

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



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, November 9, 2021**

NOON

AGENDA

- I. Call to Order**
- II. Presentations/Proclamations**
 - a. DRHorton: 5263 Belvedere Road**
- III. New Business:**
 - a. Steve Mitchell, 4571 Belvedere Road**
- V. Old Business**
 - A. Site Plan Submittal – Haverhill Courts**
 - B. Proposed Ordinances: Subdivision**
- 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

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



**TOWN COUNCIL WORKSHOP
TUESDAY, NOVEMBER 9, 2021**

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 10:00 a.m. on November 9, 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 and exhibit signs of illness, such as coughing or sneezing, please do not enter 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. Town Council has considered the health, safety and welfare of its residents and the public, and voted to continue to require face masks be worn during public meetings and public hearings in Town Hall and Town Council Chambers to address the Town Council. Those persons gathering outside the Town Hall are encouraged to maintain a separation of at least six feet from one another. 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 meeting 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.

**TOWN OF HAVERHILL
Town Council Workshop
November 9, 2021
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, November 9, 2021, at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Dennis Withington; Council Member Ray Caranci; Council Member Teresa Johnson; Town Attorney Lance Fuchs; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible; Code Inspector Rico Armstrong; Town Engineer Todd McLeod; Town Planner Josh Nichols.

Also in attendance were Michael L. Cohen, PA and Steven Josh Mitchell property owner of 4571 Belvedere Road.

I. CALL TO ORDER

Mayor Foy called the workshop to order at 12:00pm.

II. PRESENTATIONS / PROCLAMATIONS

a. **D.R. Horton: 5263 Belvedere Road:** Mayor Foy announced this discussion was off the table today.

III. NEW BUSINESS

a. **Steve Mitchell, property owner of 4571 Belvedere Road:** Mr. Mitchell explained that he had the property up for sale and wanted to know if he could have the zoning changed to somewhat commercial. He stated he was told it was commercial in the past (back in the 70's). Mayor Foy explained to Mr. Mitchell that he was not in favor of re-zoning the property to commercial, but it was not only up to him. Mayor Foy explained that it would involve a zoning change, comp plan change, etc. Vice Mayor Gordon asked Mr. Mitchell what he meant by "somewhat" commercial. Mr. Mitchell explained that he would like to see the property an owner be able to run a small business on the property. An example would be if a landscaping company were to buy it, they could put up a small sign out front advertising the business and also be able to park some trailers, work equipment and work trucks on the property. Mayor Foy asked Town Planner Josh Nichols to explain to Mr. Mitchell what the process was for a comp plan change. Mr. Nichols explained to Mr. Mitchell

that he could do small a scale land use amendment that would modify the map by asking for a commercial land use. Mr. Nichols explained this would be a legislative action by the commission. Then you would have to rezone the property into the commercial district. **Discussion ensued.**

- b. Town Administrator Rutan reported there had been a staff meeting with Town Planner Josh Nichols, Town Engineer Todd McLeod, Town Attorney Foster attending via zoom and herself prior to this meeting. Town Attorney Lance Fuchs came in at the tail end of the meeting. T/A Rutan stated the discussion was regarding flag lots and whether the Town wanted flag lots or no flag lots. T/A Rutan stated bottom line, does the Town want to allow subdivisions off of private roads but legally can we do that if it's a private road. In other words, can we overstep the requirements of the access to the lots via a private road by allowing a subdivision off of a private road. Mayor Foy stated that his general position was that of, he doesn't like flag lots however, we have so many in the Town. Mayor Foy also stated that he was extremely concerned about not allowing improvements to existing properties flag lots because they are existing conforming. He stated we would essentially kill the prospect, if this was a true statement, of improving one's property. **Discussion ensued.**

IV. OLD BUSINESS

- a. **Site Plan Submittal - Haverhill Courts:** Regarding garage space, Mayor Foy stated that when he considered the site plan, he viewed townhouses with two (2) bedroom or maybe even three (3) bedrooms but not four (4) bedrooms. He stated we have not tied our existing ordinance into number of bedrooms so he would be reluctant to get rid of a two (2) car garage if someone wants to build four (4) bedrooms, they're going to have to have at least 3 cars per house. **Discussion ensued.**

V. COUNCIL, ATTORNEY AND STAFF REPORTS

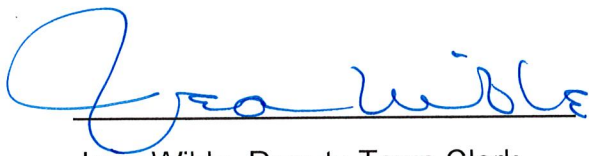
- a. Vice Mayor Gordon reported that the Florida League of Cities was most concerned with Senate Bill 280. He explained that the bill would allow to sue cities for any ordinance that the city created that negatively affects their business. **Discussion ensued.**
- b. Town Engineer Todd McLeod reported that the underground work on the Woodland culvert replacement approved by Town Council was completed, and they are now finishing the sod and seed work this week. He reported it was on budget. All of the old metal piping that was collapsing in the easement all the way up to Belvedere Road. **Discussion ensued.**

- c. Vice Mayor Gordon reported that the Florida League of Cities had come up with their list of five (5) priority items to bring to legislators to ask for. Vice Mayor Gordon stated they were short term rentals, communication services, tax reform, tree protection, transportation funding and economic development incentives. **Discussion ensued.**
- d. Council Member Caranci reported that he had contacted Town Administrator Janice Rutan regarding a stop sign at the corner of Belvedere Road and Woodland Avenue that someone had tried to remove. T/A Rutan had Code Inspector Rico Armstrong reinstall the sign.

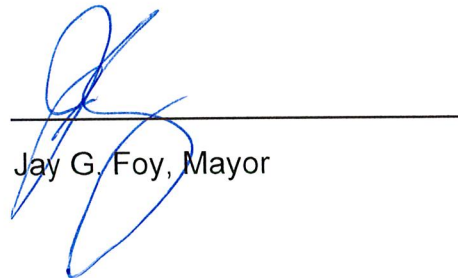
VI. ADJOURNMENT

With no further business, the workshop ended at 12:59 pm

Approved: December 16, 2021




Jean Wible, Deputy Town Clerk



Jay G. Foy, Mayor

SIGN IN SHEET

**TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
Tuesday, November 9, 2021
Noon**

Name	E- Mail Address	Signature
Michael L. Cohen	@gmail.com MLCohen.LawOffices	
Jay Foy		
Lawrence Gordon		
Ray Caranci		
Dennis Withington		
Teresa Johnson		
Janice Ruten		
Lance Fuchs		
Josh Nichols		
Todd McLeod		
Sean Wible		
Rico Armstrong		
✶ JOSH MITCHELL		