

October 25, 2004

The Design Review Board for the Town of Sullivan's Island met on the above date at Town Hall, all the requirements of the Freedom of Information Act have been satisfied.

Present were: Pat Ilderton, Chairman
Steve Herlong, Vice Chairman
Duke Wright, Secretary
Betty Harmon
Michael Daly

Marshall Stith: At this time I would like to call to order the organizational meeting of the Town of Sullivan's Island's Design Review Board. This meeting has been advertised to meet the freedom of information act requirements. We are here today on October 25 at 6:30. This begins a very interesting journey, for the members of the Design review board. What you are doing is of great significance to our community. We appreciate the time and effort that you are going to take to further advance our community and protect and observe the things we know and love about Sullivan's Island. It will be a very difficult job. Thank you again in advance for doing this.

Before you tonight you will see that we have an agenda we are on item number one, the call to order. This is all new to you and to the town as well. You will be officially sworn in at the next town council meeting, on November 16, 2004 at seven o'clock. Is that correct Andy?

Andy: That is correct.

Mayor Stith: You will not be making any decisions tonight, but we would refer you to the agenda. Based on a request from our town attorney I would like a member on the board to make a motion that we go into executive session. Our attorney Lawrence Dodds can advise members of the board on matters about your jobs and how we should organize this board. If one member of the board will make that motion, seconded it by another.

Mayor Stith: Mr. Ilderton made the motion, seconded by Duke Wright. Is there any discussion? All in favor of going into executive session signifying by saying I. Any opposed? It's unanimous.

Larry Dodds: For example: when you approve repair and maintenance requests say that you authorize it pursuant to section 21-100. Andy do you have any forms here tonight?

Andy: I have some examples that we can work on. The board may want to make some changes or adjustments. We need applications for removal of a house from the historical list, certificate of appropriateness for demolition and certificate of appropriateness for new construction.

Larry Dodds: one other matter about procedure I think that when you make a decision at the meeting, you should put it in the by laws that an oral decision is considered action for the forty-five day purpose. You have to follow that up with finding and conclusions as to why you came up with that decision and that could be in the form of a separate order. Kent Prause talked about drafting that order for you, it can be the minutes of the meeting, that's the way your by laws are set up at this time. You need to finalize the decision in writing, either in minutes or an order. The chair would sign and the vice chair in his

absence, but the decision made at the meeting, if not you need to make sure that the order is actually signed within the forty-five days.

Andy: minutes are normally approved at the following meeting. They are prepared and circulated for board members to look at. In addition, deletions and corrections will be made if needed.

Pat Ilderton: So if we use the minutes it can't be acted on before the next meeting. So that will not work.

Andy: It really has to be in order.

Mike Daly: Can council take care of that?

Larry Dodds: You could actually pass the minutes around and have everyone approve these minutes individually; it's easier to have the chair sign an order pursuant to your actions. Your next step is to elect a chair, a vice chair, and a secretary, with the understanding that the staff of the town will do the secretarial work.

Carl Smith: I want to thank you for taking on this responsibility; it's important and a necessary step. These questions tonight will get into the process of the historical preservation. A relationship will develop between the board, Kent and Randy. They will help you understand various aspects of the preservation policies. I know some of you have been before similar types of boards, now you are on the other side. I believe this board is for the greater good of the community.

Larry Dodds: I'm going to leave unless someone has any questions for me.

Duke Wright: who wants to be the chairman Pat?

Pat Ilderton: I was thinking about you Duke.

Duke Wright: I don't have the feel for the issues as well as some of you do. There are a lot of undercurrents here that I think you who have dwelt on this island for a long time are sensitive to that I am not.

Steve Herlong: I would like to nominate Pat Ilderton.

Pat Ilderton: Steve you're the one with the knowledge,

Duke Wright: there are issues of history that people living here have been dealing with for a long time.

Betty Harmon: Well then could you be the secretary Duke?

Andy: Put that in the form of a motion.

Pat Ilderton: This position is for one year?

Duke Wright: I would make a motion for Pat Ilderton to be elected as chair

Andy: Is there a second to that motion.

Steve Herlong: I second that motion.

