

**TOWN OF HAVERHILL
LOCAL PLANNING AGENCY MEETING
THURSDAY, APRIL 25, 2024
6:00 P.M.
OFFICIAL MINUTES**

The Local Planning Agency meeting of the Town of Haverhill was held on Thursday, April 25, 2024, at the Town Hall, 4585 Charlotte Street, Haverhill, FL.

CALL TO ORDER

Mayor Foy called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Town Administrator Stevens called the roll and Council Members present were Mayor Jay G. Foy, Vice Mayor Lawrence Gordon, Council Member Ray Caranci, Council Member Teresa Johnson, and Council Member Dennis Withington. Town Staff present included Town Attorney John Foster, Town Administrator Tracey Stevens, and Town Planner Josh Nichols. With a quorum present in the Council Chambers, the meeting proceeded.

APPROVAL OF THE MINUTES

1. Approval of the Minutes of the March 28, 2024, Local Planning Agency Meeting
Council Member Johnson moved to approve the minutes of the March 28, 2024 Local Planning Agency Meeting; seconded by Council Member Withington. Motion carried 5-0.

PUBLIC HEARINGS

2. Ordinance No. 522: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, PURSUANT TO AN APPLICATION FOR VOLUNTARY ANNEXATION FILED WITH THE TOWN BY MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION, AS AGENT, ANNEXING WITHIN THE CORPORATE AREA OF THE TOWN OF HAVERHILL, FLORIDA, FIVE (5) PARCELS OF REAL PROPERTY COMPRISING A TOTAL OF 12.553 ACRES, SAID REAL PROPERTY BEING LOCATED IN UNINCORPORATED PALM BEACH COUNTY APPROXIMATELY 0.22 MILES NORTH OF SOUTHERN BOULEVARD, 0.91 MILES WEST OF MILITARY TRAIL, AND 2.30 MILES EAST OF THE FLORIDA TURNPIKE, AS MORE PARTICULARLY DESCRIBED HEREIN AND AS DEPICTED ON THE SURVEY AND MAP ATTACHED HERETO; DECLARING THAT THE VOLUNTARY ANNEXATION APPLICATION BEARS THE SIGNATURES OF THE OWNERS OF THE REAL PROPERTY TO BE ANNEXED HEREBY; FINDING THAT THE AREA TO BE ANNEXED IS CONTIGUOUS TO THE TOWN, REASONABLY COMPACT AND WILL NOT RESULT IN THE CREATION OF ANY ENCLAVES, AND IS IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; AMENDING APPENDIX A OF SECTION 1.02 OF ARTICLE I OF THE TOWN CHARTER BY REDEFINING THE CORPORATE LIMITS AND BOUNDARIES OF THE TOWN TO INCLUDE THE ANNEXED REAL PROPERTY IN THE TOWN'S OFFICIAL BOUNDARY MAP; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF STATE, THE PALM BEACH COUNTY CLERK OF COURT, THE COUNTY ADMINISTRATOR FOR PALM BEACH COUNTY AND OTHERS, AND PROVIDING FOR A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

Town Attorney Foster read Ordinance No. 522 by title only.

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Mayor Foy noted that this is a quasi-judicial hearing, and asked Council Members to disclose any ex-parte communications they may have had. Upon roll call by the Town Administrator, it was determined that no members of the Local Planning Agency (LPA) had any ex-parte communications to disclose.

Town Attorney Foster swore in any witnesses that wished to speak on Ordinance No. 522.

Town Administrator Stevens led the staff presentation noting that this is a continuance of the hearing from March 28, 2024 to give staff time to work with the County to address its objections to the project. Ms. Stevens stated she is not going to reiterate the staff report that was already presented at the last meeting. She noted that she attended the Board of County Commissioners meeting on April 2, 2024 to gather information as to what the County's official position on the annexation would be, and at that meeting, the Board directed its staff to meet with the Town and the developers, along with Commissioner Weiss, as opposed to voting on an official position. The developer and staff met with Commissioner Weiss on April 24, 2024 to discuss the County's concerns. She stated that since the group has not finished its discussions, she will be asking the Local Planning Agency to make a recommendation to the Town Council to transmit the ordinance to second reading and give staff the opportunity to continue working with the developers and the County on the details of the project prior to setting a date for the second reading. Town Planner Josh Nichols had nothing else to add to the staff report.

Brian Seymour, Attorney with Gunster Law Firm, representing the applicant Meritage Homes, led the applicant's presentation. He stated that he met with the County and Town Staff yesterday along with his clients, and he appreciates the insight and directness of the information on what the issues are to the Town that Ms. Stevens and Town Attorney Foster provided at the meeting. He stated he believes his clients will be able to solve the County's real issues with the annexation. He stated he agrees that this ordinance should be transmitted to second reading at a future date to be determined once County and Town staff works out the details with his clients. It is his hope that the County will support the project once all the details are finalized by the group.

