PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY
Monday, January 4, 2010
Community Center-509 Ocean Avenue
7:00 pm

MINUTES

I CALL TO ORDER

Present were:

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

Town Attorney Paul Gougelman
Town Manager Jim Bursick
Town Planner Dennis Ragsdale
Deputy Town Clerk Rhonda Danielle

A roll call was taken of members and all were present.

II. APPROVAL OF MINUTES- December 7, 2009

Moved by Member Dieterle; seconded by Member Flanagan to approve December 7, 2009 minutes as is. Question called; motion carried, 5-0.

III. PUBLIC HEARINGS

1. **Discussion and possible action for formulation of recommendation regarding Ordinance 2010-01 for an amendment to the Land Development Code incorporating reviews of site plans for single-family residential structures by the Planning and Zoning Board.**

Town Attorney Gougelman read Ordinance 2010-01 by title only.

Member Schwartz found that on page 4 (2) the wording "from time to time" should be changed to "Periodically". Member Schwartz also added that on page 8 (4) the wording should be changed to "The Zoning Official and the Planning and Zoning Board shall make recommendations to the Town Commission."

Member Flanagan stated that on page 8 (5) in the second sentence after the word shall, the word be should be added and also that the words "remove and placed on the Town Commission consent agenda should be removed and changed to "for consideration."

Chairman Campbell stated that on page 9 (5) in the first sentence the wording "for their consideration" should be added and "placed on the consent agenda" should be removed. He went on to say that on page 11 (g) in the underlined sentence the wording "from time to time" should be removed.

Member Schwartz added that in the same sentence as Chairman Campbell mentioned that after the number 7A-51.1 the word "then" should be added.

Chairman Campbell said that on page 12 (h) in the underlined sentence that the words that is should be added before the word "required".

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

Alternate Member Tom Davis mentioned that on page 4 (2) in the first sentence that the words "of the" needed to be removed. He also wanted to know that if on page 10 (g) (3) 365 meant business or calendar days.

Attorney Gougelman stated that this is a statutory interpretation and that it means calendar days.

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

There were none.

Member Schwartz made a motion to approve the proposed Ordinance 2010-01 and recommended to send it to the Town Commission having found it consistent with the Comprehensive Plan. Member Doyle seconded the motion. Question called; motion carried 5-0.

2. **Discussion and possible action for formulation of recommendation regarding Ordinance 2010-02 amending the Land Development Code to address non-conforming commercial building lots.**

Attorney Gougelman read Ordinance 2010-02 by title only.

Chairman Campbell asked the Board if they had any recommended changes.

The Board didn't have any.

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

There were none.

Member Schwartz made a motion to recommend approval of the proposed Ordinance 2010-02 and to send it to the Town Commission having found it

consistent with the Comprehensive Plan. Member Doyle seconded the motion. Question called; motion carried 5-0.

V. NEW BUSINESS

1. Discussion of a parking meter system for Ocean Park.

Member Doyle stated that she thought that the proposal is back to allowing a for-profit business in the Park.

Chairman Campbell thought that it would place a burden on the police department.

Member Dieterle didn't think that it would benefit the Town in any way.

Member Flanagan stated that if Gloria Barber, from the State, stated that a for-profit business is not accepted then it shouldn't be allowed.

Chairman Campbell asked if the Town Commission wanted a verbal or a written finding on this subject.

Town Manager Bursick stated that he would prefer that the Planning and Zoning Board put their recommendation in writing for the Town Commission.

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

Bruce Black, 405 Ave A, said that it's a for profit business and should not be allowed. He said that "we pay our taxes and I don't think that we need to be involved in that".

Chairman Campbell agreed and said that he believed that it was not in character with the Town.

All Board members were in agreement.

A motion was made by Member Schwartz recommending that the Town Commission reject this proposal because it is not consistent with the Comprehensive Plan and doesn't fit the character of the community. Member Doyle seconded the motion. Question called; motion carried 5-0.

Chairman Campbell asked that Deputy Town Clerk Danielle type up a letter for him to sign stating that the Planning and Zoning Board does not recommend the parking system based on the following reasons:

1. It is a for-profit business
2. It is not consistent with the lease
3. It doesn't fit with the character of the community

VI. OLD BUSINESS

1. Discussion regarding the Comprehensive Plan review schedule.

Town Planner Ragsdale asked the Board members if they wanted to hold a special meeting later this month or hold off until the next meeting scheduled in February to begin the next batch of Comprehensive Plan material.

Chairman Campbell asked what would be on the agenda for next month.

Town Manager Bursick stated that there would be some Comprehensive Plan material and possibly a commercial site plan review.

Town Planner Ragsdale stated that the Board was on schedule with their reviews of the material so far.

Chairman Campbell stated that they will hold the next meeting in February.

Town Planner Ragsdale stated that next month he would be bringing the conservation and also the recreation element. He also would bring some more definitions and a map.

All of the Board members were in agreement.

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

Discussion on the Conservation and Recreation Elements of Comprehensive Plan and also more definitions and a map.

VIII. ADJOURNMENT

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

Meeting adjourned at 7:50 pm.

Rhonda Danielle Deputy Town Clerk	David Campbell Chairman