

**TOWN OF SEWALL'S POINT
MINUTES OF WORKSHOP
JANUARY 12, 2010**

PRESENT: MAYOR OSTEEN, VICE MAYOR KLINGENSMITH, CMSRS. SCHOPPE, SUBIN AND THURLOW-LIPPISCH, AND TOWN MANAGER KELLOGG, ATTORNEY TORCIVIA, CHIEF CERNIGLIA AND BUILDING OFFICIAL ADAMS

1. **CALL TO ORDER** - MAYOR OSTEEN CALLED THE WORKSHOP TO ORDER AT 7:00 P.M. AND ASKED IF THERE WERE ANY CHANGES TO THE AGENDA. HEARING NONE, A MOTION WAS MADE BY VICE MAYOR KLINGENSMITH, SECONDED BY CMSR. SUBIN TO APPROVE THE AGENDA AS PRESENTED. ALL IN FAVOR. (5-0)

IN FAVOR: SCHOPPE, SUBIN, THURLOW-LIPPISCH, KLINGENSMITH AND OSTEEN

OPPOSED: NONE

2. **COMMENTS FROM THE PUBLIC ON TOPICS NOT ON THE AGENDA**

RESIDENTS BARILE AND GLEICHMAN EXPRESSED THEIR CONCERN THAT THE FILING DEADLINE [FOR CANDIDATES] HAD NOT BEEN POSTED VIA THE WEB PAGE AND/OR ON THE ELECTRONIC DEVICE OWNED BY THE TOWN. RESPONDING, ATTORNEY TORCIVIA EXPLAINED THAT THE NOTICE HAD BEEN POSTED ON THE TOWN'S BULLETIN BOARD AND THERE WAS NO REQUIREMENT OTHER THAN "... NOTICE HAS TO BE POSTED 30 DAYS PRIOR TO THE ELECTION." CMSR. THURLOW-LIPPISCH SUGGESTED THAT IN THE FUTURE THIS INFORMATION SHOULD BE INCLUDED IN THE TOWN'S NEWSLETTER; CMSR. SCHOPPE SAID THE IDEA WAS APPROPRIATE AND SHOULD BE PUT IN PLACE; CMSR. SUBIN INDICATED THAT HE, TOO, WAS NOT AWARE OF THE TIME FOR FILING AND WAS NOT HAPPY SAYING, "... OUR COMMITMENT STANDARD NEEDS TO BE HIGHER."

3. **OLD BUSINESS:**

A. **DISCUSSION OF CELL TOWN LEASE** - MAYOR OSTEEN INTRODUCED LEE CHAPMAN OF SITE CONCEPTS NOTING MR. CHAPMAN HAD SPOKEN TO THE COMMISSION ON THREE PREVIOUS OCCASIONS AND A DECISION NEEDED TO BE MADE WHETHER TO GO FORWARD, OR NOT. MR. CHAPMAN REITERATED INFORMATION REGARDING THE INSTALLATION OF A PROPOSED CELL TOWER ON TOWN PROPERTY GIVING THE DIMENSIONS, SIGNAL ABILITY, DISCUSSED HOW MANY RESIDENTS WOULD USE THE SYSTEM, AND RECOMMENDED ANTENNAS/BASE STATIONS BE 120' ABOVE GROUND LEVEL. A LENGTHY DISCUSSION ENSUED WITH COMMISSIONERS ASKING QUESTIONS AS TO THE POSSIBILITY OF SHARING THE 'POLE' LOCATED IN OCEAN BREEZE WITH SEWALL'S POINT, SECURITY, AESTHETICS, FREE SERVICE FOR RESIDENTS, AND SOME VERY TECHNICAL QUERIES BY CMSR. SUBIN.

A COUPLE OF RESIDENTS EXPRESSED THEIR CONCERN OVER AESTHETICS AND HOW THIS WOULD BE A MAJOR IMPACT TO RESIDENTS OF THE TOWN.

AT THAT TIME, MAYOR OSTEEN ASKED IF THE COMMISSION WISHED TO GO FORWARD. IT WAS DECIDED A COMMITMENT AT THIS TIME WOULD NOT BE POSSIBLE, AND THANKED MR. CHAPMAN FOR ALL OF HIS WORK ON THE BEHALF OF THE TOWN.

4. **NEW BUSINESS:**

CMSR. THURLOW-LIPPISCH ASKED IF ITEM 4B COULD GO BEFORE 4A., AND SO AGREED.

B. **DISCUSSION OF PROHIBITING FILL ON LOTS IN FLOOD ZONE** - CMSR. THURLOW-LIPPISCH INDICATED SHE WAS DISTURBED BY A LOT [IN TOWN] BEING FILLED IN A FLOOD ZONE. SHE EXPLAINED HER CONCERNS AND DESIRE TO UNDERSTAND THE IMPACT OF THIS ON INSURANCE, FEMA, ETC., AND SAID THIS WAS "SIMPLY FOR DISCUSSION." SHE ALSO INDICATED SHE HAD INVITED MR. FRICK TO ATTEND THE MEETING TO GIVE HIS OPINION. MAYOR OSTEEN SAID THIS LOT WAS AN A-E (ZONE) LOT AND ELIGIBLE FOR FILL; HIS ONLY CONCERN WAS THAT A PORTION OF THE LOT MIGHT BE TOUCHING A PART OF THE V-E ZONE. BUILDING OFFICIAL ADAMS EXPANDED ON CMSR. THURLOW-LIPPISCH'S CONCERN REGARDING THE AFFECTS OF A STORM SURGE AND HOW WATER ACTS DIFFERENTLY, THE VELOCITY OF FLOW AND HOW IT UNDERMINES FOUNDATIONS INCLUDING LANDSCAPES, TREES, ETC.

