

# Town of Melbourne Beach

## MINUTES

### PLANNING & ZONING BOARD MEETING TUESDAY, FEBRUARY 3, 2026 @ 6:30 PM COMMUNITY CENTER – 509 OCEAN AVENUE

**Board Members:**

Chairman David Campbell  
Vice-Chairperson April Evans  
Member Kurt Belsten  
Member Dan Harper  
Member Gabor Kishegyi

**Alternate Board Members**

Alternate Todd Albert  
Alternate Jason Judge

**Staff Members:**

Interim Town Manager Lisa Frazier  
Town Clerk Amber Brown  
Building Official Jeff Parsons

**1. CALL TO ORDER**

Chairman David Campbell called the meeting to order at 6:30 p.m.

**2. ROLL CALL**

Deputy Town Clerk Cyd Cardwell conducted the roll call.

**Present:**

Vice-Chairperson April Evans  
Member Dan Harper  
Member Gabor Kishegyi  
Alternate Todd Albert

**Staff Present:**

Interim Town Manager Lisa Frazier  
Building Admin Steve Freeman  
Deputy Town Clerk Cyd Cardwell

**Absent:**

Chairman David Campbell  
Member Kurt Belsten  
Alternate Jason Judge

**3. APPROVAL OF MINUTES**

A. January 6, 2026 minutes

**Alternate Todd Albert made a motion to approve; Member Dan Harper seconded; Motion carried 4-0.**

**4. NEW BUSINESS**

**5. PUBLIC HEARINGS**

## 6. OLD BUSINESS

### A. Update to Member Dan Harper's report

Member Dan Harper spoke about the members of the board being in support of native plants but the question being whether they're going to require them or encourage planting them.

### B. Discussion on the proposed Chapter 9A: Landscaping and Trees ordinance

Member Gabor Kishegyi thanked everyone who contributed data and spoke about determining the point at which we encroach on homeowners' way they want to set up their property.

Alternate Todd Albert agreed with leaning towards encouragement versus requirements and spoke about the possibility of a tax bill incentive.

Vice Chairperson April Evans spoke about not having the Town Attorney at the meeting, but a tax incentive would likely need to come from the Commission.

Alternate Todd Albert suggested recommending it to the Commission.

Vice Chairperson April Evans did not think the P&Z board has the authority to recommend a tax incentive.

Vice Chairperson April Evans spoke about 50% native plants being excessive if it's required versus suggested; spoke about seeing lots of things that don't belong in the code and wanting to see a cleaner version.

Member Dan Harper spoke about wanting to address specific areas in the draft to come up with a cleaner-cut proposal.

Vice Chairperson April Evans spoke about the ordinance being disjointed and jumping around.

Interim Town Manager Lisa Frazier spoke about her experience writing codes and whittling down what they started with; no structure for residential lots originally; spoke about a 50% natives requirement not hampering homeowners from landscaping as desired but the board can bring it down to 30%.

Member Dan Harper spoke about looking at neighboring municipalities' requirements; brought up homes being built to the setbacks and having swales making it difficult to meet the landscape requirements; spoke about it being unenforceable and sticking to an eight-tree minimum.

Alternate Todd Albert spoke about still being able to plant large trees within an eight-tree

minimum.

Vice Chairperson April Evans agreed about site plans being built to the maximum.

Member Dan Harper asked if items could be narrowed down by formal vote.

Interim Town Manager Lisa Frazier asked where the eight-tree verbiage was captured.

Member Dan Harper said it was recorded in prior P&Z minutes and he would provide the location to the Deputy Town Clerk.

Alternate Todd Albert spoke about homeowners who may not want to deal with leaves in their pools and being prevented from having their lots the way they want; voiced concern over § 9A-7 (2) having conflicting language by using “encouraged” but also “shall”.

Member Dan Harper spoke about page 4, item § 9A-6 (2) which is about tree removal at existing residences; concern about “may” changing to “will” in reference to requirement; spoke about Florida statute regarding tree removal and having our ordinance reflect that language.

Vice Chairperson April Evans agreed about contradictory language needing cleanup; asked the Interim Town Manager about the color-coding used on changes.

Interim Town Manager Lisa Frazier confirmed the colors no longer reflect individual editors as they originally did.

Vice Chairperson April Evans spoke about a typo on page 6, item 12.

