

Special Meeting of the Planning and Zoning Commission of the Town of Ocean Ridge held on Monday, June 18, 2007 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:

James Bonfiglio	Gerald Goray
Ward Northrup	Mauro Walker
Chairman Bruce Gimmy	

It was noted that one alternate, Dr. Richard Bajakian, was also present.

III. APPROVAL OF MARCH 12, 2007 MINUTES

Town Clerk Hancsak commented that Dr. Bajakian had advised her that the minutes stated he was opposed to the approval and this was not the case. She advised that she would amend the minutes.

Mr. Bonfiglio moved to adopt the March 12, 2007 minutes with the amendment, seconded by Mr. Walker.

Motion carried – yea (5).

IV. DISCUSS OLD OCEAN BLVD. TRAFFIC STUDY WITH SIMMONS & WHITE, TRAFFIC ENGINEERS

Town Manager Schenck summarized his memorandum by stating that the Commission approved contracting with Simmons & White Engineering/Planning/Consulting at a cost not to exceed \$5,000 to work at the direction of the Planning & Zoning Commission. He advised that Rob Rennebaum was present to discuss the proposal with this Commission.

Rob Rennebaum, president of Simmons & White, commented that he understood the concerns brought forth by both Commissions concerning Old Ocean Blvd. because he too served on the Planning & Zoning Commission and as a Town Commission for North Palm Beach. He summarized Dr. Whooten's informative packet related to the several year history of Old Ocean Blvd. He added that he was aware of the Town Code pertaining to obstructions to the ROW; however, there is older landscaping that prohibits pedestrians from exiting the road when vehicles are approaching. He was also aware of the letters sent by the Town Manager to the 12 homeowners on Old Ocean Blvd. regarding obstructions in the ROW and their responses or compliance.

Mr. Rennebaum commented that part of the questions raised and that he will study and make recommendations include: whether the 6' buffer is an adequate safe zone, whether a one way street is a possible solution (since there is approximately 21' of pavement) with 12-15' of roadway and a 6' +/- pedestrian walkway, and enforcing the 10' triangle and 25' corner landscaping ordinance. He mentioned the several steps already taken

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regarding Old Ocean Blvd. that include 3 way Stop Signs, 20 MPH speed limit signs, and increased police presence and enforcement.

Mr. Walker questioned if the 10' triangle and 25' corner also includes private property to which he was advised that state law allows for a safe zone. Mr. Rennebaum suggested the Town possibly adopt an ordinance implementing a safe sight easement citing that many other municipalities have done this, especially for multi-family.

Town Manager Schenck commented that he felt this study would provide solid recommendations and provide a plan for Old Ocean Blvd. Mr. Rennebaum advised that while there have already been improvements for Old Ocean Blvd. he recommended that Town needed to move forward enforcing the 6' buffer by having the landscaping removed and getting the ROW back.

Mr. Goray questioned the origin of the entire Old Ocean Blvd. subject. He was advised that several of the residents originally cited concerns regarding unsafe conditions for pedestrians on Old Ocean Blvd. Those initial concerns produced the P & Z recommendation and ratification by the Town Commission to clear 6' from the ROW, however, other topics such as one way traffic, traffic calming and most recently how Briny Breezes redevelopment will affect traffic. Mr. Goray commented that since the town has taken incremental steps to improve the safety of the roadway the problem may be solved once the landscaping has been cleared adding the study may not be necessary. Manager Schenck commented that some of the concerns may be alleviated; however, he still feels it would be beneficial to conduct the study. Mr. Goray also commented that the recommendations probably must comply with state law and questioned if the outcome of the survey was predetermined. Mr. Walker advised that he would like the study to include similarities with other municipalities.

Mr. Walker stated that he spoke with one of the property owners that complied with the removal but they left sand there and questioned who would be responsible for laying sod. Town Clerk Hancsak advised that the Town had adopted an ordinance within the last couple of years that requires property owners to maintain ROW area to the roadway.

Mr. Northrup mentioned a home near Thompson/Old Ocean Blvd. that has trimmed some of the landscaping but if they were to trim all of it there would be no buffer for the owner. Manager Schenck stated that he has compromised with this property owner.

Dr. Bajakian asked Mr. Rennebaum if he had a survey completed. He advised that he performed a walk through and inspected for safe zones. He added that he could make recommendations on capital improvements; however, budget issues may be a major concern in the future. He again reiterated his recommendation to clear the total ROW and then he would provide future improvement suggestions in his study.

Mr. Northrup commented that he felt if the Town was going to require additional landscape removal from the original 6' requirement it should be done now before most of them have complied.

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Mr. Goray stated that his recollection of the 6' clearing was decided so as not to place such an imposition on the property owner and to avoid losing all the charm that is there now.

Mr. Bonfiglio stated that he felt the funds were approved for the study/analysis because the residents had concerns regarding options for Old Ocean Blvd. such as one way, calming, smaller street, becoming a defacto walkway and whether the street should become mixed, and the potential impact of Briny Breezes new development. Mr. Walker agreed and said that part of this concern was because of Briny Breezes.