Mayor Foy called for public comment, and the following spoke to the LPA:

Palm Beach County Principal Planner Khurshid Mohyuddin, spoke on behalf of Palm Beach County, stating that the County is opposed to the voluntary annexation. He noted that the opposition letter dated March 15, 2024 that was submitted to the Town was prepared by County Staff and the County Attorney. Specifically, County Staff finds that the area in question is not contiguous with the Town of Haverhill boundaries as that term is defined in State Statutes Section 171.031(3). In addition, County Staff finds that the proposed density would be incompatible with existing densities to the North, South, East and West. The County has long established a mechanism to provide workforce/affordable housing in high density areas. In annexing and increasing densities, the County and Town would miss a valuable opportunity to provide affordable homes to the residents who need them the most. The County remains committed to its efforts to work cooperatively with municipalities towards annexation. The County staff met with the developer and Town Staff yesterday and the developer has committed to continue working with the County to resolve some of the County's concerns between first reading and second reading of the ordinance. However, the County reserves its right to pursue all legal remedies available should the Town Council adopt this annexation.

The applicant did not have any final comments to offer.

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During the Town's final presentation, Town Administrator Stevens stated that she provided a preliminary revenue vs. expense analysis for the new development. She gathered information from the developer on a preliminary estimate of market value and then contacted the Property Appraiser's office for an estimate on what the appraised value might be. In addition to the revenue calculation, she provided different scenarios on the expenses should the Council decide that additional staffing is needed to support the increase in housing units, and how many additional police service hours may be needed. She asked the Council to review the information prior to making any decisions on the annexation.

Mayor Foy stated that he will be interested in making sure the parking requirements are met. He asked what the maximum density (units per acre) would be if this were a County project. He also asked what the price point is for a workforce housing unit. Mr. Seymour stated that those details would be worked out during the meetings with the County.

Mayor Foy stated that he has no objection with recommending to the Council that this project move forward to second reading as long as all of the details are worked out with the County between first and second reading.

Council Member Johnson stated that two different sections are being quoted in reference to contiguity and she would like a definitive answer as to whether the project is contiguous or not. She is also interested in the maximum density that would be allowed.

Council Member Caranci asked if there are comparable annexations in Palm Beach County over the past five years that the County has not objected to, such as the land being located across a canal. Mr. Mohyuddin stated that each annexation is different and even if the County does not object, any member of the public can object that the land is not contiguous. Mr. Mohyuddin stated that the County recently had a similar objection to a proposed annexation in Wellington.

Council Member Caranci asked about the Environmental Resources Management report that states the area proposed to be annexed partially contains high-quality upland habitat that supports endangered and/or listed species and would be required to incorporate 25% of the upland habitat land area into the site design if developed through the County. He would like more information. He would also like more information on the traffic report from the County and make sure any traffic concerns are addressed. He would like to see a staff report listing the conditions for annexation presented at second reading.

Vice Mayor Gordon asked for clarification that the two County objections are contiguity and lack of affordable housing being provided. Mr. Mohyuddin confirmed.

Council Member Withington asked if the Council could get a definitive answer on the selling price of the units so the Town can determine if this project would be revenue neutral or not. Town Administrator Stevens stated that the analysis in front of the Council is based on today's market prices. She stated she spoke with the developer and Mr. Alexander stated that those prices will likely fluctuate by the time the units are built, so we can't depend on the preliminary numbers.

Mayor Foy closed the quasi-judicial hearing.

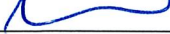
Council Member Johnson moved to recommend to the Town Council that the ordinance be approved to transmit to second reading; seconded by Vice Mayor Gordon. Motion carried 5-0.

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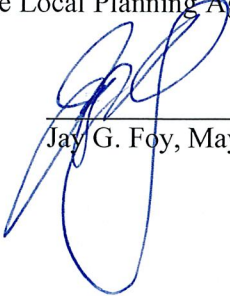
ADJOURNMENT

There being no further business to come before the Local Planning Agency, the meeting was adjourned at 6:23 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Local Planning Agency on May 23, 2024.

Approved: 

Tracey L. Stevens, Town Administrator



Jay G. Foy, Mayor



SIGN IN SHEET

TOWN OF HAVERHILL
LOCAL PLANNING AGENCY & REGULAR TOWN COUNCIL MEETING
Thursday, April 25, 2024
6:00pm

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