Alternate Todd Albert asked if we go with an eight-tree minimum, could we specify that a certain number of them be Florida natives.

Vice Chairperson April Evans voiced a concern that the board could be getting into requirements that are too arbitrary if that was done.

Member Gabor Kishegyi spoke about simplifying the requirements without being obtrusive to property owners; gave an example of § 9A-8 (3)(c) on page 9 requiring reinspection of property after 3 years to ensure trees have survived.

Vice Chairperson April Evans spoke about homeowners ripping out trees as soon as they have their Certificate of Occupancy if the code is too specific on type and size; spoke about it becoming an issue to enforce.

Member Gabor Kishegyi spoke about encouraging and educating, not overly requiring.

Vice Chairperson April Evans asked if the entire section should be stricken.

Alternate Todd Albert asked if reinspection could be reduced to 1 year.

Member Gabor Kishegyi spoke about not liking the idea of the requirement at all.

Vice Chairperson April Evans spoke about the attractiveness of Melbourne Beach being in diversity; concerned that removing the section could impact other sections tied to it.

Member Dan Harper spoke about updating the code in phases and seeing where it is after the Town Planner makes the changes discussed.

Vice Chairperson April Evans spoke about the section on nuisance trees on page 11, center; asked if it's appropriate to ask for removal of nuisance trees.

Member Gabor Kishegyi mentioned some nuisance tree species really being an issue.

Vice Chairperson April Evans asked if there was a consensus to have the changes made and have the ordinance come back to them; also asked for a workshop.

Alternate Todd Albert spoke about having the community help them work on particular sections, not the entire thing.

*Crystal Cain – 309 Surf Rd. – Spoke about the EAB being tasked to work with P&Z but sometimes feeling antagonism even though they were asked to work together; spoke about being behind the times; spoke about Member Dan Harper's data being incorrect; spoke about native plants already established in Town areas.*

Vice Chairperson April Evans spoke about the board agreeing with EAB on the necessity of native plants but disagreeing on whether to demand it.

*Karen Fenaughty – 323 Third Ave. – Spoke about outcry from the public and what we have already is just suggestion; disagrees with only comparing to neighboring municipalities; spoke about our old ordinances not looking at the science; spoke about Satellite Beach enforcing a 50% natives requirement; spoke about the EAB's ongoing efforts to educate.*

Member Dan Harper spoke about our new home requirement of stormwater swales not being found in neighboring towns, and those homeowners already taking on a disproportionate burden to help the environment.

*Leslie Maloney – 1403 Pine St. – Spoke about statewide requirements that recently went into effect; spoke about property rights versus community benefits and the lagoon being in peril, loss of canopy, mega mansions; provided some examples of strong native plant requirements in other areas.*

**Member Dan Harper made a motion for either Interim Town Manager Lisa Frazier or Town Planner Corey O'Gorman to revise this version for the things discussed and agreed upon and provide the board with a new "version 3.0" for deliberation; Member Gabor Kishegyi seconded; Motion carried 4-0.**

Interim Town Manager Lisa Frazier asked if the new version would be brought to the next P&Z meeting or if there would be a workshop before the regular meeting.

Vice Chairperson April Evans asked for staff to collect data on similar ordinances from other municipalities.

Interim Town Manager Lisa Frazier spoke about a list from the Florida Native Plant Society or IFIS that may have all of the requested data.

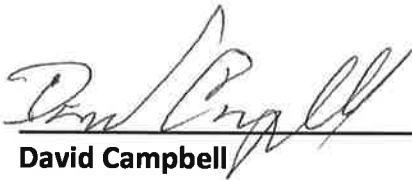
Member Dan Harper spoke about some of those lists not being totally accurate; spoke about P&Z, EAB, and Town staff reviewing the applicable statutes.

Interim Town Manager Lisa Frazier spoke about fines and fees being discussed but should never be placed in an ordinance, rather they should be put in a resolution; also spoke about a nexus between stormwater utility fees and a credit for planting natives.

7. PUBLIC COMMENT
8. REPORTS: TOWN MANAGER AND TOWN ATTORNEY
9. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS
10. ADJOURNMENT

**Member Gabor Kishegyi motioned to adjourn; Alternate Todd Albert seconded; Motion carried 4-0.**

The meeting adjourned at 7:39 p.m.

  
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David Campbell  
Chairman

ATTEST:

  
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Cyd Cardwell  
Deputy Town Clerk

