

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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MAR 25 2016

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

SC Court of Appeals

Edgar W. Dickson, Circuit Court Judge  
Case No. 2015-CP-18-00991

Appellate Case No. 2015-002199

Faye P. Croft, Personally and as Trustee of the James A. Croft Trust; James A. Croft Trust; William A. Harbeson; Heyward G. Hutson; James Stephen Greene, Jr.; South Carolina Public Interest Foundation; Summerville Preservation Society; and Dorchester County Taxpayers Association, individually, and on behalf of all others similarly situated, Appellants,

v.

Town of Summerville and Town of Summerville Board of Architectural Review, Respondents.

DESIGNATION OF MATTER BY APPELLANTS  
TO BE INCLUDED IN THE RECORD ON APPEAL

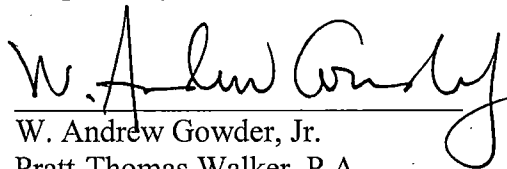
Appellants propose the following be included in the Record on Appeal:

1. Order of Circuit Court, signed September 24, 2015, filed October 22, 2015.
2. Notice of Appeal by Appellants filed October 20, received October 22, 2015 by SC Court of Appeals.
3. Duly Certified Copy of the Proceedings Held Before the Town of Summerville Board of Architectural Review for Filing in Case No.: 2015-CP-18-00877.
4. Duly Certified Copy of the Proceedings Held Before the Town of Summerville Board of Architectural Review for Filing in Case No.: 2015-CP-18-00991.
5. Amended Complaint and Plaintiffs' Motion for Partial Summary Judgment and Memorandum of Law, October 19, 2015 and Plaintiffs' Motion for Partial Summary Judgment and Memorandum of Law, November 30, 2015 in Faye P. Croft, et al., vs. Town of Summerville, et al., Civil Action No.: 2015-CP-10-00713.
6. Petition and Notice of Appeal of Decision of Town of Summerville Board of Architectural Review, dated May 5, 2015, Civil Action No. 2015-CP-18-877.
7. Petition and Notice of Appeal of Decision of Town of Summerville Board of Architectural Review, dated May 22, 2015, Civil Action No. 2015-CP-18-991.

8. Decision of the Summerville Board of Architectural Review, Including Findings of Fact and Conclusions of Law, dated August 11, 2015.
9. Minutes BAR Meeting 6/1/15.
10. Minutes BAR Meeting 7/6/15.
11. Minutes BAR Meeting 8/3/15.
12. Notes John Kwist, BAR Member, dated 12/12/14.
13. Recording of BAR Meeting 9/8/14.
14. Transcript of BAR Meeting 9/8/14.
15. Minutes of BAR Meeting 9/8/14.
16. Respondents' Memorandum In Opposition To Petitions for Appeal, August 11, 2015, C.A. No.: 2015-CP-18-877 and C.A. No.: 2015-CP-18-991.
17. Affidavit of William C. Collins, July 9, 2015.
18. Affidavit of Defendants Applegate & Co.; The Dorchester, LLC' and Arthur H. Applegate, July-8, 2015.
19. Consent Order for Consolidation of Cases, September 4, 2014, Case Nos.: 2015-CP-18-00877 and 2015-CP-18-00991.
20. Public-Private Partnership Agreement Between [*sic*] Town of Summerville, Town of Summerville Redevelopment Corporation and Applegate & Co.
21. E-mail dated August 17, 2015, from Laura Greaver to Jenny Pittman, Law Clerk, Judge Edgar W. Dickson.
22. Transcript Circuit Court Hearing, August 14, 2015.
23. E-mail dated December 5, 2014, from Lucy Dreyer to six BAR members.
24. Hotel Workshop Notes, dated Dec. 12, 2014, by BAR Member John Kwist.
25. Minutes BAR Meeting 4/6/15.
26. Minutes BAR Meeting 5/11/15.
27. Certificate of Appropriateness, May 11, 2015.
28. Minutes, Special Summerville Town Council Meeting 12/18/13.
29. Application, undated, for 9/8/14 BAR Meeting.
30. Minutes BAR Meeting 10/6/14.
31. Application Gayle F. E. Cates Revocable Trust, undated, for 10/6/14 BAR Meeting.
32. Application Faith Partnership, undated, for 10/6/14 BAR Meeting.
33. Application Anne Gaithers, undated, for 10/6/14 BAR Meeting.
34. Agenda BAR Meeting 10/6/14.
35. Transcript BAR Meeting 10/6/14.
36. Agenda BAR Meeting 11/3/14.
37. Minutes BAR Meeting 11/3/14.
38. Transcript BAR Meeting 11/3/14.
39. Application, undated, for 1/5/15 BAR Meeting.
40. Transcript BAR Meeting 1/5/15.
41. Minutes BAR Meeting 1/5/15.
42. Agenda BAR Meeting 1/12/15.
43. Minutes BAR Meeting 1/12/15.
44. Transcript BAR Meeting 1/12/15.
45. Application, undated, for 1/12/15 BAR Meeting.
46. Application, undated, for 4/6/15 BAR Meeting.
47. Minutes BAR Meeting 4/6/15.