Andy: any discussion? All in favor signify by saying I. Unanimous

Andy: Position for vice chair

Pat Ilderton: I name Steve Herlong; we need an architect in that chair.

Andy: Is there a second to that motion?

Betty Harmon: I second that motion.

Andy: Is there any discussion. All in favor say I. Opposed. Unanimous 5 to -0.

Andy: do you want to nominate a secretary? Did you follow the explanation?

Pat Ilderton: Larry suggested we do it as a form. I suggest Duke Wright.

Betty Harmon: I motion for Duke Wright to be secretary.

Michael Daly: I second that motion.

Andy: Any discussion. All in favor say I. Unanimous.

Duke Wright: I would like to know whom I go to do all the work

Andy: Kat Kenyon will be attending the meetings she is a town employee and will assist you at the meetings.

Andy: We have a slate of officers, Pat Ilderton as chair, Steve as vice chair and Duke as secretary. We can now turn the meeting over to the chair.

Pat Ilderton: Lets look at the adoption of forms and fees. What are the fees Andy?

Andy: According to the ordinance there are no fees to apply to the Design Review Board. To cover the cost of advertising in the newspaper, signage and other sundry items we will add the cost to the plan review. Larry and I discussed the possibility of amending the plan review, if that is an option, or to the building permit fee.

Randy: We can take it out of the building permit fee, but what if they do not get the permit? This is one of the areas of the ordinance that we might have to revisit. As I read the ordinance there is not a charge.

Betty Harmon: What do they do in Mount Pleasant? Do they charge?

Randy: We could take a deposit of one hundred dollars to begin their plan review process, than if they get through the process apply it to their plan review fee.

Steve Herlong: But right now only the council can change that. There are no fees required for a review of plans

Pat O'Neil: There is probably a way of restructuring the building permit fee, so that it can be done in stages, outside of the zoning ordinance.

Randy: The thing is when they start bringing in conceptual plans they won't be paying a plan review fee, there won't be any plans to review at that time, and that is a pretty large fee.

Pat O'Neil: Could we institute a preliminary application fee?

Randy: Yes we could.

Pat O'Neil: It wouldn't reference the DRB directly. The cost would be for the initial process.

Duke: What are the expenses?

Andy: Advertising in newspapers is probably the biggest expense we have.

Randy: We have to purchase signs and have the signs put up.

Pat Ilderton: Is there a personnel fee, for time?

Andy: That's why Kats on board, she is designated to work on the board. She is a town employee therefore we cannot justify a personnel fee.

Pat Ilderton:It is fine with me if there is no charge, what does everyone else think?

Randy: What we could do is consider this board as part of the cost of the building department. If I get an idea of what it will cost to run for a year, we would be able to include it as part of the building department costs.

Pat Ilderton: are we going to be getting nuisance applications, people coming in wasting their time and ours?

Steve Herlong: when people in the historic districts want to get a repair permit do they have to come to the board to have it approved?

Pat Ilderton: Yes that's why we want to give as much latitude to Randy so he can assist them and they may not have to come before the board.

Duke: can we see how this works, than later establish a fee if necessary?

Michael Daly: adopted a new order to increase the building permit fee.

Pat Ilderton: Do we like the forms?

Andy: This is a draft of an application. We'll need forms for certificate of appropriateness to demolish a house, a certificate of appropriateness to build a new house.

Steve Herlong: are we supposed to draft a form tonight?

Pat Ilderton: I don't think that we can draft a form tonight I think they need one form than write a paragraph why they want to demolish it, than we decide.

Steve Herlong: They need to address the eight criteria.

Andy: That would be to remove it from the list. It would be similar to the BZA where you have your findings. You make a form using the eight criteria from the list than that person has to prove that according to these eight specific reasons it should come off the list.

Steve Herlong: That will make it easier for us to review.

Andy: We certainly can draft it that way.

Betty Harmon: The form looks fine to me.

Andy: We have a certificate of appropriateness to remove, and a certificate of appropriateness to demolish. There are two ways the board takes action; you can convey that action either by the minutes or by order of the chairman. The chairman than passes the decision onto the zoning and building officials so they can proceed with the renovation. I think those are the only four forms that you will need.

Pat Ilderton: We want to adopt the by laws, we may change them or parts of them at the next meeting if they are not acceptable.

