked Fran Green to assist with her knowledge of conservation easements in South Carolina to help find a solution on the Island. Mark Hawn shared his conversation with the property owner that opted out of participation and noted they wished to not have value locked up in the home. Fran Green stated that she has had a few conversations with another homeowner who is in favor of protecting their home. John LaMaster noted that the Town Council asked the Planning Commission to sit on the issue and to keep discussing it. John Hildreth noted that other homes on the Island should be included on the list. He asked if there was a list of older homes on the Island. John LaMaster added that it may be difficult to track and referenced a previous conversation he had with Ryan Fabbri about the issue. John Hildreth mentioned if Charleston can do it then the Town certainly would be able to. Mayor Henry provided feedback from the Town Council, and he noted that of the twelve homes eight of them have expressed interest in the program. He continued to explain whether it would be smart to try and limit the potential value of the property. Mayor Henry stated that it is a good path and there is support for it but there needs to be more research done. He questioned whether it would be best to either go all in or just the homes that expressed interest. The Planning Commission discussed the issue and decided that it should be all in and address them all the same. John LaMaster stated that it might be best to get legal advice from the Town attorney.

#### **7. COMPREHENSIVE PLAN UPDATE**

- a. Daniel O'Hara provided an update on the current status of the comprehensive plan. He noted that the edition shared at the last meeting is still the most current version. Daniel O'Hara continued to mention that the Capital Investment Element and the Resiliency Element are still in draft phases. He added that he would redistribute the comp plan for any additional edits or feedback. John Hildreth stated that it should be relatively close to the final draft. John LaMaster added that it had some outdated data and various inserts were missing. Daniel O'Hara stated he would pass around that information.

#### **8. UNIFIED DEVELOPMENT CODE: REVISION DISCUSSIONS**

- a. Daniel O'Hara shared that Daniel Newquist was looking to do an in-depth review of the unified development code. Daniel O'Hara noted that there was recently a variance request for a metal fence in an AE zone and as the ordinance is written the fence is not allowed in an AE but is allowed in a VE zone which is the stricter. He continued to note that there is not a lot of information in the ordinance about seawalls, bulkheads, and similar structures. Daniel O'Hara referenced the Folly Beach requirements included in the packet as a good starting point for discussion. Robert Moser requested that creek and beach walkways should be included in the package for review in updating the UDO. This led to a discussion over concerns about the height of the creek and beach walkways.

#### **9. PLANNING AND ZONING ANNUAL TRAINING REMINDER**

- a. Daniel O'Hara noted that Daniel Newquist offered to facilitate some training for the Planning Commission. He mentioned that Daniel Newquist could do it before a meeting to make it convenient for the members. The Planning Commission agreed that this would be a good idea but did not set a date.

#### **10. COMMENTS BY COMMISSION MEMBERS**

- a. Mark Hawn asked what the latest update on the North End Jetty was. Mayor Henry stated that Daniel Newquist was closest to the situation, he mentioned that the Jetty is in a

“COBRA” zone, and they cannot use federal dollars in that area. Robert Moser mentioned that the last he heard there were issues with the construction infringing on private property. Mayor Henry asked Robert Moser how bad the situation is. Robert Moser stated that each year it continues to deteriorate, noting that there are timbers loose and the tide continues to wash away the sand. Mark Hawn noted that during Ian it forced water across his property. Mayor Henry mentioned that following Hurricane Ian that was the first place that they took the Army Corps to view the effect the storm had on the jetty. He emphasized that it was a priority for the Town and for the Army Corps radar to repair the jetty. John LaMaster stated that if you believe what the folks in Prince George are saying it would be arbitrary to believe if Litchfield does their renourishment, it could affect the North Jetty. It was noted that the renourishment had been completed. Robert Moser mentioned that the beach had been the healthiest it had been in a while, about six months. And it recently had eroded, and the tides are back. He noted it changes and it moves as it always has. Robert Moser stated in 1981 you could not see the Jetty.

- b. Daniel O’Hara noted that SAFE built would be attending a future meeting and the Planning Commission members can prepare some questions for them.

**11. NEXT MEETING DATE/ 2023 MEETING SCHEDULE DISCUSSION**

- a. No meeting was set, John Hildreth will follow up with Daniel Newquist to establish a date.

**12. ADJOURN**

**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**