

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD IN THE TOWN HALL ON MONDAY, APRIL 7, 1997, 7:00 P.M.

The meeting was called to order by Mayor Stamos. After the Pledge of Allegiance, roll call was answered by the following:

Commissioner Aaskov Commissioner Bridges
Commissioner Kaleel Commissioner O'Hare
Mayor Stamos

IV. REQUESTS FOR ADDITIONS, WITHDRAWALS, DEFERRALS,
ARRANGEMENT OF ITEMS

Comm Bridges requested to discuss the trailer in Boynton Public Beach's parking lot as item VII C 5.

Comm O'Hare requested to announce the Garden Club's volunteer weekend at Beachway N as item VII C 6.

V. CONSENT AGENDA

Comm Bridges requested that the Director of Public Safety's report regarding the 800 MH Radio System be explained before the approval of the consent agenda.

Director Hillery explained that the Town currently has a 450 system that allows the Town to communicate with Gulf Stream and Manalapan when monitored directly. He advised that the North end of Palm Beach County has combined the 800 frequencies for the municipalities to use. He added that the South end of the county is now considering a similar arrangement in which the only costs to the Town for the upgrade would be equipment and maintenance to trunk with Boynton Beach.

Director Hillery stated that he would ask the Director of Communications to attend the next Town Commission meeting to discuss the considered arrangement and the relevant costs.

Mayor Stamos asked how the Town's current 911 system worked. Director Hillery explained that it is an automatic system that alerts Ocean Ridge and Boynton Beach if there is any need for EMS services.

CONSENT AGENDA

- A. Minutes
 - 1. Regular Meeting of March 3, 1997
 - 2. Special Meeting of March 11, 1997
 - 3. Special Meeting of March 25, 1997
- B. Reports
 - 1. Town Manager
 - a. Status of Bridge Reconstruction (Inlet Cay and Sabal Island)

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

- b. Telephone System
- c. Phase II Water System
- d. Shore Protection/Beach Replenishment
- e. Island Drive Bridge Weight Limits
- f. Town Manager Absence
- 2. Director of Public Safety
 - a. Monthly Activity Report
 - b. Report on 800 MH Radio System
- C. Correspondence
 - 1. Resolutions
 - a. No. 18-97; Supporting Legislation
Expanding the Use of the Sewage Treatment
Revolving FUND (SRF) to Include Stormwater
Management Facilities - City of Lake Worth
 - b. Resolution Objecting to Special Act
Legislation to Permit the Abolishment of
a Municipal Government Without Study,
Consent or Concurrence of the Municipality
- City of Port Richey, FL

Comm Bridges moved to approve the Consent Agenda, seconded by Comm Aaskov.

Motion Carried - Yea 5.

VI. PUBLIC REQUESTS

- A. Discuss Unlimited Vegetative Pickup and Extension of
Garbage Collection Contract - John Archambo,
Browning Ferris Industries

Town Manager Lanker explained that John Archambo of Browning Ferris Industries (BFI) had suggested to him that the Town extend their contract with BFI for an additional 5 years, in exchange for unlimited vegetative pickup as opposed to the current 2 cubic yards limit. He added that the Commission had introduced the idea of unlimited vegetative pickup at a previous meeting.

Mr. Archambo stated that the new truck servicing the Town has been finishing by 5:00 P.M.. He advised that there is currently a limit on the amount of vegetative waste that can be picked up which at times causes excess trash left on the property. He explained that the Town could either approve a \$.75 per unit increase for unlimited pickup or extend the current contract for an additional 5 years with unlimited vegetative pickup with no increase.

Comm O'Hare inquired if BFI would include picking up vegetative waste from vacant lots if the

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

contract was extended. Mr. Archambo stated that he did not see a problem with the exception of major lot clearings which would normally require a dumpster.

Comm O'Hare asked if there was a provision for a cost of living increase. Town Manager Lanker stated there is a provision for a maximum increase of 8%, but added that in the first 2 years of the contract there had been no increases at all. Mr. Archambo advised that he would be happy to work with the Town and added that BFI's average increase has only been 3%.

Comm Kaleel requested to table the issue until the Commission had a better idea of what they would be voting on. Atty Nicoletti suggested that the Town Manager negotiate with BFI and bring it back to the Town Commission. Mr. Archambo stated that he would be willing to include a maximum cap on the cost of living increase at 3% with the extension of the contract.

