



COUNTY COUNCIL OF BEAUFORT COUNTY  
**BEAUFORT COUNTY PLANNING DIVISION**  
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The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Monday, January 7, 2016, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Robert Semmler, Chairman  
Mr. Marque Fireall  
Mr. Randolph Stewart

Mr. Charles Brown  
Mr. George Johnston  
Mr. Eric Walsnovich

Ms. Diane Chmelik  
Mr. Edward Riley III

**Members Absent:** Ms. Carolyn Davis

**Staff Present:**

Mr. Anthony J. Criscitiello, Planning Director  
Ms. Delores Frazier, Assistant Planning Director  
Ms. Barbara Childs, Administrative Assistant to the Planning Director

**CALL TO ORDER:** Chairman Robert Semmler called the meeting to order at approximately 6:02 p.m.

**PLEDGE OF ALLEGIANCE:** Mr. Semmler led those assembled in the Council Chambers with the pledge of allegiance to the flag of the United States of America.

**CHAIRMAN’S REPORT:** Mr. Semmler asked about checking on the audio connection with the people on Daufuskie Island (at Mary Field School). He also stated that Clemson plays Alabama next Monday.

**PUBLIC COMMENT on non-agenda item:** Mr. Bill Murtoch, representing the homeowners of the Academy Park subdivision (on Lady’s Island), informed the Commission of the chronology of events of the interaction with the County staff. The history included a sign that was hidden and later discovered in early May by a resident; the first Staff Review Team (SRT) review of the project occurred in May 2015 where the residents felt they were treated in a polite, but perfunctory and dismissive manner—no decision was made as there were items still needed for review; the second SRT review occurred on September 2, 2015 where a large pond was included on the plans and it appeared that neither sand mining nor a water amenity/pond was allowed; the “chairman” of the SRT stated to the residents that they could leave the meeting, but Mr. Murtoch noted that the project engineer and the developer remained and was having a heated discussion about the pond that would drain 25 septic tanks from the subdivision. Mr. Murtoch noted that on September 30, a plat was presented indicating no pond but a notation of an unspecified future development. No minutes exist nor are there video recordings of the SRT meetings. The residents filed an appeal when the SRT approved the project. The Planning Commission heard his presentation about the unspecified future development. The Commission vote was a 3 to 3 tie and the Commission approved the subdivision was approved. Mr. Murtoch noted a 5-acre pond for the project has since been presented at the Natural Resources Committee on January 4. The Stormwater Committee presented the pond as a win-win where the County will have a stormwater retention pond and the developer will have an amenity that will enhance the development. Mr. Murtoch urged the Commissioners to view the Commission meeting. A 1-acre pond can be considered, not a 3-acre pond amenity. He noted that there are two public servants that maneuvered the Commission decision. He requested that the Commission re-hear the appeal because inadequate information was provided or was not made available. He urged the Commission to view the Natural Resources Committee meeting video also. The Natural Resources

Committee tabled their decision. The proposed subdivision has a 5-acre "mess" in the middle of the plan that the Commission did not approve.

**SOUTHERN BEAUFORT COUNTY ZONING MAP AMENDMENT/REZONING REQUEST FOR BLOODY POINT MASTER PLAN CHANGE REQUEST FOR R800 027 00A 0076 0000, R800 027 00A 0076 0000, R800 027 00A 0076 0000, AND R800 027 00A 0076 0000 (179.99 ACRES KNOWN AS BLOODY POINT PLANNED UNIT DEVELOPMENT (PUD)); OWNER/APPLICANT: BLOODY POINT PROPERTIES LLC / AGENT: MARK BAKER, WOOD+PARTNERS INC.**

Mr. Semmler paused the meeting so that an audio connection could be made with the people at Mary Field School on Daufuskie Island. Confirmation was received that the people at Mary Field School could view the meeting, but the audio connection failed thereafter.

Mr. Semmler noted that Mr. Eric Walsnovich, a Commissioner, has recused himself from reviewing this project as he is an employee of the engineering firm that is the agent of this project.

