

ASPPPO-CSA Land Use Management Committee Meeting
May 8, 2018

On May 8, 2018, the joint ASPPPO-CSA Land Use Management Committee held its third regular meeting, which took place in the CSA administration building, 175 Greenwood Drive, beginning at 9 a.m. Co-chairmen Matthews and Crunkleton presided.

Present: committee members Alex Cruden, Paul Crunkleton, Dana Guazzo, Dick Matthews, Cathie Rasch, Dave Risk (ex-officio), Lee Stevens and Peter Vairo.

Absent: Nikos Singelis.

Guest: Chester Williams, a Hilton Head attorney and specialist in covenant matters.

Minutes of the previous meeting, on April 17, 2018, were approved unanimously.

Guest's role: Williams, who was recommended to the committee by Town Councilman Tom Lennox of Sea Pines, and committee members discussed a variety of legal and practical aspects of covenant enforcement and town ordinances regarding properties that persist in disrepair. Town involvement in a gated community can have unintended consequences, Williams said. He suggested that the ARB might be able to play a helpful role.

Williams then left, and the meeting continued.

40 Sandfiddler: Vairo reported on the May 7 foreclosure auction of that problem property. Bidding began at a very low figure; Vairo participated. The auction concluded at \$125,000, with the seller, Bank of New York Mellon, becoming the purchaser as well. Vairo reported that informal discussion with a bank attorney suggested that the bank will place the property with a real estate agent to be sold as is.

The committee (in particular Crunkleton and Vairo, as previously decided) will monitor the new ownership's degree of compliance with Sea Pines covenants and CSA rules. It was noted that, purely through the committee's earlier action, CSA received \$5,360 in back assessments on 40 Sandfiddler.

(Vairo had to leave the meeting about halfway through.)

Matthews reported on his May 7 presentation to the Town Council's Intergovernmental and Public Safety Committee, headed by Councilman Bill Harkins. Earlier this year, after a Matthews presentation to the full council, Harkins' committee received the assignment of examining town ordinances and ways to address problem properties.

In the May 7 session, using 40 Sandfiddler as a problem example, Matthews outlined the successes and shortfalls, to date, of Sea Pines and town efforts. He emphasized that

the town has a necessary role in ensuring health and safety regarding properties within gates as well as outside. He said Sea Pines was ready to cooperate with the town and he invited participation by other gated communities as well.

Peter Kristian, the general manager of Hilton Head Plantation, asked to speak after Matthews. Kristian supported Matthews' assertions and confirmed that Sea Pines has a unique covenant gap regarding enforcement.

Harkins thanked Matthews and Kristian and said his committee would take all that was presented under advisement.

Tech and LUM: This committee's members discussed the need to use available new technology and techniques to make the Sea Pines files on problem properties easier to employ. Stevens offered to help Risk with this.

Specific properties: At Matthews' suggestion, members discussed three properties in particular (88 Lawton Road, 70 Otter Road and 18 Spanish Moss) that stand out as disrepair problems. All have long histories of neglect and insufficient responses to years of efforts by land use monitors.

Regarding 70 Otter and 147 Otter, it was noted that, shortly after the committee's April meeting, Guazzo drafted letters, sought committee input about them and then delivered the letters to town officials. The letters cited the properties as safety hazards.

Guazzo said that town building inspector Chris Yates has promised, at her request as a committee member, to examine 70 Otter Road, which has been in damaged condition since Hurricane Matthew.

It was the sense of the committee that solving these three situations would not only be a specific improvement for their neighborhoods, but as well a proving ground for committee methods to use elsewhere in Sea Pines as needed.

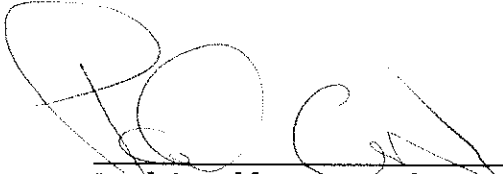
Stevens moved (Crunkleton seconded) that the committee engage attorney Williams' firm to evaluate grounds for successful resolution of the three properties' covenant violations. The motion passed unanimously.

Meanwhile, committee co-chairs (accompanied by Risk) are to visit each of the three properties, attempt to discuss the situations with the owners and set a final deadline for remediation.

In addition, Toby McSwain's department will be asked to investigate possible violations of town ordinances against abandoning vehicles on private property.

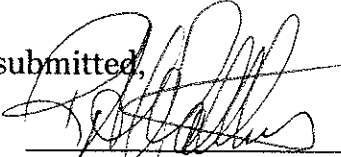
Regarding another property that had been complained about – 185 Club Course – Stevens noted that the owner had just received ARB permission to commence renovations.

Adjournment: After the committee decided to agree later on the date, time and place of its next session, the meeting adjourned by consensus after 10:30 a.m.



Paul Crunkleton, Co-Chairmen

Respectfully submitted,



Richard Matthews, Co-Chairmen

