

PLANNING AND ZONING BOARD
REGULAR MEETING
MINUTES
April 26, 2023
Immediately Following the Reorganization Meeting

CALL TO ORDER

The meeting was called to order at 6:38 p.m. by Chairman Jerald Cohn. The meeting was held in the Commission Chambers of Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Jude Goudreau called the roll, and those present were Chairman Jerald Cohn, Vice Chairman Kevin Banks and Members Tim Blash, Tony Lembo, and Steve Smith. Also present were the Town Attorney Mitty Barnard, Engineer Rob Rennebaum and Zoning Official Josh Nichols.

APPROVAL OF MEETING AGENDA: (Additions, substitutions, deletions)

MOTION: Member Tony Lembo made a motion to approve the meeting agenda as written.

SECOND AND VOTE: Vice Chairman Kevin Banks seconded the motion, which passed unanimously by those present.

CONSENT AGENDA:

a. Approve the February 22, 2023, P&Z Board Meeting Minutes.

MOTION: Member Tim Blash made a motion to approve the consent agenda.

SECOND AND VOTE: Vice Chairman Kevin Banks seconded the motion, which passed unanimously by those present.

ACTION ITEMS:

a. **SPR23-01/AAR23-01:** Elena Macchitto, Owner of 226 Bamboo Road, requests Site Plan Review and Architectural & Aesthetic Approval to install a pool and paver pool deck on the property.

James Palmer, Representative for Van Kirk Pools, was present and sworn in by Attorney Barnard. Ex Parte communications were solicited from the Board by the Town Attorney. Mr. Palmer gave a brief overview of the project and after a brief discussion, answered the Board's questions. Staff Members Josh Nichols, Mitty Barnard, and Rob Rennebaum provided comments and recommended conditions of approval. Public comment was solicited from both in person attendees and Webex attendees; there was no public comment. Chairman Cohn closed public comment.

MOTION: Vice Chairman Kevin Banks made a motion to approve SPR23-01/AAR23-01 with the following conditions:

1. No discharge from pool dewatering will be permitted to leave the site unless directed by hose to an existing catch basin. Contractor to ensure no water from dewatering operations is allowed to stand on Town Roads.
2. The swale must be constructed to ensure a minimum of 75 CF of storage is provided. This swale must be coordinated with engineer, contractor, and landscape contractor to consider existing and proposed landscape material.
3. Yard areas/site to be graded to ensure that no stormwater runoff flows to adjacent properties.
4. Upon rough-grading of swale and prior to installation of landscaping, Town Engineer to be notified to inspect swale grading prior to placement of sod.
5. Wayne Bennett, P.E. shall be responsible for ensuring the drainage improvements are completed in substantial accordance with the approved plan.
6. Prior to C.O., Wayne Bennett, P.E. to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan.
7. Upon receipt of final Certification from Wayne Bennett, P.E., Town Engineer to visit site and

insure conformance of Town requirements prior to issuance of final C.O.

SECOND AND VOTE: Member Tony Lembo seconded the motion, which passed unanimously by those present.

- b. **SPR23-05/AAR23-05:** Sharon Kubu, Owner of 331 Blossom Lane, requests Site Plan Review and Architectural & Aesthetic Approval to install a 12' by 16' patio cover in the rear of the home on an existing slab.

Sharon Kubu was present and sworn in by Attorney Barnard. Ex Parte communications were solicited from the Board by the Town Attorney. Ms. Kubu gave a brief overview of the project and after a brief discussion, answered the Board's questions. Staff Members Josh Nichols, Mitty Barnard, and Rob Rennebaum provided comments and recommended conditions of approval. Public comment was solicited from both in person attendees and Webex attendees; there was no public comment. Chairman Cohn closed public comment.

MOTION: Vice Chairman Kevin Banks made a motion to approve SPR23-05/AAR23-05 with the following conditions:

1. Applicant shall revise all documents and plans to reflect the updated building coverage prior to issuance of a building permit.
2. Applicant shall ensure that the patio cover is not located in any required setbacks and shall submit a revised site plan depicting the location of the patio cover in compliance with Town Code prior to issuance of a building.

SECOND AND VOTE: Member Tim Blash seconded the motion, which passed unanimously by those present.

- c. **VAR23-02:** 300 Linda Lane LLC, Owner of 300 Linda Lane, requests Variance Approval for a variance from Pf. 12.8(a) & (b) to allow for installation of an emergency generator forward of the mid-point of the principle structure where Town Code requires the generator to be located between the mid-point of the principle structure and rear lot line and a to allow a reduced setback of two (2) feet where Town Code requires five (5) feet.