Comm O'Hare moved to authorize the Town Manager and Town Atty to negotiate for a 3% maximum cap on increases, unlimited vegetative waste pickup, and a 5 year contract extension, seconded by Comm Bridges.

Motion Carried - Yea 5.

Mayor Stamos questioned the current procedure regarding landscaping waste. Mr. Archambo stated that if the amount is minimal, it is picked up and that larger jobs require a dumpster.

VII. COMMISSION ACTION

A. Ordinances

1. No. 496; Proposed Land Development Code Changes

Town Clerk Hancsak read Ordinance No. 496 by title only.

Atty Nicoletti advised that there were a few changes in the ordinance from the last meeting.

Regarding Section 14-28, Atty Nicoletti advised that it included new text regarding a requirement for trench drains. Comm Bridges questioned where the issue of swales was included. Atty Nicoletti advised that it was included in the subdivision provisions and could be referenced for single family if that was desired. Comm Bridges mentioned that when he first moved to Ocean Ridge, he believed that a 6" below the road swale was required. Town Manager Lanker stated that that requirement was not currently in the Code. Comm O'Hare suggested that language be added to include a swale requirement with a necessary depth for new construction. Atty Nicoletti advised that it could be added at the end of Sec. 14-28 (a).

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

Regarding Sec. 14-52. Construction Board of Adjustments and Appeals and Sec. 22-2. Fire Board of Appeal, Atty Nicoletti stated that the Town does not have either of these Boards. He advised that the Town had already adopted Countywide amendments and if these sections are also adopted, the Town could forward appeals to these Boards. Comm O'Hare questioned if there were any fees relating to these Boards. Atty Nicoletti advised that he did not believe there to be any fees although the section could be amended to include that any fees are passed through to the appellant.

Regarding Sec. 26-10, Atty Nicoletti advised that new language was added that defined the front of house, in regards to everything except setbacks, as the front designated by the United States Postal Service for the delivery of mail. He explained that the setbacks for double frontage remained the same while the human scale criteria pertained only to the front of the house as defined above.

Atty Nicoletti stated that the Commission would have to decide on the amount of graphics to include in the Ordinance. Comm Bridges stated that he did not feel diagrams would be necessary with the definition of human scale. Town Manager Lanker advised that the diagrams are helpful to the building official. Atty Nicoletti added that the definition of human scale was not designed to stand on its own. Mayor Stamos explained that the definition is not specific; therefore, the criteria and graphics are needed.

After much discussion, the Commission concurred to move the definition of "human scale" to preceding the human scale criteria.

Earl Jones, 14 Sailfish Lane and member of the Board of Adjustment, suggested that the text "for a building to be in human scale," on page 3 regarding solid walls, be removed. The Commission agreed to this because human scale is not referred to in any of the other criteria.

Regarding the subject of window and door coverage, Comm Kaleel suggested that the minimum of 15% coverage be kept and the maximum limit be deleted. The Commission agreed.

Regarding the subject of covered entries, Atty Nicoletti advised that a 15' maximum eave line was proposed. Comm Bridges suggested that the maximum be increased to 16' similar to the tie beam. The Commission concurred.

Comm O'Hare suggested that the words "and any recessed of significant feature associated with the door" be deleted in the section relating to front entrance openings. The Commission agreed to this change.

Earl Jones suggested that on the issue of standard and feature windows, the 10' height or width limit be deleted and only require the 64 sq. ft. limit. The Commission did not agree with this suggestion.

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

Mayor Stamos advised that he did not like the title of "standard window" and Atty Nicoletti suggested that the words "window and feature window" be used instead. Comm Bridges stated that he was not against permitting more than 1 feature window. Comm Kaleel suggested changing the heading to "windows" and only include a 10' height and width limit and a 64 sq. ft. limit. The Commission agreed.

Gerald Goray, 130 Island Dr., questioned why a 10' door height is considered out of human scale. Words were exchanged between Comm Bridges and Mr. Goray involving differing opinions on scale and architectural style. Mayor Stamos advised that if it continued, he would adjourn the meeting.

Comm O'Hare stated that he felt that a 10' door would be monumental and that a 8' door is more than enough for a home. Comms Bridges and Aaskov agreed. Comm Kaleel suggested that if an owner needed a 10' door, a variance could be applied for. Atty Nicoletti advised that it would be difficult to prove a hardship for a 10' door.