Mr. Semmler asked for a show of hands of who in the audience was from Daufuskie Island. Someone in the audience noted that there were probably several others at the school on Daufuskie Island. After several failed attempts to reconnect the audio connection, Mr. Semmler continued the meeting and stated another attempt would occur at a later time.

Mr. Anthony Criscitiello briefed the Commissioners on the request. He noted that the request was a Planned Unit Development (PUD) master plan change. The request is 180 acres of the 337-acre PUD that will amend the golf course and club area into two districts: an Inn District to include a 120-room inn and 50,000 square feet of commercial space, and a Residential/Hospitality District for 150 single-family, duplex, and triplex units scattered throughout the current golf course. The staff analysis follows the Community Development Code (CDC) with six criteria that are required for staff review. The PUD has been in existence for a number of years with a golf course. The proposed plan is consistent with the CDC with residential units meandering along the golf course. The density is consistent with the CDC at 1 unit per acre. The proposal does not address a demonstrated community need. The applicant stated the golf course is underperforming so the change is requested. Compatibility and low intensity are consistent with the land. The proposal does not present adverse impact to nearby land. Environmental protection standards will be required by the Staff Review (SRT) before permitting occurs. Staff recommends approval of the proposed change.

**Comment by the Applicant:** Mr. Mark Baker of Wood and Partners noted that he represented the property owner, and introduced other representatives of the applicant. Brian McCarthy, the owner, renovated the golf course. The demands have changed and have shifted away from golf. He is looking to develop the property in respond to the public needs. Mr. Baker described and showed pictures of the property using a power point presentation. The golf barn could be transformed as an artisan village. They want to preserve the open spaces. The entrance will remain as a civic open space. The Daufuskie Island Code does a great job on how this space could look.

Discussion by the Commissioners included the 68-acre open space that includes an existing lagoon and the marsh; the content of the inn district; the 850-square foot cabins; a query regarding providing an affordable housing portion in the proposed development; the well water service; the commercial uses that includes food and beverage, artisan shops, recreation services, and light retail to support activities within development; the ferry service from the Westin Hotel in Savannah; the current 21 residences in the PUD; the consensus of the POA; reducing the height of the buildings from the current allowed height; the

lowered density from what is currently allowed; the beach erosion and the displacement of wild life; and concern with the maximum building size not being listed.

**Public Comment:**

1. Mr. Tony Seminelli, president of the Bloody Point PUD Property Owners Association (POA), noted that groins were placed and provided good stewardship of the beach. The POA Board heard of Mr. McCarthy's plans and met. Mr. Seminelli gave a history of the PUD prior to Mr. McCarthy's purchase. The POA Board is in favor of the change. The seven board members unanimously voted to support the plan
2. Mr. George Mullen, a Hilton Head Island resident and a Bloody Point owner, stated he opposed the change. The homeowners have an annual meeting in March, and he suggested that this plan be brought up then. He noted the constraints of the existing PUD. The 180-acre lot Mr. McCarthy purchased was for 22 units, a golf course, and a 7-room inn. There are 109 property owners involved with ½ to 2-acre lots and a golf course. Mr. Mullen is opposed to the staff review, including 150 residential units/hospitality houses within a hospitality district that is not consistent with the area, a demonstrated community need that was not addressed, an underperforming golf course that is a business risk not a basis for changing the PUD, the dramatic change from a low density community with a golf course to a hospitality district, the substantial not moderate change to the community, the logical and orderly pattern of the development not being consistent with the existing neighborhood, and the dramatic adverse impact of the proposed plan. He urged rejecting the request. (*Commission queries included an informational meeting given by Wood & Partners where the property owners were notified of the plan and no vote was involved; and how the plan would adversely affect Mr. Mullen's property since he does not want a hotel next to his property.*) Mr. Mullen gave the history of Bloody Point.
3. Mr. David Fingerhut, an owner on Bloody Point and a Hilton Head resident, stated that the plan is a disaster. It describes a tourist town. He appreciates the improvements made to the property by the McCarthy family. The underperformance of the lot should not be the property owners' burden. The proposed plan looks nice on paper, but the owner is selling the property. Mr. Fingerhut noted that Mr. Mullen covered most of his points. Mr. Fingerhut noted that there has not been a property owners meeting. He believes that a meeting should occur before coming before the Planning Commission. He noted that the covenant must be amended to accommodate the proposed plan. He urged the Commission to deny the request. (*Mr. George Johnston asked the price point of water lots.*)
4. Mr. Ed Hughes said that the golf course property is not subject to the covenants and restrictions of the Bloody Point PUD. There are restrictions regarding properties along the golf course, but the golf course per se is not included.

