

**Planning Commission  
April 8, 2009; 3:00PM  
Kiawah Island Municipal Center  
Council Chambers**

**MINUTES**

**I. Call to Order:**

**Mr. Peterson called the meeting to order at 3:00PM.**

**II. FOIA:** Notice of this meeting has been published and posted in accordance with the South Carolina Freedom of Information Act and the requirements of the Town of Kiawah Island.

**III. Roll Call:**

**Present:** Fred Peterson  
Andy Capelli  
Peter Trees  
Larry Iwan  
Joyce Neuman

**Also Present:** Joel Evans, Charleston County  
Cathy Wilson, Town Clerk  
Tumiko Rucker, Town Administrator

**Absent:** Ron Tedesco  
Wayne Juchatz

**IV. Approval of Minutes:**

**A. Minutes of Planning Commission Meeting, March 4, 2009**

**Mr. Capelli motioned to approve the Minutes of March 4, 2009. Mrs. Neuman seconded the motion. Mr. Capelli and Mr. Peterson made changes to the minutes. With those changes, the motion carried unanimously.**

**V. Subdivision Request:**

**None**

**VI. Old Business:**

**A. 68 Otter Island Bulkhead Application**

Mr. Wall stated that his client, Laurence Culp, purchased the 68 Otter Island property on January 18, 2005 with the intent of constructing a home. Mr. Wall was hired in 2007 to obtain required permits, complete the design and construction of an erosion control structure. During the process, they reviewed rip-rap grass slope, a naturally vegetated grass slope, and the final decision was to use the bulkhead option. Wall Permitting used two separate data sets to establish the erosion rates: 1) Aerial DNR photography from 1994; and, 2) Aerial DNR photography from 2006. The vegetation lines of each aerial photograph was then digitized and overlaid onto a base map to show changes along the property. Wall Permitting also compared two SCDHEC/OCRM certified critical line surveys. The critical line surveys were taken in 2004 and 2009. The 2009 critical line survey was made by Kennerty Surveying and certified by Fred Mallett, SCDHEC/OCRM, on February 23, 2009.

The proposed bulkhead will be 300 linear feet in length with a top vertical elevation of approximately +6.0 feet. Mr. Wall stated that it will hardly be visible. There will be no reclaiming of the existing eroded property and the bulkhead will be placed on the 2009 critical line by use of GPS.

Mrs. Neuman asked if neighboring property owners had been notified as required. Mr. Wall stated that neighboring property owners were notified and no responses were received.

**Mr. Iwan motioned to approve the request for bulkhead on 68 Otter Island. Mr. Capelli seconded the motion. The motion was approved unanimously.**

**Mr. Peterson asked if Mr. Wall would forward the final design to the Planning Staff and Commission for informational purposes. He agreed to the request.**

**VII. New Business**

None

**VIII. Correspondence:**

None

**IX. Public Comment:**

None

**X. Commissioner Comments:**

Mr. Iwan asked for an update on the Comprehensive Plan Update. Mr. Peterson stated that it had been delayed.

Mr. Capelli asked if, The Settlement Phase 3, most currently known as Parcel 23 was comprised of multiple lots. Mr. Joel Evans replied that the lot was currently one lot in entirety. Mr. Capelli agreed that the Tidelands Management Article should be placed into Article 12. However, he stated that he did not see any other opportunity for the Planning Commission to become involved after approval of OCRM and the ARB.

Mr. Iwan questioned if OCRM and the ARB approve the bulkhead, what will the Planning Commission add? He asked on what basis the Commission will approve or disapprove the application.

Mr. Trees had no comment.

Mrs. Neuman stated that she feels that if the ARB approves and the OCRM approves then the Planning Commission should approve as a formality. Mrs. Neuman stated that the Town attorney should be involved in the draft.

Mr. Peterson stated that the show of Kiawah Island residents at the OCRM Public Hearing for the proposed 40 Year Setback Lines was incredible and that OCRM had postponed implementing the lines on Kiawah to allow time for consideration of the comments. Mr. Peterson also noted that Mr. Juchatz will no longer be serving on the Planning Commission because he has moved to Cassique. He thanked Mr. Juchatz for his five years of service. Mr. Peterson also asked Planning Staff to review the dock on 68 Otter Island for compliance with the Key Locations Map. He asked Mrs. Rucker to develop a formal process to incorporate Article 17, Tidelands Management into Article 12. The process will be reviewed by the Planning Commission at a future date.

Mr. Capelli stated that the beach parking exhibit was on display inside Council Chambers for public inspection.

**XI. Adjournment:**

**Mr. Capelli motioned to adjourn the meeting at 3:38PM. Mr. Iwan seconded the motion. Motion carried unanimously.**

**Submitted by,**

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Catherine C. Wilson, Town Clerk

**Approved:**

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Fred M. Peterson, Chair

**Date:** \_\_\_\_\_

CC: Planning Commission  
Daniel Pennick, Charleston County Planning  
Dennis Rhoad, Town Attorney  
Town Council  
Tumiko Rucker, Town Administrator  
Joe Bunting, KICA  
Amanda Mole, ARB