Andy: The origin of the by laws comes from the Town of Mount pleasant appearance committee. Larry and I went through them with the help of Pat; we have changed the words to fit the Design Review Board.

Pat Ilderton: When we read it over and consider the various aspects of it, we may need to make changes at the next.

Betty Harmon: (could not understand)

Andy: can we have a motion to accept the by laws.

Pat Ilderton: Do I hear a motion?

Betty Harmon: I make a motion to accept the bylaws.

Duke Wright: I second the motion.

Pat Ilderton: everyone says I. Unamous

Duke Wright: Andy we have this form that everyone agrees is good.

That's your application

Duke Wright: what were the other three

Andy: Certificate of appropriateness to demolish a structure, certificate of appropriateness to remove a house from the historic list and a form that would reflect the order of the board or the chair to give to the staff.

Pat Ilderton: what about organizational discussions

Pat Oneil: did you include an application for a certificate of appropriateness for exterior work or new construction? Those will be the most numerous applications that you will receive

Andy: Kent and randy will need to issue the certificate of appropriateness for any work that they do not have authorization for.

Pat O'Neil: Does this board have a form for someone applying to add a wing to a historic structure or do the plans act as the form?

Betty Harmon: I think we need a separate form.

Pat O'Neil: My understanding of the ordinance is that the forty-five day time limit does not apply to applications to remove a house from the list, it applies for certificates of appropriateness. If some one is applying to have his or her house taken off the list you don't have the same time pressure that you do if someone wants to demolish or construct.

Duke Wright: I did not understand that

Betty Harmon: I did not know that either.

Pat Ilderton: How can we as a board streamline this process so that we can do service to Sullivan's island but have a time limit for our meeting?

Steve Herlong: We need to limit the time for each presentation.

Andy: that is outlined in your by laws, look at article three section four of the by laws it will say that's where the chairman makes decisions.

Duke Wright: Pat I think part of streamlining this is what we can get ahead of time?

Pat Ilderton: Its what information and material we will have ahead of time. We can look it over and have an idea whether it is a good plan

Michael Daly: Can we have any discussion before hand?

Andy: You could talk to Pat but a group of three or more constitutes a quorum. Technically you can't be at lunch together and start a discussion about a specific case because that would be a public business in a private setting.

Duke Wright: Can we get the material individually before the meeting?

Andy: Yes

Pat Ilderton: We're going to have to have the material before hand we will never remember the different information for each house.

Duke Wright: I think we need to have a large presentation board to hold a large map of the historical district that designates the districts and the units and houses outside those districts people need something to refer to in discussions.

Pat Ilderton: I am wondering if there is any kind of projector we need to have so when someone brings a plan in here and there are four or five interested parties out there on one particular item that we can say this thing here looks strange, this thing here so we can point to it or how were going to have a group discussion about a architectural feature.

Steve Herlong: I'm interested to see if there are that many other people interested what is going on.

Randy: They will be interested after the board gets going.

Michael Daly: Is there going to be an outline for people who want to build in the historic district? Is there any information that an architect who wants to build in the historic district has access to so they know where to start their plans?

Randy: They are going to have to come in with a conceptual plan for you.

Andy: If we could back up to the information to the date and time of the meetings. If there is a set day of the week or a set day of the month that the meeting will occur than the applicants will know when to attend. We will give them a deadline of 20 days in advance, they will have to submit all information, so that will give town hall ample time to verify that the package is complete, and everything has been submitted. Advertising in the newspaper has to happen fifteen days in advance, it will take us two or three days to have the Post and Courier advertise the meeting.

Pat Ilderton: What day of the week is best for the board

Andy: Look in the information that I gave you. I have a list of meetings that currently happen in town hall. What I would suggest is that you pick a Tuesday or Wednesday when Kent is scheduled to be here.

Randy: Wednesday night would be convenient.

Pat Ilderton: I would like to do Wednesday.

Andy: The third and fourth Wednesday would be open.

Pat Ilderton: The third or fourth does it matters to anyone? Does it matter as far as the town is concerned?

Andy: no

Pat Ilderton: Lets do the third Wednesday of the month. What time can we meet?

Steve Herlong: The town council meets on Tuesday the third week of the month, we will meet the day after town council meeting. Will that be all right?

