



**VILLAGE OF NORTH PALM BEACH
PLANNING COMMISSION
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 12, 2023 at 6:30 PM**

Present Cory Cross, Vice Chair
Kathryn DeWitt, Member
Jonathan Haigh, Member
Thomas Hogarth, Member
Nathan Kennedy, Member

Absent Donald Solodar, Chair
Scott Hicks, Member

Village Staff Len Rubin, Village Attorney
Caryn Gardner-Young, Community Development Director

I. CALL TO ORDER

Vice Chair Cross called the meeting to order at 6:30 p.m.

A. ROLL CALL

Roll was called and it was determined a quorum was present.

II. DELETIONS, ADDITIONS, OR MODIFICATIONS TO THE AGENDA

There were no modifications to the agenda.

III. PUBLIC COMMENT FOR NON-AGENDA ITEMS

There were no public comments.

IV. APPROVAL OF AGENDA

A. AUGUST 1, 2023 MINUTES

Motion: Kathryn DeWitt moved to approve the minutes of the August 1, 2023 meeting as presented. Seconded by Jonathan Haigh. The **motion passed** unanimously.

V. DECLARATION OF EX-PARTE COMMUNICATIONS

There were no ex-parte communications declared.

VI. QUASI-JUDICIAL MATTERS/PUBLIC HEARING

Attorney Rubin swore in those wishing to provide testimony.

A. SITE PLAN AND APPEARANCE REVIEW

1. 525 U.S. HIGHWAY 1 (PA BBQ) – OUTDOOR SEATING

The lessee of 525 U.S. Highway 1, Park Avenue BBQ Grille (PA BBQ), requested Site Plan and Appearance approval to create an outdoor seating area. The applicant, Dean

Lavallee, provided some background information on his business and explained his request for the addition of outdoor seating.

Caryn Gardner-Young presented the project's details and staff recommendations, confirming that the request is consistent with the Village's Appearance Plan and meets Village Code requirements.

No public comments were made during the meeting.

Motion: Jonathan Haigh moved to recommend the application's approval with conditions outlined by the staff. The motion was seconded by Thomas Hogarth. The **motion passed** unanimously.

B. ZONING CODE AMENDMENT RECOMMENDATION

1. CREATION OF THE PLANNING AND ZONING ADJUSTMENT BOARD

Village Staff requested an amendment to the Village Zoning Code to combine the Planning Commission and Board of Adjustment together, to name the combined board the Planning, Zoning and Adjustment Board, and to introduce a new administrative variance process.

Caryn Gardner-Young provided an overview of the proposed changes and presented staff recommendations to clean up the Code provisions related to variances.

Participants discussed the implementation of an administrative variance process. Ms. Gardner-Young and Village Attorney Len Rubin provided additional details to clarify any doubts. However, the consensus was to remove the section related to the administrative variance process in paragraph seven and focus on the sections related to the board. The administrative variance process will be brought back for further consideration at a later date.

Motion: Thomas Hogarth moved to recommend approval of staff recommendations without the administrative variance process. Seconded by Nathan Kennedy. The **motion passed** unanimously.

2. REPEAL OF SENATE BILL 250 MASSING PROVISIONS

Village Staff requested approval of make an amendment to the Zoning Code to repeal the single-family massing provisions adopted by the Village Council in 2022 to comply with Senate Bill 250.

Village Attorney Len Rubin provided an overview of the proposed change and Senate Bill 250. There was no further discussion on this matter.

Mr. Hogarth asked whether the legislation allowed for incentives to be added. Village Attorney Rubin responded that this was not an option.

Motion: Kathryn DeWitt moved to recommend approval of the repeal of the massing provisions. Seconded by Thomas Hogarth. The **motion passed** unanimously.

VII. ATTORNEY PRESENTATION

A. PLANNING COMMISSION RESPONSIBILITIES AND LEGAL REQUIREMENTS

Attorney Rubin presented a PowerPoint presentation on the duties, responsibilities, and legal requirements of the Planning. He covered topics such as Sunshine Law, public records requests, ethics, disclosures, Robert's Rules of Order, quasi-judicial procedures, and board policies. Board members had the opportunity to ask questions and Attorney Rubin clarified as needed.

VIII. COMMISSION MEMBER COMMENTS

Kathryn DeWitt noted the difficulty in advertising public meetings but found the newsletter effective in keeping people informed. However, she pointed out that not all meetings are included.

IX. STAF UPDATES

A. 2024 MEETING SCHEDULE

Caryn Gardner-Young mentioned the proposed schedule for 2024 was included in the backup materials for the meeting. She pointed out that four (4) dates may require modifications, and the attendees discussed possible changes. Additionally, she confirmed that the full schedule would be available on the Village website.

Ms. Gardner-Young also informed the developer for the 200 Yacht Club project had expressed interest in speaking with members of the Planning Commission individually. She emphasized that this would be considered ex-parte communication and it is at the discretion of the members whether they choose to participate or not.

X. ADJOURNMENT

The meeting adjourned at 7:55 p.m. as there was no further business before the Board.

Minutes typed by Kacy Morrone