

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Remar M. Harvin, Council Member
Daniel H. Sohn, Council Member
Janice C. Rutan, Town Administrator
John Fenn Foster, Town Attorney



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, July 3, 2018**

NOON

AGENDA

- I. Call to Order
- II. Presentations/Proclamations
- III. Council, Attorney and Staff Reports
- IV. New Business
- IV. Old Business
 - a. Review of proposed zoning text/subdivision amendments (staff presentation)
 - b. Review of Code and Ordinances
- VI. Adjournment

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN OF HAVERHILL
Town Council Workshop
July 3, 2018
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, July 3, 2018 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor, Jay Foy; Vice Mayor, Lawrence Gordon; Council Member, Remar M. Harvin; Council Member, Mark Uptegraph; Town Attorney, John Foster; Town Administrator Janice Rutan; Deputy Town Clerk, Jean Wible, Director of Public Services, Joseph Roche and Town Planner, Josh Nichols

I. CALL TO ORDER

Mayor Foy called the Workshop to order at 12:10 p.m. and stated he would like to make a statement that he wanted noted on record. Mayor Foy explained that although he was happy that Mr. Aceti, homeowner of 550 Tall Pines Road received variance approval at the June 28, 2018 Town Council meeting, he was concerned that Council disobeyed its own rules by not heeding to them. Mayor Foy referred to it as the US Supreme Court should rule for the Constitution versus believing the US Supreme court rules as they interpret or wish the Constitution would be. Mayor Foy stated to Council that we need to be very cautious when overruling our own rules, which is fine to overrule at times but, let's change the Ordinance if we intend to do that. Mayor Foy believes bad cases make bad law and he felt this was a bad case and just wanted it noted for the record. Town Attorney John Foster stated that often times it's not a matter of overruling a rule it's a matter of rendering an interpretation differently and we see that with the Supreme Court 5-4, 4-5, 5-4 back and forth where they are looking at the same facts, looking at the same law and they interpret it differently. Town Attorney Foster stated he would like to think, and suggest perhaps there were different interpretations to the same law in this particular instance and would like to see Town Council move on from here. Discussion ensued.

Mayor Foy also wanted to discuss the work force housing that had come up in the last couple of months during Town Council Workshops. Mayor Foy stated that he and Town Administrator Janice Rutan have been researching to find out what it exactly means. Mayor Foy recently spoke with Brian Davis with Palm Beach County who explained it but Mayor Foy believed it, in his opinion, to be very convoluted and complicated. Discussion ensued

II. PRESENTATIONS/PROCLAMATIONS

Palm Beach County Commissioner Paulette Burdick was in attendance regarding the residents of Ivywood Road and their request for a new road to be built by the Town of Haverhill or Palm Beach County.

III. COUNCIL, ATTORNEY AND STAFF REPORTS

- a. Town Administrator Janice Rutan asked if anyone had driven down Pineway Drive and Palmetto Road since the new apartment units on Stacy Street were built. Mayor Foy stated he needs to do that. Councilmember Mark Uptegraph stated he had and it's not what you would expect. He feels it's terrible. Public Services Director Joseph Roche stated they tower over the Haverhill resident's homes at the end of Palmetto Road and Pineway Drive leaving them with zero privacy in they're backyard. T/A Rutan stated they loom over the homes. T/A Rutan explained they are three story buildings with the living room picture windows designed to look over the backyards of the Town's residents. She stated that 4 homes in particular are highly impacted. Director Public Services Joseph Roche passed around some pictures he had taken of these apartments. T/A Rutan stated they were supposed to have built an 8 foot wall but administratively, they were able to reduce the wall to 6 foot. Discussion ensued.
- b. Mayor Foy stated he wanted to have a general conversation regarding Ivywood Road and the request of those resident's to have the Town of Haverhill build a new road for them. Mayor Foy stated after several discussions between Town Council, Town staff and Commissioner Paulette Burdick, it appears the resident's do not have a way to meet the Town of Haverhill or Palm Beach County's current criteria. Mayor Foy stated the Town didn't see how it could do it with the way things are setup now. Mayor Foy asked Town Administrator Janice Rutan if she had anything to add to this general conversation. Town Administrator Rutan stated that at the last meeting regarding this, she believed Commissioner Burdick and Palm Beach County were going to try to come up with an MSTU program that would allow the resident's to have the cost added to their taxes over a certain period of time. The Town was ok in allowing the road to be built to the County's standard if the Town of Haverhill has to enter into an inter-local agreement. Discussion ensued.

IV. OLD BUSINESS

- a. Review of proposed zoning text/subdivision amendments (staff presentation): Town Attorney John Foster wanted to mention and a follow up from last Thursday's Town Council meeting of presenting to the Code & Ordinance committee an ordinance that basically says that before a building permit can be issued for development of any park property within the Town, whether it is Haverhill, the County or whoever (any property designated as a park), there should first be on file an approved site plan by Town Council. There needs to be an ordinance drafted in this language. Mayor Foy agrees. Discussion ensued
- b. PBI Overlay: Town Attorney Foster stated the Town has reviewed the Palm Beach International Airport overlay requirements and he thinks we were sort of down to the specifications of those and perhaps today, the real thing that we need to consider would be the minimum lot width, which is currently 45 feet. Town Attorney Foster stated Town Planner Josh Nichols had suggested 25 feet, however, he stated we have heard from people that have said 22 feet may be more realistic. Discussion ensued
- c. Town Administrator Rutan informed Town Council there will be a variance coming before them at the next Town Council meeting that we require all Congregate Living Facilities to have a sewer. Discussion ensued

- d. Town Administrator Rutan stated that Director of Public Services Joseph Roche followed up on the unlit street light request by Town resident Davilyn Whims, homeowner of 1156 Park Lane. Ms. Davilyn came to the last Town Council meeting and requested the Town have the street light lit up on the SE corner of Rosetta Lane and Durham. Her intention is not to light up her yard but to light up the street corner to help with crime. Mr. Roche stated he went out and looked at the street light and found it surrounded by heavy vegetation and its location is on private property and is on a Palm Beach County street. Mr. Roche stated we do not have the right to light up a street light that is not in the Town of Haverhill. Mayor Foy stated it was promised that the Town would get back with Ms. Davilyn and asked Mr. Roche to please get with her and let her know the outcome of the discussion today.

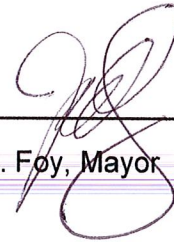
V. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 1:20 p.m.

Approved: August 9, 2018



Jean Wible, Deputy Town Clerk



Jay G. Foy, Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
COUNCIL WORKSHOP
July 3, 2018
Noon

Name	E- Mail Address	Signature
Jay Fay		
Lawrence Gordon		
Ramar Harvin		
Mark Uptegraph		
Josh Nichols		
Janice Poutan		
Sean White		
Joseph Roche		
Paul H. Budic		
John Foster		