

Public Hearing and Special Meeting of the Planning and Zoning Commission of the Town of Ocean Ridge held on Wednesday, July 27, 2005 in the Town Hall Meeting Chambers.

The meeting was called to order at 8:00 AM by Chair Bruce Gimmy and roll call was answered by the following:

Gerald Goray
Ward Northrup
Mark Marsh

James Bonfiglio
Ellen Bierlin
Chairman Bruce Gimmy

III. APPROVAL OF MINUTES

A. June 29, 2005

Mr. Northrup moved to adopt the June 29, 2005 minutes. Mrs. Bierlin seconded the motion.

Motion carried – Yea (5).

III. DISCUSS RESOLUTION NO. 2005-14; AUTHORIZING THE EXECUTION OF A STATE HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT FOR LANDSCAPING ON SR A1A WITH FLORIDA DEPARTMENT OF TRANSPORTATION

Town Manager Mathis stated that at the last Town Commission meeting the Commission directed that the P & Z Commission review the proposed landscaping due to some objection to the proposed Pitch Apple and Coconut Palm trees. He stated that the Memorandum of Agreement must be executed soon. He added that he had distributed a list of acceptable trees to the members. He then introduced Jason Litterick, supervisor for Gentile Holloway O'Mahoney, to discuss the landscaping plan for FDOT and also Comm Bingham who would like to comment on the proposed trees.

Comm Bingham advised that she felt the final landscaping for Ocean Ave. was never adequate and was leery that the landscaping for SR A1A would also be a disappointment. She stated that she felt a safety hazard would exist with the possibility of falling coconuts and pitch apples covering to the ground. She also stated that she was concerned that the \$1,200 quoted price to plant a 10' Coconut Palm tree was much too high and after some investigation she discovered that the same size tree could be purchased and installed for \$180. She concluded by stating that attractive landscaping with easy maintenance should be considered.

Mr. Litterick stated that he understood the concerns with the two types of proposed trees. The list that was provided to the members included drought tolerant trees that

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would work well in this. He stated that the maintenance warranty is 365 days after final acceptance of the project. He added the contractor would be responsible for watering the landscaping for approximately three months or until the plants are well established. He stated that only trees were being proposed and that most of the residents already have irrigation for their own vegetation. He added that because of the new drainage swales some shrubs and ground cover will be removed, but at a minimum level. He stated that only a few trees were earmarked to be removed (most were exotic species) due to being located in the clear (sight) zone, which means 6-8' from the travel lane.

Mr. Litterick stated that a couple of issues to consider for the new landscaping included whether there is a safety hazard for residents exiting driveways and also having the landscaping too close to the utility lines (mainly located on the west side of SR A1A). He stated that his firm was trying to accomplish a tree theme to distinguish Ocean Ridge from other towns. He then suggested Cabbage Palms in groups rather than a single tree. He stated that their budget included \$90,000 for landscape with a 3% change factor.

Regarding the price of the Coconut Palm trees, Mr. Litterick stated that the price includes installation, maintenance for up to one year, fertilizing, mulch, and staking and added that although it appeared the cost was high he felt it was realistic. He concluded by stating that the areas on the drawing are pinpointed for trees, however, a lot of areas in town will not be touched because the engineer meandered around existing vegetation and added that he was open to suggestions.

Mr. Goray questioned if the \$90,000 included ornamental plants to which he was advised that it did not and the reason being that irrigation was a problem and the vegetation must be drought tolerant. Mr. Goray also asked if the \$90,000 was not spent initially if it could be used to fill in with additional landscaping at a later time. Mr. Litterick advised that typically it is not held but that should be discussed specifically with FDOT. He questioned whether a Gumbo Limbo would be good choice to which Mr. Litterick advised that this type of tree would do well in this environment. Mr. Goray concluded his comments by stating that he felt the landscape along this thoroughfare was a main focus and creates character and is the single most important project and should be preplanned even though the major focus was for the north end of Town.

Mr. Marsh stated that if the \$90,000 budget was diluted it will look diluted in the field and he felt larger canopy material should be considered rather than annuals. He added that he was an advocate for Coconut Palms.

Mr. Northrup commented that the members had the opportunity to review a cursory plan but he felt he could not make a sound decision without seeing where the items are located on the actual plan. At this point the members were all given copies of the proposed plan to study.

Mr. Bonfiglio stated that his main concern involved requiring the homeowners to maintain the plantings when various utility companies trim and ruin vegetation near the lines. He stated that the utility company usually will not replace any vegetation they damaged with like size material. He added that the Town will be signing the Maintenance of Agreement which commits the Town to be responsible to maintain the landscaping, although he agrees that the residents will most likely assume the responsibility.

Mrs. Bierlin stated that any request made by the Town could possibly be included in the sign off sheet when accepting the plan. Mrs. Bierlin inquired whether any trees are permitted in the clear zone area to which she was advised that trees with less than 4" in diameter at full growth are permitted. He cited Alexander Palms as an example. Mrs. Bierlin questioned what the ramifications would be from the residents by approving a plan and whether they should be considered before making a decision. Mr. Bonfiglio responded by stating that the planting was in a right-of-way area and will not likely affect a homeowner and the meetings were noticed.

Town Manager Mathis advised the board that the area in question was indeed a right-of-way and the landscaping could be in jeopardy if not addressed soon and direction needed to be given on what type of trees they preferred.

After some further discussion Mr. Litterick was given some direction on providing a new proposed plan that included a signature look for the Town utilizing some of the least maintenance type material. The board also concurred that the following vegetation was not favorable to the board: Royal Palms, Date Palms, Coconut Palms, and Pitch Apple trees. There was discussion on possibly planting Gumbo Limbo trees further south and possibly grouping Cabbage Palms as accent trees.

There was a consensus that the board be given time to review the plan and schedule a meeting for Mon., Aug. 1, 2005 at 8:00 A.M.

V. DISCUSS INTERPRETATION OF SECTION 66-44(e) OF CODE OF ORDINANCES PERTAINING TO CHAIN LINK FENCES

Staff advised that the board that there has possibly been a misinterpretation of the code and that language may have been accidentally omitted from the code pertaining to chain link fences.

Town Clerk Hancsak advised that the code has been interpreted to permit chain link fences anywhere out of the front setbacks or double frontage, which would include traversing across the front provided it is out of the setbacks. She read the old code regarding chain link fences, the new code and also the motion by the P&Z that recommended only removing the last section "eliminating the exception for chain link fences for enclosure for swimming pools in item (e)" in Jan. 2003. She added that it appeared that the new code inadvertently omitted the word "front" in the sentence.

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After a brief discussion the consensus of the board was to revise the code to allow for chain link fences only along the side setbacks provided they are located beyond the front yard (or double frontage) setback.

IV. ADJOURNMENT

The meeting was adjourned at approximately 9:50 AM

Chairman Gimmy

Attest:

Town Clerk