OWNING A LOT ON SEWALL'S POINT ROAD, RESIDENT FRICK SAID, "... ONE CUT OF GRASS AFTER IT RAINS AND ANYONE WOULD WANT TO BRING IN FILL AND ELEVATE A HOUSE." HE WENT ON TO SAY ALTHOUGH BUILDING REGULATIONS ARE TOUGH, "WE DO NOT NEED MORE REGULATIONS."

CMSR. THURLOW-LIPPISCH THANKED THE COMMISSION FOR DISCUSSION OF HER CONCERN.

- A. DISCUSSION OF FENCE REGULATIONS, §82-275 - CMSR. THURLOW-LIPPISCH EXPRESSED THE IMPORTANCE OF TALKING ABOUT CHAIN LINK FENCING AND REGULATIONS. CMSR. SUBIN SAID A LOT OF TIME HAD BEEN SPENT BY PREVIOUS COMMISSIONS REGARDING THIS ORDINANCE RELATIVE TO HEDGE HEIGHT, HOW FAR BACK FROM THE ROAD FENCING SHOULD BE, ETC., AND EXPRESSED HIS CONCERN ABOUT RE-OPENING THIS UP AGAIN. CONVERSATION CONCLUDED.

4. NEW BUSINESS (CONTINUED)

- C. DISCUSSION OF SIDEWALK ENHANCEMENT - FUNDING/MPO - MAYOR OSTEEN TOLD THE COMMISSION THERE WOULD BE A NEW JOBS BILL BROUGHT BEFORE CONGRESS IN FEBRUARY. REGARDING THE SIDEWALK PROJECT HE SAID THE ORIGINAL RANKING LISTED AT #11 AND TAC RECOMMENDED TO MPO THE PROJECT BE RANKED AT #4. A FINAL RANKING WILL BE MADE IN ANOTHER WEEK (FUNDING FOR THIS PROJECT WOULD COME FROM THE NEW JOBS BILL.) NUMEROUS QUESTIONS WERE RAISED, ONE OF WHICH WAS WHETHER OR NOT THE SAME TYPE OF MATERIAL HAD TO BE USED IN ORDER TO RECEIVING FUNDING, WITH TOWN ENGINEER CAPRA SAYING THAT WAS WHAT HAD BEEN TALKED ABOUT. CMSR. SCHOPPE SAID SAFETY IS THE NUMBER ONE ISSUE ALONG WITH PUTTING PEOPLE TO WORK. A LENGTHY CONVERSATION FOLLOWED WITH TOWN ENGINEER CAPRA REITERATING PREVIOUS DISCUSSIONS CONCERNING MATCHING FUNDS, DEP, SFWMD, AND FEMA, THE 319 GRANT FUNDS, AND DRAINAGE, ETC. HE ALSO SUGGESTED AN AESTHETIC COMMITTEE BE FORMED REGARDING THE MATERIAL USED FOR SIDEWALKS SINCE IT WAS SUCH A CONTENTIOUS ISSUE, HOPING FOR CONSENSUS, AND POSSIBLY A LANDSCAPE CONSULTANT. CONCLUDING, MR. CAPRA TOLD THE COMMISSION THEY NEEDED TO BE READY AS "THINGS WOULD HAPPEN QUICKLY, IF WE RECEIVED THE FUNDS."

5. TOWN MANAGER'S COMMENTS - NONE

6. COMMENTS FROM COMMISSIONERS ON TOPICS NOT ON THE AGENDA

CMSR. THURLOW-LIPPISCH:

- A SEWALL'S POINT CULTURAL COMMITTEE HAD BEEN FORMED; THE GROUP IS EXCITED AND HAS MANY IDEAS; MONEY COMING IN WILL BE RECEIVED VIA SPONSORSHIP.
- DEB DUVAL, RESIDENT AND REALTOR, UPDATED THE COMMISSION REGARDING THE PROPERTY SHE HAS LISTED ON S. SEWALL'S POINT ROAD (BAY TREE). THE CURRENT OWNER, SHE SAID, HAS AGREED TO ALLOW THE TOWN TO CONSIDER PURCHASE OF THIS PROPERTY PRIOR TO RELEASE TO THE PUBLIC.

VICE MAYOR KLINGENSMITH:

- INDICATED HE HAD RECEIVED CALLS FROM RESIDENTS REGARDING THE ONGOING MAINTENANCE AND AESTHETIC ISSUES ALONG THE NORTH SIDE OF SEWALL'S POINT. TOWN MANAGER KELLOGG RESPONDED BY SAYING VEGETATION, ETC. WILL BE ADDRESSED.
- THE CANOPY OF THE NORTH SIDE IS DIFFERENT, SAID CMSR. SUBIN, AND THE GRASS ALONG THE SIDEWALKS IS NOT MAINTAINED AND NEEDS MORE ATTENTION.
- VACANT LOTS, FENCES THAT APPEARED TO BE UNSAFE, ALL NEED TO BE LOOKED AT.
- REQUEST TO HAVE JOSE` TORRES, MAINTENANCE, GO AROUND THE AREA MORE OFTEN (TO VIEW/MAINTAIN).

7. **ADJOURN:** THERE BEING NO FURTHER DISCUSSION, CMSR. SCHOPPE MADE A MOTION TO ADJOURN, SECONDED BY VICE MAYOR KLINGENSMITH, ALL IN FAVOR. MEETING ADJOURNED AT 10:00 P.M.

RESPECTFULLY SUBMITTED,

ANN-MARIE S. BASLER
TOWN CLERK