9/24/2010

Palmetto Pointe appeal denied as expected

BY BRETT MCLAUGHLIN
THE JOURNAL

Opponents of a proposed marina development on Stamp Creek said Wednesday they did not expect to be successful in appealing a state permit allowing the developer to put fill in the creek in preparation for future docks.

Not to be disappointed, Friends of Lake Keowee Society Executive Director Ben Turetzky said he opened his mail the same day to find a rejection of the appeal by the SC Department of Health and Environmental Control. Turetzky said FOLKS will likely appeal further to an administrative law judge.

FOLKS, Advocates for Quality Development and other homeowner associations on the lake are opposed to the Palmetto Pointe Marina project, claiming it will create boating safety problems on Stamp Creek and highway safety problems on SC Highway 130. Turetzky said FOLKS' primary concern is stormwater runoff because of the impervious surface associated with the marina project, which includes dockage, dining and overnight accommodations.

Turetzky said Thursday that FOLKS will pay the $50 filing fee to proceed with an administrative law judge appeal, adding that FOLKS has asked the court for guidance on possibly representing itself in the matter.

"We have never gone to court," he said, indicating that there are lawyers among the FOLKS membership. "And we're not going to spend $10,000 at this time, on this issue."

Earlier, Turetzky had said Palmetto Pointe faces several permitting issues and that FOLKS will continue to follow the development's progress regardless of the outcome on this initial permit issue. Ultimately, he said, permitting of the docks may fall to the Federal Energy Regulatory Commission, which has licensed Duke Energy's operation of Lake Keowee.

brett@dailyjm.com | (864) 882-6397