

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Dennis Withington, Council Member
Ray Caranci, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, March 2, 2021
NOON**

AGENDA

- I. Call to Order**
- II. Presentations/Proclamations**
 - a. Proposed subdivision of 5200 Club Road (Kevin Tan, contract purchaser)**
 - b. Proposed Site Plan Amendment for the Haverhill Townhome Project (William Sargent of Cotleur Hearing and Avi Stern, property owner)**
 - c. Proposed Development plan for property located at 5263 Belvedere Road (William Sargent of Cotleur Hearing and Avi Stern, contract purchaser)**
- III. New Business**
 - a. Proposed Ordinances**
- V. Old Business**
- VI. Council, Attorney and Staff Reports**
- VII. 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

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TOWN COUNCIL WORKSHOP

March 2, 2021

IN ACCORDANCE WITH STATE OF FLORIDA, OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-69 (Emergency Management – COVID- 19 – Local Government Public Meetings), the Emergency Declaration issued by the Town, and FS 286.0114, and other applicable federal, state, county and Town declarations, orders, rules and regulations, the Town Hall meeting shall be modified with respect to public access and public comment. Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 10:00 a.m. on March 2, 2021. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council, access to the Town Hall by the public will be limited to allow for Social Distancing of persons in the Council Chambers including Town Council, Staff and PBO; provided, however, that those persons exhibiting signs of illness, such as coughing, or sneezing will not be permitted in the Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. All persons will be required to bring their own mask and wear it when entering Council Chambers to address the Town Council. Those persons gathering outside the Town Hall shall maintain a separation of at least six feet from one another, and it is recommended that masks be worn as well. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the workshop begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding during these uncertain times.

**TOWN OF HAVERHILL
Town Council Workshop
March 2, 2021
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, March 2, 2021 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon (via tele-conference); Council Member Mark Uptegraph; Council Member Dennis Withington; Council Member Ray Caranci; Town Attorney John Foster; Town Attorney Dominic DeCesare; Town Engineer Todd McLeod; Town Planner Josh Nichols; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible and Code Inspector Devon Kirms.

Also in attendance was Don Hearing and William Sargent of Cotleur Hearing; Avi Stern, property owner of 5001 and 5002 Haverhill Court and contract purchaser of 5263 Belvedere Road, Kevin Tan contract purchaser of 5200 Club Road.

Town resident / Town Council candidate Teresa Johnson, property owner of 5446 Club Circle attended via tele-conference.

I. CALL TO ORDER

Mayor Foy called the workshop to order at 12:05 p.m. and reminded attendees there was no voting at a Town Council Workshop. The purpose is for discussions only.

Introduction of all attendees.

II. PRESENTATIONS / PROCLAMATIONS

- a. Proposed subdivision of 5200 Club Road (Kevin Tan, contract purchaser:**
Town Administrator Janice Rutan stated the parcel of land had a width of 192ft and the length was 450ft. Mr. Tan stated he was trying to reduce the cost by splitting the lot so he may have a house and an empty lot that he may build on later. Mr. Tan stated he had not purchased the property as of yet and was just doing his due diligence to see if what he was thinking of doing was allowed. T/A Rutan stated in order for him to do this, it would require a variance and he is creating his own hardship. She explained that our ordinance reads there must be a minimum of 100ft lot frontage. Council Member Ray Caranci asked what the Town's definition of lot frontage was. Attorney Foster stated it means, the side of the property line abutting a legally accessible street right of way and as part of

the platting process, you create that permanent access way. Town Planner Josh Nichols stated that if we are going to make it into a public right of way, it will have to meet Town standards.

T/A Rutan reported that when we tried to do that for the lot off of Haverhill Road, we required at the preliminary/pre-application hearings, they would have to meet minimum standards for access. Attorney Foster stated the ordinance reads; abutting a legally accessible street, and street is defined as a strip of land owned privately or publicly which affords legal access to abutting land and is designed for vehicular traffic. Discussion ensued.