Randy: We could do it the fourth week. There is nothing on that week.

Andy: We can't do it this month because we can't give appropriate notice. It would also fall be right before thanksgiving.

Pat Ilderton: People will be traveling for the holidays and are likely to be out of town. Let's do the third week of the month.

Randy: Kent and I are here at five o'clock

Pat Ilderton:Is their any legal problems with meeting at a certain time?

Andy: You can do it at any time of the day that you like.

Pat Ilderton: Randy and Kent are here at five can we do six?

Duke Wright: Six is fine with me

Andy: Six o'clock on the third Wednesday of every month to begin in November.

Ellen: Should we notify the people who have plans?

Andy: We will have to get the forms done. I have had five people want to have their homes removed from the list. We will have to do the forms today and tomorrow and circulate them to everyone. Than get the boards approval and than notify all the people who have written letters.

Ellen: We would have to have it back by the first of November to advertise in the newspaper on time.

Michael Daly: If they weren't going to be doing any construction on their house why would we vote to take their house off the list?

Pat Ilderton: They want their houses off the list for sale ability.

Steve Herlong: They're maybe some homes on the list by mistake.

Pat Ilderton: Is there somewhere to look to see if these houses are suppose to be on the list. It is a separate form for a house to be removed from the list.

Andy: It will take two days to get the forms drafted and sent out to everyone on the board. Than the board can come back to us the next day and make changes or approve the form. Than we have to get letters out to everyone who has applied to get their homes removed from the list.

Randy: You will want to discuss the bylaws after you have reviewed them.

Duke Wright: Are we going to be able to act on Mr. Bouch's request at the November meeting?

Pat Ilderton: He has already been instructed on His request for maintenance.

Randy: He can start with maintenance but he also wants to add a porch to the rear of the house

Duke Wright: He will have to go through the formal process for that.

Steve Herlong: If there is a house on the list and the owner wants it removed it's the owner's job to present enough information in any form such as videos, pictures, or they can give a talk.

Andy: In addition to the form that we are going to make there will be a certificate of appropriateness to remove their house from the historic list. In the ordinance 2194 you will see eight different items, and any one of those items will put a house on the list. They have to come up with a finding that eliminates all eight items. And show that there is no significant or inherit interest, or value as part of the development or heritage of the town, state, or nation. Again we are talking about removing it from the list not a demolition.

Steve Herlong: They could hire a Historic Preservation Specialist to come in and tell us every reason it should not be on the list

Duke Wright: They can bring a lawyer.

Andy: As I read this they can keep coming back, with the BZA they are told they cannot come back for three years.

Pat O'Neil: Now are you talking about a certificate of appropriateness but an application to remove a structure from the list?

Steve Herlong: They should not be allowed repeated requests.

Pat O'Neil: They would have to come up with new information each time they came back. For the certificate of appropriateness the board shall consider the following criteria in addition to the other criteria above which I take to mean the criteria for a qualification for a historic structure. You also need to consider the contribution the structure makes to the historical and architectural nature of the town both by itself and relation to other structures and property and than contractual integrity standpoint consider economical viable thought not profitable alternative to demolition. That will be fairly hard to meet criteria also

Randy: I want to get back to the submittal for you to review; one thing that is going to be hard is to have eight sets of plans, delivered to us. Do the other boards require them to be submitted in envelopes labeled with the project name?

Pat Ilderton: I think we should adopt that as part of the form. They have to be in eight by ten folders or envelopes.

Steve Herlong: At Kiawah they say eight half size sets. They have different size sets for different submittals. We may require 13x17 or 11x13 drawings all in the same size papers we can deal with that and a larger set for a later submittal.

Pat Ilderton: They produce the entire set paper work do we need eight sets?

Andy: I put down eight because five board members and building inspector zoning administrator and file copy

Pat Ilderton: I think we need our own set if they're all 8x10. Were talking about elevation, site plan it will be three or four sheets at the most.

Steve Herlong: Elevation to the 1/8-inch scale they need to be of scale.

Pat Ilderton: Can we get a motion to adjourn?

Betty Harmon: I make a motion to adjourn.

Andy: I second that motion. All if favor say I. Unamous