Mr. Goray stated that he sits as a trustee on the coalition regarding Briny Breezes and commented that making any plans because of Briny Breezes is premature because their plans may change many times over the next several years.

Chairman Gimmy stated that he was walked on Old Ocean Blvd. for approximately 15 years and he has been run off the road on three occasions and felt there was a definite public safety and code enforcement issue. He stated that plantings in the ROW have been allowed when they should not have been. He agreed with Mr. Northrup's comment regarding clearing all of the ROW (or at least 10') because then the Town would have it available for whatever it chooses to do with the road. He added that he wished this study had been completed two years earlier.

Speaking from the public, Dr. Whooten, 5907 N Ocean Blvd., reiterated his concerns for safety and the history regarding encroachments and enforcement mechanisms on Old Ocean Blvd. He distributed photographs of residences that still have plantings within the ROW and commented that he felt the code should be enforced strictly and uniformly. He felt the 12 property owners were receiving special treatment.

The consensus of the Commission was for Simmons & White to perform the study and report back findings and recommendations. Mr. Rennebaum commented that it would take approximately 30 days to complete a draft at which time it will be distributed and another meeting will be scheduled.

In completing the study Mr. Northrup stated that it would be helpful for Simmons & White if it was determined that the P & Z Commission was opposed to a one way road. The Commission all agreed that they would not recommend a one way street for Old Ocean Blvd.

Mr. Northrup moved not to recommend a one way street in either direction for Old Ocean Blvd., seconded by Mr. Walker.

Motion carried – Yea (5)

It was noted that Dr. Bajakian was also in favor of this motion.

It was noted that Mr. Goray left at approximately 9:10 AM and Dr. Bajakian would now sit on his behalf.

V. REVIEW AND MAKE RECOMMENDATIONS REGARDING THE EVALUATION APPRAISAL REPORT (EAR) SITTING AS THE LOCAL PLANNING AGENCY (LPA) WITH URBAN DESIGN STUDIO

Prior to any discussion, Mr. Bonfiglio announced that he is currently in the process of purchasing an small encroachment in the Preservation Conversation area by Woolbright and A1A that abuts his property and as part of this he will be seeking a comprehensive plan amendment to rezone this small area to RSF. He stated that he believed this would not create a conflict; however, he wanted to announce it.

Town Manager Schenck summarized his memo to the Commission by stating that the state requires the Comprehensive Plan be updated periodically and the EAR is the 1st step toward the upgrade. Upon approval of the EAR by the state the town will amend the Comp Plan as needed. The P & Z (sitting as the LPA) must review the EAR and provide their comments to the Commission who will then review, adopt and forward to the state. Town Clerk Hancsak stated that she provided the Commission with the minutes of a joint P & Z and Town Commission from August 2005 wherein the suggestions for the EAR were provided to Urban Design Studios.

Marty Minor, Urban Design Studios (UDS), commented that UDS has been in business for 30 years and he was been a planner for 18 years (8 years with UDS). He agreed with the summation provided by Manager Schenck adding that Comp Plan amendments may be accomplished until the EAR is approved.

Mr. Bonfiglio commented that he noticed that on page 3 there is a conflict on whether there are five or six issues to address. Mr. Minor advised that there are five issues and that six was a typographical error that would be corrected.

Dr. Bajakian stated that at one time the town discussed possible gas lines in Town and was curious if this would be addressed of the EAR process. Mr. Minor stated that the gas lines could be part of the review of the public utilities.

After understanding that this report was the outline that lays the predicate for the future changes to the Comp Plan, Mr. Bonfiglio moved to recommend submittal of the EAR as drafted. Mr. Walker seconded the motion.

Motion carried – Yea (5).

VI. CONTINUE DISCUSSION OF FENCING AROUND POOLS

There was a consensus to continue this discussion at the next meeting.

VII. DISCUSS SCHEDULING MEETING REGARDING HOME BUSINESS OCCUPATIONAL LICENSES

Town Manager Schenck summarized his memo by stating that the Town Commission directed the P & Z review the possibility of permitting home businesses citing that many cities do have an occupational license for home operated businesses. He added that he included the code from Boynton Beach relating to home occupations. He concluded by stating that he was unsure if the Commission wanted to discuss this item at length due to the time taken for the previous items.

Town Clerk Hancsak commented that the Town has been strict with the interpretation of phasing out commercial and would not permit or sign off any zoning forms that would reflect an Ocean Ridge address except for the few still permitted because of the amortization schedule. She added that this topic was raised by Richard Lucibella at the last Town Commission meeting citing that it could possibly generate revenue.

The consensus of the Commission was that they were in favor of permitting operating a business out of the home and directed staff and the attorney to review the impact of permitting the business and how it could be accomplished and possibly use the Boynton Beach ordinance as a guide with the exception of permitting any sort of signage.

VIII. ADJOURNMENT

The meeting was adjourned at approximately 9:35 AM

Chairman Gimmy

Attest:

Town Clerk