**SPECIAL CALL MEETING**
**PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY**
Thursday, November 12, 2009
Community Center-509 Ocean Avenue
8:00 pm

**MINUTES**

## I CALL TO ORDER

Present were:

Chairman David Campbell
Member Susan Dieterle
Member Stephen Schwartz
Member James Flanagan
Member Coleen Doyle

Town Attorney Paul Gougelman
Building Official Tom Forbes
Police Chief Ron Krueger
Deputy Town Clerk Rhonda Danielle

A roll call was taken of members. All were present.

## II. APPROVAL OF MINUTES- November 5, 2009 Regular Meeting

Motion made to defer the approval of the minutes until the next regular meeting scheduled for December 7, 2009.

## III. PUBLIC HEARINGS

None

## V. NEW BUSINESS

None

## VI. OLD BUSINESS

**A. Review and preparation of recommendation for the Town Commission on the Chevron Station Site plan – 904 Oak Street.**

Chairman Campbell asked Luke Miorelli of M.E. Construction if he would like to give a demonstration.

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Mr. Miorelli showed the Board the corrections made to the site plan as requested such as landscaping, sign and walls.

Chairman Campbell asked the Board if there were any questions regarding the site plan.

No one had any questions.

Chairman Campbell stated for the record that the Board received a letter from the Fire Department recommending approval and an e-mail from the Police Department recommending approval. He also noted that the Building Official sent a recommendation memo that recommended approval with variances.

Chairman Campbell asked if there was any discussion.

Member Schwartz stated that he believed it would be a benefit to the Town.

Member Flanagan also believed it would be an asset to the town.

Chairman Campbell also stated for the record that on the plans it shows they need a variance from 55 ft to 41 ft from the building setback. That's 14 feet. He asked if anyone seen a problem with that. He stated that he didn't see a problem. He went on to say that this is the first plan that has come before the Board that has complied with the new landscaping ordinances that were done in ordinance 2009-03. He stated that he thought it would be an asset to Melbourne Beach.

Chairman Campbell asked if there were any comments from the audience.

Gail Gowdy – 215 Ash Avenue stated that there were no measurements on the ease of ingress and egress and parking. She wanted to know what the size of the parking spots would be. She also stated that she didn't see any measurements on the lane.

Building Official Forbes stated that the spaces were 10 x 20.

Member Doyle stated that they were marked on page 1 of the site plan.

Ms. Gowdy said that there are six spaces around the pumps that aren't marked in. She wanted to know how they measured them.

Chairman Campbell said that they were to scale but they don't have dimensions.

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Ms. Gowdy stated that the parking is not diagramed and there are no measurements. She stated that she would hope that the Board would want to look at the measurements.

Chairman Campbell stated that the Building Official certified that the parking spaces are in compliance.

Ms. Gowdy had concerns about parking and measurements not being displayed on the site plan. She suggested that they have some actual digrams and measurements for lane traffic.

Chairman Campbell asked the Building Official his opinion about the approval of the plan not having dimensions on parking spaces under the canopy.

Building Official Forbes stated that if you scale them they are correct.

Chairman Campbell asked if there were any problems on either side of the pumps showing on the preliminary site plan.

Building Official Forbes said that it can be addressed for final site plan approval.

Chairman Campbell asked if it would affect the amount of space that they have to drive north of that pump, such that it would create a safety issue.

Mr. Miorelli stated that the location has to do with the tankers and how they would pull into the station.

Chairman Campbell asked the Board if they saw any problems with the site plan as presented.

There were no objections.

Chairman Campbell wanted to then address the issue of how to send this to the Town Commission for approval with the variance requests.

Member Dieterle made a motion to recommend that the Board approve the site plan with variances.

Member Schwartz seconded the motion.

All members were in favor. Motion granted 5-0.

Chairman Campbell stated that now they get to the issue of how to let the Town Commission know what our findings were. He went on to say that the

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Board has never issued a development order; they only make recommendations to the Town Commission. He asked if the Board wanted to use Town Attorney Gougelmans development order or a proposed recommendation letter that he had written.

Member Dieterle suggested that they use Chairman Campbell's letter because it was easier to understand.

The Board then made corrections to the proposed recommendation letter.

Chairman Campbell asked if there was a motion to forward the Planning and Zoning Boards recommendation to the Town Commission as amended.

Member Schwartz made the motion.

Member Doyle seconded the motion.

All members were in favor. Motion granted 5-0.

## VII. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

None

## VIII. ADJOURNMENT

Motion made to adjourn by Member Dieterle. Motion seconded by Member Schwartz. Question called; motion carried 5-0

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| Rhonda Danielle<br>Deputy Town Clerk | David Campbell<br>Chairman |

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