

**TOWN OF JUPITER INLET COLONY
TOWN HALL, 50 COLONY ROAD**

BUILDING AND ZONING COMMITTEE MEETING

APRIL 27, 2023 – 5:00 PM

MINUTES

1. Call to Order. Earl Fischer called the meeting to order opened the meeting at 5:00 p.m.
2. Roll Call: Earl Fischer (Chair), Butch Harper, William Gilbane, Brad Eavenson, Bill Muir. Planning and Zoning Administrator: Bill Whiteford.
On Zoom: Roger Siboni
Absent: Russell Bourne (Vice Chair)
Also in attendance: Chip Block, Commissioner, on Zoom, Mayor Daniel Comerford
Residents: Matt Carrera on Zoom, Leanna Landsman, Sherry Karas, Heather Rotondi, Chrissy Wheaton, Pam Evans, Mike Armato, CEA Building Group, Jay Goetschius, Michele Goetschius and Carmen Granger.
A quorum was called.
3. Motion to approve prior minutes - March 16, 2023 meeting. Brad Eavenson made motion to approve minutes, motion seconded by Bill Gilbane, motion carried 6-0.
4. Public Comments - items not on the agenda (3 minutes).

Leanna Landsman thanks the committee for all the work they do for the Town. Who enforces the parking in Town? Once construction is completed whose responsibility to take down the temporary construction posts? Discussion between B&Z Committee and town residents. Discussion also on driveways being used by construction and landscaping crews and causing damage.

Pam Evens objects to the setback waivers for 114 Lighthouse Drive, 115 Lighthouse Drive, and 174 Beacon Lane. Bill Whiteford stated that 114 Lighthouse Drive, and 115 Lighthouse Drive were withdrawn.

Mike Armato, stated for the record that CEA Builders didn't apply for the waivers.

Heather Rotondi raised a question about the pool (in ground) at 115 Lighthouse Drive. We may need to view property.

Sherry Karas, who are the pool companies responsible for requesting these waivers?

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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Bill Gilbane – why was a waiver submitted if pool was meeting the Town code? Bill Whiteford provided history of why setback waivers were created.

Carmen Granger – Houses on higher elevation, concerned about homes on higher elevations, or big houses that look down on other lots. Also concerned about the number of bathrooms and will sewer system handle it? Bill Whiteford addressed the elevation question and Earl Fischer stated that the sewer system would handle everything in the town.

5. Agenda Items:

- A. 114 Lighthouse Dr. - WITHDRAWN
- B. 115 Lighthouse Dr. - WITHDRAWN
- C. #174 Beacon Lane, request for request for pool setback waiver - rear setback, from 10' to 8'9" (20% maximum allowed).

Bill Whiteford provided overview of the setback waiver for 174 Beacon. Brian Mahoney, homeowner, stated that the setback only applies to a small portion of the pool that would require the 8'9" setback, only 15 inches into the setback, with total lot occupancy at 59.52% of 60% allowable.

Earl Fischer asked if there was going to be a screen enclosure – Brian Mahoney stated that there would not be.

Matthew Carrera, resident/neighbor stated that his home is next to 174 Beacon, and that he has no issue with the setback.

Butch Harper asked if the pool was already under construction. Bill Whiteford stated that was. Discussion by Committee on process of reviewing setback waivers. Mayor Comerford spoke about 114 Lighthouse Dr. & 115 Lighthouse Dr. on the agenda that went out to all residents and the ensuing discussion about these two properties.

Chip Block on Zoom – sent email to Bill Whiteford regarding the setback waiver process, which was read to the Committee.

Earl Fischer raised an objection to the pool contractor beginning work prior to approval of the setback waiver. Further discussion on the pool at 174 Beacon and why this waiver is required after the fact of approved plans.

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Bill Whiteford asked for a vote on the setback waiver for 174 Beacon:

VOTE:

Brad Eavenson – Yes

Butch Harper – No, concerned why pool was begun prior to approval of setback waiver.

Bill Muir – Yes

Bill Gilbane – Yes

Roger Siboni – Yes

Earl Fischer – Yes

Earl Fisher, Chair, responded: “All in favor of the setback waiver say aye: 5 in favor.” “All opposed: 1 opposed. Motion carried 5 to 1.

- D. #204 Shelter Lane - new one-story residence with outdoor pool. Total under air: 2,721 sf. Total square footage: 4,016 sf. Lot occupancy calculation: 55% (60% allowed with one-story deed restriction). Maximum building height: 22'-9 1/2" (23' allowed).

Earl Fischer addressed Clint Larkan (Architect): How did you come up with this plan? Mr. Larkan explained how the decision came about to build this house. Earl Fischer stated that the JIC Town has five of these home designs, built by Mike Armato, we don't need six. Clint stated that he will redesign the front of the house.

Mayor Comerford shared his conversation with Mr. Bezerra about who should design the house, and the Mayor recommended Clint Larkan.

Jay Goetschius shared his preferences on design and driveway.

204 Shelter will be discussed at the next B&Z meeting, or when new design plans have been submitted by the Architect, Clint Larkan.

6. Discussion Items:

- A. Nuisance Lighting – discussion continued from previous meeting. Items (d) and (e) were added to the Nuisance Ordinance and would be handled by Code Enforcement.

Earl Fischer, Chair, asked for a vote to adopt the changes in the Ordinance for new construction going forward.

VOTE:

Brad Eavenson – Yes

Butch Harper – No

Bill Muir – Yes

Bill Gilbane – Yes

Roger Siboni – Yes

Earl Fischer – Yes

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Earl Fisher, Chair, responded: "All in favor of the changes to the Ordinance say aye: 5 in favor."
"All opposed: 1 opposed. Motion carried 5 to 1.

B. Town Design Guidelines – draft

Bill Whiteford discussed the Design Guidelines draft that can be disseminated to the Town, rather than create a code to be enforced.

Matt Carrera brought up discussion of screening mechanical equipment if it cannot be place in an appropriate place to limit noise to neighbors.

7. Any Other Matters: None.

8. Adjourn: Motion to adjourn made by Bill Gilbane, motion seconded by Brad Eavenson; Motion carried 6-0, and the meeting adjourned at 6:58 p.m.

Approved,

Attest,

Earl Fischer, Chair

Kathi Cornelius, Deputy Town Clerk

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