Richard Lucibella, 5 Beachway N, advised the Commission that the doors on his home were 10' and added that if the Commission believed 10' to be in human scale for a window, a 10' door should also be in human scale. Luis Vinas, 50 Harbour Dr S, added that the doors on his home are 9'.

Comm Bridges advised that there were petitions signed by people who supported the proposed revisions as they were and not with the changes that were being added now.

Mayor Stamos stated that he would take a majority rule on this issue. Comm O'Hare stated that an 8' limit would create non-conforming structures around Town and for that reason he would be in favor of a limit of 10'. Comm Kaleel stated that since the front entrance opening is allowable to 12', he would agree with the 10' limit. Comm Aaskov and Mayor Stamos agreed to allow a 10' door height limit.

Regarding the issue of floor area calculations, Comm Aaskov stated that she did not see the reasoning behind counting area under ceilings 16' or higher as double. Comm Bridges explained the floor area ratio (FAR). Comm Kaleel questioned how this would effect the current FAR to which Comm Bridges answered that the effect would be very little.

Mayor Stamos mentioned that some people have great rooms and that he is uncomfortable with only a 200 sq. ft. maximum before counting as double. Comm Bridges suggested changing the 200 sq. ft. to 300 sq. ft..

Mayor Stamos questioned what the current FAR is to which Comm Bridges answered that it was 32%. Comm Kaleel suggested allowing the FAR to be 36% and increasing the amount of area under ceiling of 16' or higher counting as one floor to 300 sq. ft.. The Commission agreed.

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

Regarding the issue of a 75% second floor limit, Comm Aaskov stated that she felt this limitation would be awkward for a colonial style house. Comm Bridges explained that a 25% reduction on the back would permit that style house.

Comm Aaskov suggested that the diagram be eliminated. Town Manager Lanker suggested that the first and second floor area definitions also be eliminated. The Commission agreed.

Earl Jones questioned the applicability to the RMM district to which Atty Nicoletti replied that the RMM district is addressed later.

Comm O'Hare suggested that in the text accompanying roof pitch, the words "other covering" be deleted from the last sentence and "metal" added in its place. The Commission agreed to the change.

Regarding the subject of roof pitch and flat roofs on page 8 of the ordinance, the Commission agreed to make no changes.

Regarding the issue of the building envelope, the Commission agreed to delete the diagram and text from page 8 and the words "on the front" and "on the side" from page 9. The Commission also agreed to include Comm Bridges' gable end drawing with the setback requirement added in.

The Commission agreed to approve page 10. Atty Nicoletti advised that 28' for the maximum building height for one story was a change from the current code.

The Commission agreed to approve the rest of Sec. 26-10 on pages 11 and 12 with the only change being the floor area ratio being increased to 36% as discussed with the issue of areas under ceiling of 16' or higher counting as double.

The Commission agreed to eliminate the second sentence of Sec. 26-33(e) and thus grandfather all existing chain link fences.

The Commission agreed to add the language "not including split face or other decorative block" to Sec. 26-33(f).

Comm O'Hare questioned if Sec. 26-39 included canal frontage as well as the front of the house as defined at the beginning of the human scale criteria. Atty Nicoletti explained that it applied to both frontages. Comm O'Hare suggested that canal frontage be eliminated and the Commission agreed.

The Commission agreed to approve Sec. 26-48 and Sec. 26-135 as presented in Ordinance 496.

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

Atty Nicoletti advised that in Sec. 26-240, the definition of human scale would be moved to the beginning of the human scale criteria as agreed upon earlier.

Comm Kaleel suggested to change "attic" to "non-living space" in the definition of floor area, total to which the Commission agreed.

Comm Kaleel suggested that Atty Nicoletti present how the ordinance would effect other provisions in the code.

Comm O'Hare questioned if there could be another avenue of appeal as opposed to the Board of Adjustments for someone who may have plans in conflict of the new provisions. Atty Nicoletti stated that he would return with recommendations for other avenues of appeal.

Mayor Stamos asked if there were any comments from the public.

Betty Bingham, 1 Ocean Ave, mentioned that she felt there was too much concern over what is visible from the front of the house and some consideration should be given to what the neighbors see from the side of a residence.

Gerald Goray, 130 Island Dr., stated that on the subject of covered entries, he felt that 2 story entries look fine and requested that the Commission reconsider this matter. Mayor Stamos agreed that it could be reinvestigated.