Ann Marie Levine was present and sworn in by Attorney Barnard. Ex Parte communications were solicited from the Board by the Town Attorney. Ms. Levine gave a brief overview of the project and after a brief discussion, answered the Board's questions. Staff Members Josh Nichols, Mitty Barnard, and Rob Rennebaum provided comments. Public comment was solicited from both in person attendees and Webex attendees; there was no public comment. Chairman Cohn closed public comment.

MOTION: Member Steve Smith made a motion to recommend approval of Variance Request VAR23-02.

SECOND AND VOTE: Member Tim Blash seconded the motion. Motion passed 4-1 with Vice Chairman Kevin Banks dissenting.

- d. **SPR23-06/AAR23-06:** 300 Linda Lane LLC, Owner of 300 Linda Lane, requests Site Plan Review and Architectural & Aesthetic Approval to allow for the installation of an emergency generator on the east side of the onsite structure.

Ann Marie Levine was present and sworn in by Attorney Barnard. Ex Parte communications were solicited from the Board by the Town Attorney. Ms. Levine gave a brief overview of the project and after a brief discussion, answered the Board's questions. Staff Members Josh Nichols, Mitty Barnard, and Rob Rennebaum provided comments and recommended conditions of approval. Public comment was solicited from both in person attendees and Webex attendees; there was no public comment. Chairman Cohn closed public comment.

MOTION: Vice Chairman Kevin Banks made a motion to approve SPR23-06/AAR23-06 with the following condition:

1. Site plan approval is contingent upon variance approval by the Town Commission; or in the alternative that the Owner relocate existing air conditioning units to the side yard beyond the midpoint of the house and locate the emergency generator in the current air conditioning unit location at the rear of the house and submit a site plan confirming such.

SECOND AND VOTE: Member Tony Lembo seconded the motion, which passed unanimously by those present.

- e. **SPR23-07/AAR23-07:** Norman Lewis, Owner of 327 Bravado Lane, requests Site Plan Review and Architectural & Aesthetic Approval to demolish the existing home and construct a new 2,269 square foot single-story residence with pool, pool deck and associated landscaping on the property.

Alan Donovan, Contractor was present and sworn in by Attorney Barnard. Ex Parte communications were solicited from the Board by the Town Attorney. Mr. Donovan gave a brief overview of the project and after a brief discussion, answered the Board's questions. Staff Members Josh Nichols, Mitty Barnard, and Rob Rennebaum provided comments and recommended conditions of approval. Public comment was solicited from both in person attendees and Webex attendees; there was no public comment. Chairman Cohn closed public comment.

MOTION: Vice Chairman Kevin Banks made a motion to approve SPR23-07/AAR23-07 with the following conditions:

1. Applicant shall revise and submit all plans and documents to reflect a grade elevation of no more than 5.97.
2. The landscaping shall be installed pursuant to the landscape plan approved by the Planning & Zoning Board. Alternatively, a maximum of 5% of the landscape species may be substituted subject to Zoning Official review/approval. Substitutions greater than 5% must be reviewed through a site plan modification by the Development Review Committee and Planning & Zoning Board.
3. Prior to final inspection of the landscaping by the Town and prior to issuance of a Certificate of Occupancy, the Applicant shall submit a final certification letter indicating that the landscaping has been installed in substantial accordance with the approved plans.
4. Applicant's Structural Engineer to submit perimeter wall plans with building permit application for Town review and approval.
5. No discharge from pool dewatering will be permitted to leave the site unless directed by hose to an existing catch basin. Contractor to ensure no water from dewatering operations is allowed to stand on Town roads.
6. Yard areas/site to be graded to ensure that no storm water runoff flows to adjacent properties.
7. Town Engineer to be notified during construction to observe exfiltration trench prior to backfill and to observe final grading prior to landscape and turf installation.
8. Applicant's Engineer shall be responsible for ensuring the drainage improvements are completed in substantial accordance with the approved plan.
9. Prior to C.O., Applicant's Engineer to provide final signed and sealed certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan.
10. Upon receipt of final Certification from Applicant's Engineer, Town Engineer to visit site and ensure conformance of Town requirements prior to issuance of final C.O.

SECOND AND VOTE: Member Steve Smith seconded the motion, which passed unanimously by those present.

PUBLIC COMMENT: None


DISCUSSION ITEMS: None

ADJOURNMENT:

MOTION, SECOND AND VOTE: Vice Chairman Kevin Banks moved to adjourn the meeting with Member Steve Smith seconding the motion, which passed unanimously. The meeting was adjourned at 7:40 p.m.

APPROVED this 24th day of May, 2023.

ATTEST:



Jude Marie Goudreau, Town Clerk



Gerald Cohn, Chairman

