

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM THE COURT OF COMMON PLEAS FOR CHARLESTON COUNTY

George M. McFaddin, Jr., Circuit Court Judge

Appellate Case No. 2025-001048

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Ten Mile Neighborhood Association of Awendaw, S.C.,

Appellant,

v.

Charleston County Planning Commission, McNeil Henry, and Crescent Homes CHS, LLC,

Respondents.

AND

Ten Mile Neighborhood Association of Awendaw, S.C.,

Appellant,

v.

Charleston County Planning Commission, Betty Ann Goodwater, Isaac Goodwater, Joseph Goodwater, and Crescent Homes CHS, LLC,

Respondents.

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**APPELLANT'S DESIGNATION OF MATTER**

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Pursuant to Rule 209 of the South Carolina Rules of Appellate Procedure, Appellant, Ten Mile Neighborhood Association of Awendaw, S.C., hereby identifies the following items to be included in the Record on Appeal:

**Orders**

1. Order of Consolidation, dated January 29, 2025

2. Ruling of the Circuit Court Affirming Planning Commission Decision, dated April 3, 2025
3. Order Affirming the Decisions of the Charleston County Planning Commission, dated April 25, 2025

### **Pleadings**

1. Appellant's Petition and Notice of Appeal, Ten Mile Neighborhood Association of Awendaw, S.C. v. Charleston County Planning Commission, McNeil Henry, Dream Finders Homes, LLC, and Crescent Homes, LLC, dated August 12, 2024
2. Appellant's Petition and Notice of Appeal, Ten Mile Neighborhood Association of Awendaw's S.C. v. Charleston County Planning Commission, Dream Finders Homes, LLC, Betty Ann Goodwater, Isaac Goodwater, Joseph Goodwater, and Crescent Homes CHS, LLC, dated August 12, 2024
3. Respondent Crescent Homes CHS, LLC's Answer to Petition for Appeal, Ten Mile Neighborhood Association of Awendaw, S.C. v. Charleston County Planning Commission, McNeil Henry, Dream Finders Homes, LLC, and Crescent Homes, LLC, dated September 17, 2024
4. Respondent Crescent Homes CHS, LLC's Answer to Petition for Appeal, Ten Mile Neighborhood Association of Awendaw, S.C. v. Charleston County Planning Commission, Dream Finders Homes, LLC, Betty Ann Goodwater, Isaac Goodwater, Joseph Goodwater, and Crescent Homes CHS, LLC, September 17, 2024

### **Briefs**

1. Brief of Plaintiff/Appellant, dated November 18, 2024
2. Defendant/Respondent Crescent Homes CHS, LLC's Reply Brief, dated December 18, 2024
3. Respondent Charleston County Planning Commission's Response to Appellant's Petitions and Notices of Appeal, dated December 18, 2024
4. Appellant's Reply to Respondents' Response to Appellant's Petitions and Notices of Appeal (including Affidavits of Pearl V. Ascue, Peggie Hutchinson, and Stanley Brown), dated January 3, 2025

### **Transcripts**

1. Transcript of Charleston County Planning Commission Decision for SBDV-07-23-02493, Ten Mile Neighborhood Association of Awendaw, S.C. v. Charleston County Planning Commission, McNeil Henry, and Crescent Homes, LLC, dated July 8, 2024

2. Transcript of Charleston County Planning Commission Decision for SBDV-06-23-02467, Ten Mile Neighborhood Association of Awendaw’s S.C. v. Charleston County Planning Commission, Betty Ann Goodwater, Isaac Goodwater, Joseph Goodwater, and Crescent Homes CHS, LLC, dated July 8, 2024
3. Transcript of Hearing, dated February 27, 2025

**Other Materials**

1. Record of Proceedings for SBDV-07-23-02493, Ten Mile Neighborhood Association of Awendaw, S.C. v. Charleston County Planning Commission, McNeil Henry, and Crescent Homes, LLC, dated July 8, 2024
2. Record of Proceedings for SBDV-06-23-02467, Ten Mile Neighborhood Association of Awendaw’s S.C. v. Charleston County Planning Commission, Betty Ann Goodwater, Isaac Goodwater, Joseph Goodwater, and Crescent Homes CHS, LLC, dated July 8, 2024

**CERTIFICATE OF COUNSEL**

The undersigned counsel hereby certifies pursuant to Rule 209(c) of the South Carolina Rules of Appellate Procedure that this Designation contains no matter that is irrelevant to the appeal.

Respectfully submitted,

s/ Monica Whalen

Benjamin D. Cunningham (SC Bar No. 76396)

Monica K. Whalen (SC Bar No. 106638)

SOUTH CAROLINA ENVIRONMENTAL LAW PROJECT

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***Attorneys for the Appellant***

September 3, 2025

Georgetown, South Carolina