- b. Proposed Site Plan Amendment for the Haverhill Townhome Project:** Mr. Hearing stated the existing development plan was approved for forty (40) units with a density of 5 units to the acre. Mr. Hearing stated they would like to ask Town Council's consideration to allow to increase the density, allowing for 54 units at a density of 11 units to the acre based on the fact that the site was in the PBI airport overlay area. This would help to be able to provide a product with more affordability and still maintain the basic site plan layout. The units will be slightly smaller but very nice.

Town Administrator Janice Rutan stated she had one comment that was brought up at the last site plan meeting and after it was approved. She continued, why was there not a buffer on the south side (Ivywood Road). Mr. Hearing stated that was something they would definitely look at. Mr. Avi Stern stated he had fully intended on adding a buffer on the south side. He was thinking a fence and/or landscape.

Resident Teresa Johnson asked if information could be shared as how the traffic would be impacted with changing from forty (40) units to fifty-four (54) units as well as the square footage. Mr. Stern stated based on unit size before, they were coming in around 2,000 – 2,100 sq ft. and now would be 1,600 – 1,800sq ft. Mr. Hearing stated that as far as traffic was concerned, the daily trip would be less than one hundred (100) average daily trip increase from what is currently approved. Ms. Johnson asked if a traffic study was done on the impact of Haverhill Road. Mr. Hearing reported no, not at this particular point. The increase in trips would be fairly small, less than one hundred (100) daily and very few trips in the a.m. and p.m. peak hours. He reported they will be doing a traffic study, and given the small amount of the change, they anticipated it would meet all of the requirements. Ms. Johnson asked if the units would be market price or would there be any affordability included. Mr. Stern replied that a part of doing this would be to make the units more affordable. He reported they estimate the sale price to be somewhere in the low \$200,000. He added there was no workforce housing component. Discussion ensued.

Vice Mayor Lawrence Gordon asked what warranted the drastic change from forty units (40) to fifty-four (54) units. Mr. Hearing stated in terms of what had changed was just recognizing the current market and recognizing being in the overlay along with the other industrial uses that are within that area and seeing an opportunity to increase the density which goes directly to the concept of affordability. Discussion ensued.

- c. Proposed Development plan for property located at 5263 Belvedere Road:**
Town Administrator Rutan reported that she had a brief meeting prior to today's workshop with Mr. Avi Stern and Town Planner Josh Nichols regarding this property and was informed it was going to be cost prohibitive to meet the minimum PRD sizes. T/A Rutan stated Mr. Stern was not going to pursue at this time.

III. NEW BUSINESS

N/A

IV. OLD BUSINESS

Proposed Ordinances: Town Administrator stated coming before Town Council at their next Council meeting on March 11, 2021 would be the pursuit of residents parking on the landscape (grass) portion of their property. Residents are not happy that they cannot park on their own grass. Town Attorney Foster stated this was standard procedure and he does not know of a Town or County that allows it. Attorney Foster reported that there are some properties like the older homes in the Town that have single car garage and a single driveway with multiple vehicles, but the Town had been very flexible in allowing them to expand the driveway if they wished to. Council Member Caranci asked what the side setback was for a driveway. T/A Rutan replied 5ft however, they must meet the percentage pervious landscape portion also. T/A Rutan continued, for the lots, as an example on Ivywood Road, they do not meet the percentage as they are very small lots. If we allow them to put in a 9ft or 10ft driveway, they lose the landscape percentage of pervious coverage. Attorney Foster stated that to him, the lots on Ivywood Road, because they were annexed in (from the County), would be considered a hardship. Attorney Foster believed there may be ground, at least for the Town to consider a variance on that road. T/A Rutan asked Attorney Foster if the Town should allow for them to park on the landscape. Attorney Foster replied no but to allow for the driveway. Council Member Caranci stated for an example, creatively the owner could put in parking strips allowing for a pervious area in between. Mayor Foy asked Code Inspector Devon Kirms if she had any aerials or addresses that would help prepare Town Council before the Town Council meeting would be helpful as long as the

properties do not have active code issues. CI Kirms will prepare something for them. Discussion ensued.

