TOWN OF JUPITER INLET COLONY

REGULAR COMMISSION MEETING

7:00 p.m.

8/13/2018
Town Administration Building

MINUTES

1. The meeting was called to order by Mayor Comerford at 7:00 p.m.

Roll call for the record:

Mayor Daniel Comerford                  Town Attorney William P. Doney
Vice-Mayor Milton Block                   Town Administrator John Pruitt
Commissioner Jerry Legerton
Commissioner Saeed Khan
Commissioner Richard Busto

Others in attendance: 10 members of the community.

2. Public Comments: Mr. Hannah, 77 Lighthouse Drive, inquired about posts and chains along the street. The Mayor explained the ordinance that allows them near construction sites. Mr. Hannah said he does not like the look of them. The Commission discussed the issue. Commissioner Legerton explained that the intent was to create uniformity because people were using many different types prior to that. He explained the ordinance. Dr. Legerton explained that there are a couple near 82 Lighthouse Drive that are not using the required green posts with yellow chain. They will be addressed. Other solutions were discussed.

Traci Siani said that vibrations, from work at 82 Lighthouse Drive, knocked a shelf off the wall in the garage and two glasses were broken. She said she observed how far 82 Lighthouse is built out toward the inlet and it blocks the view of neighboring homes. The Mayor said that he spoke to two of her neighbors today about the vibrations that are causing damage to their homes. Mavis Sheridan also commented about how much the new construction invades the privacy of 83 Lighthouse Drive. Jackie Mulrow commented on construction sites being left unclean. Chief Pruitt made a note of it and will have Code Enforcement look into it. Commissioner Legerton said that construction fencing can be installed to hide the sites.

Dr. Bill Whiteford talked about construction management plans and how they can be modified to require certain conditions of approval to help police the construction sites. Commissioner Legerton said that he is very sympathetic regarding the size of the structure at 82 Lighthouse. He said he worked with the homeowner trying to convince them to reduce the size of the front of the house. Dr. Legerton said the project at 82 Lighthouse was approved prior to new ordinances taking effect that regulate second floor square footage, which
Discussion: Commissioner Legerton asked if this is the language always used in Proclamations and the Commission responded that it is.

MOTION: Commissioner Khan  SECOND: Vice-Mayor Block
VOTE: Unanimous  Motion carried to table.

6. Discussion: Landscaping in Swales – discussion of current and past practice of allowing landscaping within the town-owned right-of-way

The Mayor explained current ordinances regulating the right-of-way. He said that prior to this new ordinance, plant material was allowed and is present at many homes in the community. He said he would like the Commission to give the Building and Zoning Committee some direction for discussion so that they can come back to the Commission with recommendations. He said that a fee should be charged for landscape permits. The Commission discussed plantings in the right-of-way. The Mayor explained that existing homes installing landscaping currently do not have to submit a permit application or pay a fee. Anything that does not have to go before the Committee does not need a landscape plan, according to Dr. Whiteford.

Dr. Legerton talked about the right-of-way. He explained past ordinances regulating planting in the right-of-way. He talked about current ordinances. He said Code Enforcement should either enforce the Codes or the Commission should get rid of the ordinance if it is not going to be enforced. Dr. Legerton explained the purpose of a right-of-way. He said that his group came up with 42” from the edge of the road as a good distance for things to be placed safely away from the road. Vice-Mayor Block said he is not in favor of retroactively enforcing items in the right-of-way. The Town has landscaped every transformer in the right-of-way. Dr. Khan echoed what the Vice-Mayor said. Commissioner Busto said that there is at least one house that has a driving hazard due to vegetation in the right-of-way. He doesn’t believe in making people remove items that have been there for years. He agrees with the Mayor on asking the B&Z to discuss the issue. Dr. Legerton said he is not suggesting any retroactive removal of items from the right-of-way, just to enforce new ordinances. Dr. Legerton said the Town may have some liability if the Town ignores driver safety. Engineer Tom Jensen talked about Green Book requirements for safety. He said that where the speed limit is 25 mph and under, a clear zone is required to extend 6’ from the travel lane out. He said he measured a few locations where trees are planted in the right-of-way. They were 5’2” out from the valley gutter, which is 18” wide and extends out from the travel lane. That would make the trees 6’10” from the travel lane, which is acceptable by State Green Book standards.

7. Discussion: Mayor’s Proposed Budget for FY 2018/2019