**Town of Melbourne Beach**

**MINUTES**

**PLANNING & ZONING BOARD MEETING**

**TUESDAY JANUARY 5, 2021 @ 7:00pm**

**COMMUNITY CENTER – 509 OCEAN AVENUE**

**Board Members:**

Chair David Campbell

Member Kurt Belsten

Member April Evans

Member Douglas Hilmes

Member Daniel Gonzalez

**Staff Members:**

Town Manager Elizabeth Mascaro

Town Clerk Jennifer Torres

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Old Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

1. **CALL TO ORDER**

Chairman Campbell called the meeting to order at 7:00 p.m.

1. **ROLL CALL**

Town Clerk Torres conducted the roll call:

Present:

Chairman David Campbell

Member Kurt Belsten

Member Douglas Hilmes

Member April Evans

Member Daniel Gonzalez

Staff Present:

Town Manager Elizabeth Mascaro

Town Clerk Jennifer Torres

1. **APPROVAL OF MINUTES -** September 1, 2020

Member Belsten noted one correction under “New Business- Item C.” Town Clerk Torres will correct it.

**Member Belsten moved to approve the minutes as amended from the September 1, 2020 meeting; Member Gonzalez seconded; Motion carried 5-0.**

1. **PRESENTATIONS**
2. **PUBLIC HEARINGS**
3. **NEW BUSINESS**
4. Site Plan Review for 307 Avenue B, Melbourne Beach

This item was removed from the agenda.

Member Gonzalez asked if you can have pool 12” from a fence. Some discussion took place and Chairman Campbell indicated that there is a 5-foot setback required from a house to a pool.

1. Review and discuss Comprehensive Plan Support documentation

Town Manager Mascaro explained that because there was a great deal of information in the Comprehensive Plan, the information was split into two sections for Board review. Tonight they would be reviewing the data and the reminder of the information would be reviewed during the February meeting.

Chairman Campbell addressed several discrepancies he noted in the Comprehensive Plan data including:

* The map labeled “Existing Land Use” on Page 2-2 is from 2010 and there are discrepancies including notating vacant properties where there are none, such as on the corner of First and Orange and Second and Orange. He also noted inaccurate information related to the Port D’hiver expansion and said the map is not consistent with Google Maps.
* The Vacant Land Analysis is outdated and uses 2010 information and this inaccurate, outdated information flows forward to many other sections of the plan.
* In Section 2-6 the data indicates there are 30 single-family vacant lots but a different figure is used later in the data.
* In Section 7-4, under “Analysis of Remedial Action,” there is a mention that new construction must retain an on-site minimum of 1/2 –inch of runoff that is not updated with new information.

Member Hilmes also noted several inaccuracies in the data, including:

* Page 2-5 refers to a potable water franchise agreement that already expired – but on Page 5-5 it says the agreement was renewed in 2018.
* The transportation data on Page 3-3 lists the traffic count form 2007-2008 and there should be more recent information.

Town Manager Mascaro confirmed that there is more updated traffic count information available.

Member Evans noted that Page 3-4 – Analysis of Future Land Use – contains outdated information – and the cover page of the document has “Land Use” as one word.

Member Hilmes agreed that on Page 3-4, the entire section is outdated and predicted a rise in the number of occupied units for 2015. He went on to say that his main concern is east of Oak Street and he’s very interested in seeing what the traffic count actually is now – and what it’s predicted to be.

Town Manager Mascaro said the Town is in active conversations with FDOT related to traffic calming and reduced speed limits (which have already been enacted).

Member Gonzalez shared the story of a resident who was ticketed by police for turning right on Oak Street from Ocean Avenue at the A1A light – because someone was to the left of them – and it is a one-lane road. He thought it may be time to consider adding a turning lane there.

Town Manager Mascaro indicated that this idea has been brought to the Commission in the past – and at that time – they did not move forward with it. However, with new members on the Commission, it may be something the Town can bring up for consideration again.

Getting back to the inconsistencies noted, Member Belsten said when you compare the information on Page 2-6 to the information on Page 7-1 – there are two different sets of numbers. He also noted that the transportation section refers to a comp plan from 1988.

Chairman Campbell said it is clear the whole packet of information is “off” and recommends the document is sent back to the Town Planner so he can update and correct the data – making it current and consistent.

Member Gonzalez agreed, adding that if the older data is the last current data available, the Town Planner should notate that – and make the information consistent throughout.

**Member Belsten moved to send the Comprehensive Plan Support documentation back to the Town Planner to correct and update the data, without charge; Member Evans seconded; Motion carried 5-0.**

1. Approval of 2021 Meeting Schedule

**Member Hilmes moved to approve the 2021 Planning & Zoning Meeting Schedule; Member Gonzalez seconded; Motion carried 5-0.**

1. **OLD BUSINESS**
2. **PUBLIC COMMENT**
3. **REPORTS: TOWN MANAGER AND TOWN ATTORNEY**

Town Manager Mascaro shared the fact that a property in Town at 309 Ocean is under contract.

1. **ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS**

The Board would like to discuss pool setbacks from the property line at a future meeting.

1. **ADJOURNMENT**

**Member Belsten moved to adjourn the meeting; Member Hilmes seconded; Motion carried 5-0.**

Meeting adjourned 7:22 p.m.

ATTEST:

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David Campbell, Chairman Jennifer Torres, Town Clerk