Mayor Foy asked if that was the only proposed ordinance to discuss. Attorney Foster stated we have others including the Accessory Dwelling Unit (ADU) coming down the pike and most recently at our last Town Council workshop, we talked about the fence permitting issue.

Town Administrator Rutan reported that staff will be coming up with a recommendation to Attorney Foster with regard to sidewalk pavers that were becoming an issue again and where the Town would like to draw the line.

Mayor Foy reminded all there is currently a moratorium on replacing of existing fencing and wanted to be sure Code Inspector Devon Kirms was aware.

Council Member Caranci reported he had met the gentleman who was re-doing LeRoy's place (930 Woodland Avenue), and it looks great! Council Member Caranci also stated the contractor commented on how thankful he was to staff as the permitting for the project went smoothly and he was informed that he did not need a permit to replace the old rundown existing fence.

Town Administrator Rutan reported that we had two or three pending fence permits and staff reached out to them notifying a permit was not necessary because of the current moratorium.

Town Administrator Janice Rutan asked for Town Council to give her a consensus as to whether or not they would like her to start notifying residents by putting Town Council signs back out on the Monday prior to Thursday's Town Council meetings as we always had always done before the pandemic. She asked if Town Council wanted to welcome residents back in attendance to the meetings or keep it status quo. Council Member Caranci asked if we had a limitation on the capacity of council chambers. T/A Rutan explained that we are telling people that they must remain 6ft apart for social distancing purposes and wear masks. Consensus was yes to put the signs back out.

Town Administrator Rutan reported that voting signs will be put out tomorrow for Tuesday's Municipal election.

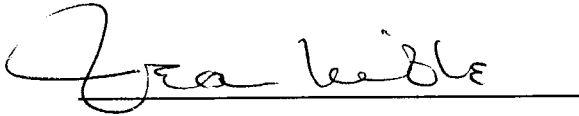
V. COUNCIL, ATTORNEY AND STAFF REPORTS

N/A

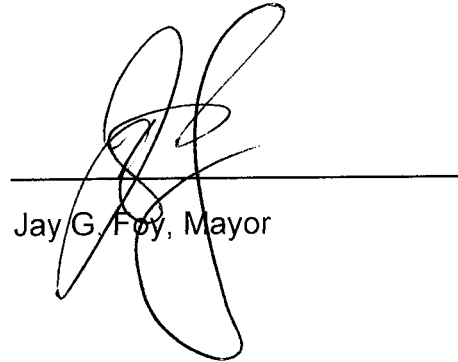
VI. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 1:15 p.m.

Approved: March 25, 2021

A handwritten signature in cursive script, appearing to read "Jean Wible", written above a horizontal line.







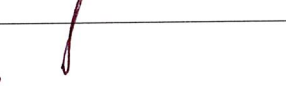
Jean Wible, Deputy Town Clerk

A handwritten signature in cursive script, appearing to read "Jay G. Foy", written above a horizontal line.

Jay G. Foy, Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
Tuesday, March 2, 2021
Noon

Name	E- Mail Address	Signature
Avi Stern	avi@mia real. com	
Dominic Delesare	ddelesare@fosterfuchs.com	
J. Fostze	j.fostze@ff.com	
DON HEARING	DHEARING@COTLEUR-HEARING	
WILLIAM SARGENT	WSARGENT@COTLEUR-HEARING	
Kevin Tan	Jitan2004@yahoo.com	
Jay Roy		
Lawrence Gordon	via tele-conference	
mark Leptograph		
Dennis Withington		
Ray Caranci		
Janice Putan		
Sean Wible		
Josh Nichols		
Todd McLeod		
Devon Kirms		