Mr. Goray questioned the non-conformities that this ordinance would create and explained that he feels the value of homes will depreciate as a result.

Mr. Goray stated that there were three important items in this ordinance that he agreed with. They are the issues of solid walls, roof elevations and flat roofs, and, most importantly, the building envelope. He added that he also agreed with the broad definition of human scale. He suggested that all window regulations be eliminated with the exception of the minimum 15% door and window coverage. He requested that the Commission consider his suggestions.

Comm Bridges stated his agreement with the importance of the building envelope adding that he felt proportions need to be kept as people have individual tastes in what is good style for a house. He also apologized to Mr. Goray for their earlier exchange of words.

The Commission concurred to have the Attorney redraft the Ordinance for first reading at the next meeting.

B. Discuss RFP for the Update of Computer System

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

Mayor Stamos suggested that the Commissioners be given additional time to review the correspondence and discuss this item at the next meeting.

Comm Kaleel suggested that computer educated residents offer to help guide the Commission.

C. Items by Commissioners

1. Discuss Bird Sanctuary Areas in the South End
of Town - Comm Bridges

Comm Bridges advised that he had been contacted regarding the development of the Preservation Conservation (PC) area by the Woolbright bridge. He stated that he felt pressure should be put on Wildlife Preservation to preserve this area. He added that he felt it should be made into a park referencing the Hammock area.

Mayor Stamos disagreed stating that he feels the Town has enough mangrove area and this property would better serve the Town as a taxable property.

Comm Aaskov stated that she felt the area looked terrible and has only a few decent trees.

Comm O'Hare mentioned that the National Wildlife has a history of bad management and he would like to see the area developed.

Phil Barlage, 35 Anna St. and member of the Board of Adjustment, stated that he felt the area is a disaster adding that there are also lots on Anna St. that are overgrown.

Comm O'Hare explained that owners of vacant lots can be brought in front of the Code Enforcement Officer for repeated violations, but the Town does not have that control over the PC zone.

2. Update on Hammock Parking Sign - Comm Bridges

Comm Bridges advised that he has submitted the plans for the new sign to Mary McCarty and is expecting to hear back from her soon.

3. Discuss Closing East End of Privately Owned
Tropical Drive - Comm O'Hare

Comm O'Hare advised that he has been asked by residents on Tropical Dr. about the possibility of closing off the street to prevent vehicles speeding through. He requested input from the Commission before asking Town Manager Lanker and Director Hillery to investigate the idea any

further.

Mayor Stamos questioned if it would have to be a public hearing. Atty Nicoletti advised that it would not have to be a public hearing since it is not closing a public street, although it would still be necessary to maintain access for BFI and the Department of Public Safety.

Comm O'Hare stated that he believed all of the residents on Tropical Dr. would be in favor of closing off the street.

Comm Aaskov stated that she had no problems with the closing of the street. No Commissioners stated any objections to the idea.

4. Discuss Boynton Beach's Pilot No-Seeum Program
- Comm Kaleel

Comm Kaleel mentioned that he believed it would be beneficial to the Town to contact Boynton Beach and convey our interest in their project. The Commission agreed. Town Manager Lanker stated that he would meet with Boynton Beach to discuss costs, et cetera.

Charlotte Carle, 7 Harbour Dr. S, questioned the method Boynton Beach was proposing and she was told it involves using carbon dioxide to trap the No-Seeums.

5. Discuss Construction Trailer in Boynton Beach
Park - Comm Bridges

Comm Bridges commented that the trailer has been in the parking lot for quite a while. Town Manager Lanker advised that it was a construction trailer permitted there while roofs at Boynton Beach Park were being repaired. He added that the job was almost complete and the trailer should be removed soon.

6. Volunteer Weekend for Beautification Task Force
April 26 - Comm O'Hare

Comm O'Hare wanted to advise everyone that the planting at Beachway N would be completed on Saturday, April 26 and that volunteers were needed and welcome.

Comm O'Hare also mentioned the possibility of the Town Hall installing another phone line that would have a recorded message announcing the special events within the Town.

VIII. PUBLIC COMMENT

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD MONDAY, APRIL 7, 1997 AT 7:00 P.M.

There were no comments from the public.

IX. ADJOURN

The meeting was adjourned at approximately 10:50 P.M..

Mayor Stamos

Commissioner Aaskov

Commissioner Bridges

Commissioner Kaleel

Commissioner O'Hare

Attest By:

Town Clerk