48. Agenda BAR Meeting 5/11/15
49. Transcript BAR Meeting 5/11/15
50. Minutes BAR Meeting 5/11/15
51. Agenda BAR Meeting 6/1/15
52. Minutes BAR Meeting 6/1/15
53. Minutes BAR Meeting 7/6/16
54. Minutes BAR Meeting 8/3/15
55. Certification of Record, August 4, 2015
56. Transcript Part II BAR Meeting 5/11/15
57. Transcript BAR Meeting 4/16/15
58. Letter dated January 12, 2015, from Heyward Hutson, President, President Summerville Preservation Society, to BAR
59. Transcript BAR Meeting 4/6/15
60. Letter, undated, from Faye Croft to BAR
61. Recusal Statement, dated 10/28/14, by Jeff Bowers
62. E-mail dated July 21, 2014 from BAR Secretary Lucy Dreyer to Six BAR Members
63. Letters from BAR Secretary Lucy Dreyer, Planning Department, dated 9/9/14; 10/27/14; 12/29/14; 3/30/15; and 4/23/15
64. Ad dated 9/9/14 in Post and Courier for 10/6/14 BAR Meeting
65. Ad dated 12/29/14 in Summerville Journal Scene for 1/5/15 BAR Meeting
66. Ad dated 4/2/15 in Summerville Journal Scene for 5/11/15 BAR Meeting
67. Letter dated 1/7/15 from Peter Gorman, East Historic District Civic Association, to Phillip Dixon, Chairman, BAR
68. Letter dated 1/7/15 from Peter Gorman, East Historic District Civic Association, to Phillip Dixon, Chairman, BAR

Respectfully submitted,



W. Andrew Gowder, Jr.  
Pratt-Thomas Walker, P.A.  
P.O. Drawer 22247  
Charleston, SC 29413-2247  
(843) 727-2200  
Attorney for Appellants

Michael T. Rose  
Mike Rose Law Firm, PC  
409 Central Ave.  
Summerville, SC 29483  
(843) 871-1821  
Attorney for Appellants

March 22, 2016  
Charleston, S.C.

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Association, individually, and on behalf of all others similarly situated, Appellants,

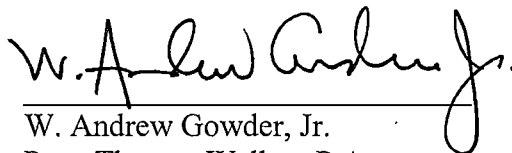
v.

Town of Summerville and Town of Summerville Board of Architectural Review, Respondents.

CERTIFICATE OF COUNSEL

I certify that the Appellants' Designation of Matter to be included in the Record on Appeal  
and Initial Brief contains no matter which is irrelevant to this appeal.

Respectfully submitted,



W. Andrew Gowder, Jr.  
Pratt-Thomas Walker, P.A.  
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Public Interest Foundation; Summerville Preservation Society; and Dorchester County  
Taxpayers Association, individually, and on behalf of all others similarly  
situated ..... Appellants,

v.

Town of Summerville and Town of Summerville Board of Architectural  
Review ..... Respondent.

PROOF OF SERVICE

I certify that on the date indicated below, I served Appellants' Initial Brief and  
Designation of Matter, by depositing a copy of it in the United States Mail, postage paid,  
on March 22, 2016, addressed to all attorneys of record as follows:

Timothy A. Domin  
Clawson & Staubes, LLC  
126 Seven Farms Drive, # 200  
Charleston, SC 29492

G. Waring Parker, Esq.  
G. Waring Parker Law Firm, LLC  
518 W. Carolina Ave.  
Summerville, SC 29483

Lauren Cirillo  
Lauren Cirillo  
Paralegal