

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



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ March 9, 2017
7:00 p.m.
AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes of the February 23, 2017 regular meeting
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
 - a. Request for a variance from Sections 58-183 (2) and 58-185 (5)(6) of the Ordinances of the Town of Haverhill to allow for a 13 foot reduction in the rear setback for a minimum setback of 2 feet for the installation of a pool and deck within the accessory structure rear setback as filed for by Yisell Pantaleon Arencibia, Pedro M. Medina and Isabel C. Arencibia Guitierrez owners of the property located at 5212 Bethany Lane.
- X. REGULAR AGENDA AND FIRST READINGS**
 - a. Request for a variation from Section 58-319 (g) to allow for a six foot fence in the located between the primary structure and the front lot line as applied for by Carina Loza, owner of the property located at 1241 Pineway Drive
- XI. REPORTS**
 - Town Attorney
 - Mayor
 - Town Administrator
 - Committee/Delegate Report
 - Treasurer's Report (included in packet)
- XII. UNFINISHED BUSINESS**
- XIII. NEW BUSINESS**
- XIV. 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 COUNCIL REGULAR MEETING

Town Hall Council Chambers

Thursday ~ March 9, 2017

7:00 p.m.

OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held on Thursday, March 9, 2017 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Jo H. Plyler, Council Member and Remar M. Harvin, Council Member. Also present were Lance Fuchs, Town Attorney; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led in the Pledge of Allegiance.

ROLL CALL

The Town Administrator called the roll. All members were present.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

A motion was made by Council Member Harvin, seconded by Vice Mayor Gordon and unanimously passed (5-0) to approve the agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the February 23, 2017 regular meeting.

A motion was made by Council Member Uptegraph, seconded by Council Member Plyler and unanimously passed (5-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Palm Beach County Sheriff's office reported on the recent burglaries to the construction site at Haverhill Pointe. Discussion followed.

SECOND READINGS AND PUBLIC HEARINGS

Request for a variance from Sections 58-183 (2) and 58-185 (5)(6) of the Ordinances of the Town of Haverhill to allow for a 13 foot reduction in the rear setback for a minimum setback of 2 feet for the installation of a pool and deck within the accessory structure rear setback as filed for by Yisell Pantaleon Arencibia, Pedro M. Medina and Isabel C. Arencibia Guitierrez owners of the property located at 5212 Bethany Lane.

Josh Nichols, Town Planner offered staff's report. He clarified that the applicants were asking for a ten foot variance and not a thirteen foot variance into the required fifteen foot

setback requirements. The Town Planner noted that the request was creating the hardship by extending the patio and pool to the south creating the need for a variance. It was staff's recommendation to deny the request as the applicants had alternatives to the placement of the pool and therefore, the hardship was self imposed.

The applicants were not present.

It was the general consensus of Council to postpone action until March 23, 2017 allowing the applicants an opportunity to present their case to Council for consideration.

REGULAR AGENDA AND FIRST READINGS

Request for a variation from Section 58-319 (g) to allow for a six foot fence to be located between the primary structure and the front lot line as applied for by Carina Loza, owner of the property located at 1241 Pineway Drive

The Town Administrator presented staff's report. The applicants were requesting a variation to allow for a six foot fence in the front yard. She noted that because the home was located on a cul de sac, the front yard appeared to be a side yard. The Director of Public Services presented photos of the property showing the exact location of the proposed fence.

The applicants were present to address Council questions. They explained the fence would provide them privacy as well as protect their dogs while in the yard.

The Town Administrator explained a variation did not need to prove hardship.

A motion was then made by Council Member Plyler, seconded by Council Member Harvin and unanimously passed (5-0) to approve the request for a variation from Section 58-319 (g) to allow for a six foot fence to be located between the primary structure and the front lot line as applied for by Carina Loza, owner of the property located at 1241 Pineway Drive.

REPORTS

Town Attorney

None.

Mayor

Mayor Foy reported on the joint workshop and Code and Ordinance Committee meeting scheduled for March 14, 2017 at 11:30 a.m.

He next reported on pending legislation that would affect the Town of Haverhill by taking away the regulation of telecommunication towers with the Town's boundaries. The Town Administrator had sent an e-mail to the the Town's representatives in Tallahassee expressing the Town's opposition to SB 596 as passage would usurp the premise of Home Rule.

This along with other pending legislation that would have a negative impact on municipalities was discussed at the League of Cities District II & III luncheon held the previous day.

There was an upcoming NPDES training session that he and the Director of Public Services would be attending.

There would be a follow up meeting regarding the FEMA FIRMs that should be published in early April. The Town would need to adopt its Floodplain Ordinance soon after the maps are published.

A discussion followed concerning the number of Wawa gas stations/convenience stores that would be opening in Palm Beach County. The company was planning an open house for 5 locations for the end of March.

Mayor Foy reported that plans for the expansion of 60th street north to Northlake was moving forward. The widening of Seminole Pratt Whitney Road was underway and Minto has begun construction of homes in Westlake.

Town Administrator

The Town Administrator reported that she had been contacted by Carla Erkstine of the Ciklin Lubitz law firm on behalf of the Salvation Army requesting Council consideration of the proposed site plan/zoning approval amendment to allow for a reallocation of the use applied to the number of beds allowed at the facility located on Military Trail just north of the Town's boundary.

The Town Administrator noted that Council consensus was required as when the petition first came before the Town in 1998, there was apparently some objection although she could not find any specifics in the minutes of the Town Council.

Mayor Foy and Council Member, former Town Clerk Plyler, had no recollection of the matter coming before Council.

Although Director of Public Services eluded to dissention among the Council regarding the petition, nothing could be located in the records.

The Town Administrator confirmed the allowed number of beds would remain at 165, the zoning petition amendment would allow for the increase from 70 to 85 allocated to the work release/prisoner program.

Council, by consensus, had no comment on the amendment provided the number of beds remained capped at 165.

The Town Administrator next reported that Jean Wible, Administrative Assistant would be recording the minutes for the March 23, 2017 meeting as she would be out of Town. The swearing in ceremony and reorganization of the Town Council would be taking place at the March 23, 2017 meeting. Ms. Wible was present in the audience.

Committee/Delegate Report

Council Member Harvin reported on the Palm Beach County League of Cities District II & III luncheon held the previous day in Atlantis.

He noted his opposition to pending legislation that would adversely affect Community Redevelopment areas (CRAs).

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

None.

NEW BUSINESS

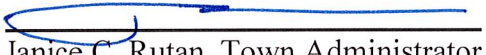
The Town Administrator reported that she would be presenting an increase to the Non Ad Valorem Assessment for Council consideration. The increase was needed to cover the actual cost of solid waste and recycling services resulting from the contract with Waste Pro.

Mayor Foy reported on the possible incorporation of the Acreage and the revenue sharing funds the municipality would be entitled to receive if it was to incorporate. Based on the state funding, it was estimated there would be no ad valorem tax increase to those properties affected.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:00 p.m.

Approved: March 23, 2017



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor

**TOWN OF HAVERHILL
REGULAR TOWN COUNCIL MEETING
Thursday, March 9, 2017**

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