After several failed attempts to contact the Daufuskie Island group at Mary Field School for their audio comments, where Mr. Semmler offered his cell phone number for the Daufuskie Islanders to call so the Commission could receive their comments. No further audio contact occurred with the Daufuskie Islanders at Mary Field School.

The Commission continued its discussion that included tabling the request for 30 days, visiting Daufuskie Island, requesting a comparative study of the Comprehensive Plan and the Community Development Code, concern that the Property Owners Association (POA) is being short circuited, concern for the consensus of the affected property owners, concern that a transportation plan is not required by the County, requesting legal advice regarding the details of the covenants and restrictions, concern that a residential community is changing into a transient community, concern that POAs have dictated to homeowners instead of representing them, querying the staff review regarding the project conflicting with the CDC, querying the affected property value of the proposed rezoning, and noting the Daufuskie Island character being affected by the proposed rezoning.

**Motion:** Ms. Diane Chmelik made a motion, and Mr. Ed Riley seconded the motion, for a 30-day delay on a recommendation to County Council on Southern Beaufort County Zoning Map Amendment/Rezoning Request for Bloody Point Master Plan Change Request for R800 027 00A 0076 0000, R800 027 00A 0076 0000, R800 027 00A 0076 0000, and R800 027 00A 0076 0000 (179.99 acres known as Bloody Point Planned Unit Development (PUD)). The motion passed (FOR: Brown, Chmelik, Fireall, Johnston, Riley, Semmler, and Stewart, and Walsnovich; ABSENT: Davis).

**OTHER BUSINESS:**

- **Next Planning Commission Meeting:** Mr. Semmler noted that the next Commission meeting is scheduled for Monday, February 1, 2016, at 6:00 p.m.
- **2015 Commission Elections:**
  - **President:** Mr. Semmler opened the floor to nominations for President of the County Planning Commission. Mr. Riley nominated Mr. Robert Semmler, and Ms. Chmelik seconded the nomination. No other nominations were received and the nominations were closed. Mr. Semmler accepted the nomination. The Commission voted to elect Mr. Robert Semmler as its president for 2016 (FOR: Brown, Chmelik, Fireall, Johnston, Riley, Semmler, Stewart, and Walsnovich; ABSENT: Davis).
  - **Vice Chairman:** Mr. Semmler opened the floor to nominations for Vice-President of the County Planning Commission. Mr. Riley nominated Mr. Randolph Stewart, and Ms. Diane Chmelik seconded the nomination. No other nominations were received and nominations were closed. Mr. Stewart accepted the nomination with honor. The Commission voted to elect Mr. Randolph Stewart as its vice-president for 2016 (FOR: Brown, Chmelik, Fireall, Johnston, Riley, Semmler, Stewart, and Walsnovich; ABSENT: Davis).

**ADJOURNMENT: Motion:** Mr. Randolph Stewart made a motion, and Mr. Marque Fireall seconded the motion, to adjourn the meeting. The motion was carried (FOR: Brown, Chmelik, Fireall, Johnston, Riley, Semmler, Stewart, and Walsnovich; ABSENT: Davis). Mr. Semmler adjourned the meeting at approximately 8:05 p.m.

**SUBMITTED BY:**



Barbara Childs, Admin. Assistant to the Planning Director



Robert Semmler, Beaufort County Planning Commission Chairman

**APPROVED:** March 7, 2016, as written

*Note: The video link of the January 7, 2016, Planning Commission meeting is:*  
[http://beaufort.granicus.com/MediaPlayer.php?view\\_id=3&clip\\_id=2456](http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=2456)