

Regular Meeting of the Town Commission of the Town of Ocean Ridge held on Monday, February 5, 2001 at 6:30 PM in the Town Hall Meeting Chambers.

The meeting was called to order by Mayor Aaskov and roll call was answered by the following:

Commissioner Bridges
Commissioner Willens

Commissioner Kaleel
Mayor Aaskov

It was noted for the record that Commissioner Bingham was absent with notice.

Pledge of Allegiance

Additions, Deletions, Modifications and Approval of Agenda

Comm Bridges advised that he would like to add two items regarding preservation of certain species of trees and speeding on the Intracoastal as Items 7 and 8 respectively.

Town Manager Dunham stated that Atty Spillias would have an information item to add as Item 9 and he had an informational update to add as Item 10.

Consent Agenda

1. Minutes of the Regular Town Commission Meeting of January 8, 2001
2. Minutes of the Special Town Commission Meeting of January 18, 2001
3. Minutes of the Special Attorney Client Meeting of January 19, 2001

Comm Kaleel moved to approve the consent agenda, seconded by Comm Willens.

Motion carried – yea 4.

Announcements and Proclamations

4. 2001 Municipal Election is hereby cancelled due to Gail Adams Aaskov filing unopposed
5. Oath to be Taken by Gail Adams Aaskov

Town Clerk Hancsak swore in Gail Adams Aaskov for another three-year term as Town Commissioner. There was applause from the audience and Town Commission.

Public Comment

None

Regular Agenda

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Actions and Reports

6. Update on Ocean Ave. Bridge By: Gregory L. Dunham, Town Manager

Town Manager Dunham stated that the bridge opening has been delayed to the end of February.

Town Clerk Hancsak advised that the celebration with Boynton Beach, which was previously scheduled for March 2nd, has now been postponed until April 6th or 20th. She advised that she has a meeting with Boynton Beach this week for additional planning.

7. Tree Preservation By: Comm Bridges

Comm Bridges advised that he met with Palm Beach County Commissioner Warren Newell and Lisa Tropepe from Shalloway, Foy, Rayman and Newell. He stated that he had told Comm Newell that the Town would like the County's support regarding the drainage problems on A1A caused by the FDOT. Comm Newell stated that he believed the Town would have the County's support.

Comm Bridges advised that he felt the Town Ordinance regarding tree removal should be updated to include Ficus and Banyan trees as species that would have to be replaced with an equivalent substitute if removed. He added that the County is considering amending their code as well. Staff advised that they would review the ordinance.

8. Speed on Intracoastal By: Comm Bridges

Comm Bridges announced that Comm Newell had advised him that the County was going to increase the enforcement for speeding on the Intracoastal and that he had requested that the condos in Town become more involved in turning some areas into a no-wake zone. He stated that he would like to know the feelings of the Town Commission on this issue. Mayor Aaskov and the Town Commission stated that they believed the speed enforcement and increased no wake areas is a good idea.

9. Announcement by Atty Spillias

Atty Spillias stated that he needed additional guidance from the Town Commission regarding the litigation involving the Kelso property. After discussion regarding times available, it was decided that an Attorney/Client meeting would be scheduled for both Friday, February 9, 2001 and Tuesday, February 13, 2001 both at 8 AM. He advised that he would notify the Commissioners if either of the meetings were found to be unnecessary.

10. Informational Update by Town Manager Dunham

Town Clerk Hancsak advised that the Joa's who owned property on Old Ocean Blvd. had requested a unity of title for lots 7 and 8 of the Boynton Sub Amended subdivision in 1988 which was later released by the Commission when they requested to then combine lot 6 with half of lot 7 and lot 8 with the other half of lot 7. Town Manager Dunham explained that it was discovered that another original unity of title joining lots 7 and 8 needed building official or Board of Adjustment approval to be released which was not done. He advised that he, as building official for the Town, would be completing the release of that unity of title.

Comm Kaleel summarized that there are currently competing unity of titles which the Town would be correcting. He asked if there were any conditions on the original unity of title to which Atty Spillias stated that there were not.

Town Manager Dunham stated that recently an issue has been brought up by a property owner on Island Drive which revealed that the code may allow one house to be built over two lots. He stated that the total of the two lots on Island Drive would be 33,000 sq. ft and would allow for a 12,000 sq. ft home.

Comm Bridges questioned if the Town could require a unity of title for this to which Atty Spillias advised that he did not believe the Town could.

Comm Kaleel stated that the setbacks in this instance trouble him because it will have an effect on the overall environment when placed near smaller homes. He stated that the Town needs an ordinance against this. Town Manager Dunham stated that he and Atty Spillias have already been discussing options for this and asked the Town Commission if they wanted them to continue this discussion.

Comm Bridges stated that Manalapan regulates that larger homes have increased setbacks. Comm Kaleel suggested that a moratorium be placed on building permits of this type until the problem is resolved. Comm Bridges stated that he felt the FAR would prohibit any home in this situation from being built too large.

Comm Kaleel reiterated that he felt a unity of title would be necessary for a home to be built across two lots to which Town Clerk Hancsak explained that the definition of a lot in the Town's Code includes defining a lot as any combination of lots under single ownership. Atty Spillias stated that they might not have to have a unity of title as a result of the way the code is written.

It was the consensus of the Town Commission to have the Town Manager and Town Atty continue discussions on how to resolve this issue and to have the Town Atty review the unity of title issue.

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Mayor Aaskov stated that she would like to discuss the issue of auger pilings vs. driven pilings. She questioned if the Town should consider requiring the auger pilings to which Comm Bridges stated that it would be difficult to tell someone that they can not drive pilings because the contractor takes responsibility for any damage that may be done. He added that he also felt that auger pilings were only good to about 15'. He advised that he felt the Town could suggest it to contractors, but did not feel that it should be forced. Comm Kaleel suggested that perhaps driven pilings be limited to within a certain distance of a neighboring home. Comm Bridges felt this would be difficult to mandate.

Betty Kelso, 16 Sailfish Lane, asked if she could comment since she arrived too late for the public comment portion of the meeting. She stated that she felt it was interesting that her property was mentioned in the January 18, 2001 meeting with Shalloway, Foy, Rayman and Newell less for drainage purposes and more to receive grants and matching funds. She stated that she wants to know what other options have been pursued such as the use of perforated pipes in order to receive matching funds. Town Manager Dunham stated that the engineer did look into the option of perforated pipes which require high maintenance and they do have a certain life to them after which they would have to be replaced. Comm Bridges stated that he felt perforated pipes were a terrible system and as a Commissioner, he would not recommend wasting money on them.

Mrs. Kelso stated that she is still upset that her property is being considered mainly for the purpose of matching funds and grants. Comm Kaleel stated that he did not remember the property being discussed that way to which Mrs. Kelso said it was and she was getting a transcript of the meeting to prove it.

Adjournment

The meeting was adjourned at 7:10 PM.

Mayor Aaskov

Commissioner Bridges

Commissioner Kaleel

Commissioner Willens

Attest By:

Town Clerk