

**Village of Palmetto Bay
Neighborhood Protection Committee
MINUTES
Wednesday, January 29, 2020
MINUTES ARE DRAFT UNTIL APPROVED**

Committee Members Present:

Joe Bier, Chair

Eugene Flinn

Bev Gerald

Gary Pastorella

Jennifer Finger-Santino had previously told committee she was unable to attend this meeting

Council Liaison: Marsha Matson, District 3 – present

Staff Present:

Greg Truitt, Interim Village Manager

Wes Maltby, Building Official

Alan White, Code Compliance Officer

John Dellagloria, Village Attorney

Attending from the public: Steve Kreisher

Meeting called to order at 5:00 PM.

Due to Gene Flinn's somewhat late arrival, it was voted to name Bev Gerald as the new secretary. Approved 3-0. She will now be taking minutes here on out.

Marsha Matson: Encouraged all the NPC members to attend the Village Council meeting coming up on February 3rd. She has placed on the Agenda the extension for the existence of this committee, which needs Council approval. She suggested that we speak in favor of the extension to the Council.

The October 23rd minutes were approved, as amended, 4-0. But Marsha suggested that we move to defer the approval of the minutes due to discrepancies.

As to the November 13th meeting minutes, we moved to change and incorporate Joe Bier's comments to expand the scope of our oversight. Also, corrections were made to the spelling of the names of Dellagloria and Santino (Finger). Approved 4-0.

December 16th meeting minutes were reviewed and approved 4-0.

Public comment: Steve Kreisher while he appreciate the comments of our committee, said he does not see any value in his continuing to attend our meeting as he doesn't feel the Council cares anymore about his area.

Gary stated that "personally, it will be a great loss if you do not come anymore."

Chair Bier: There are lots of problems with homeowners vs. homeowners within the new development areas. This language is currently not incorporated in Section 10.2.1 or 10.2.2 of the Code. Specifically, he wants language added that says that all housing will be protected from the negative impacts of adjacent single and multi-family residential uses. He suggested striking out designations in Section 10.2 that exempt Limited Business Districts (B1), Business Districts (B2), Office District (R5), FT&I, Village Mixed Use District, and all multifamily residential districts listed in this section.

Other items we can look at are amending the zoning map, as lots of residents in the DUV need "neighborhood protection."

Joe distributed paper copies of his recommendations for 10.2 changes and expansion.

Discussion continued on Items 2-9. As to Item 5, Gary commented about the language that does not speak to a minimum stay period. He asked Alan White about the increasing prevalence of B&B's.

Alan- Said B&B's have to register, and cannot advertise their homes for this use.

Look at fee schedule in Chapt. 2 of Code—dealing with garbage cans, overgrown hedges
Discussion about short term rentals.

Bev brought up the possibility of homeowners losing their homestead exemption if they use their homes for commercial purposes. Also, she stated that she believes that our code does not allow long term rentals in a single family home.

Gary: There were over 100 people at a loud party held recently at the home on Old Cutler Rd. and SW 142nd Terrace right near Gary. He stated that having over 100 partygoers in the house at one time can pollute his ground water since house was not designed to handle that many people at one time.

Councilwoman Matson: Asked what Alan White would recommend for fines for violations.
Alan replied that we should raise the fines

Gene Flinn spoke about shutdowns of raucous parties instead of fines.

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Construction starting times should only start at 7:00 AM, not 4:00 AM.

Greg Truitt: Put complaints online and then have them incorporated into manager's report on code enforcement.

There were concerns about how we monitor these complaints.

Attorney Dellagloria: He will get a copy of the City of North Miami's code as to how it deals it with complaints

Sound meters: Alan said that a second meter has been order—current meters have to be sent out for re-calibration every year. When a new meter is received by the Village, staff is trained in its use.

Gary asked if sound policing can be done.

Councilwoman Matson asked Mr. Truitt for the level of the decibels of the recent fair in Palmetto Bay Park. Decibels only measure amplified sound.

Do we need a resolution for special events? Flinn claimed there would be a problem of "citing ourselves" if we monitor Village-held events.

Mr. Pastorella asked Mr. White about decibel levels and feels we should have language about noise. Mr. Flinn argued against listing every condition.

Mr. Truitt: We have had three instances where the Village itself has been cited.

Marine Patrol:

Florida Water Commission (name of entity?) has to approve all signs in the canals for slow-speed, and minimum wake zones. The County has to put in some signs.

S.W. 136th Street

Chairman Bier suggested that homeowners timely notice construction of street work, such as SW 136th Street

Gene Flinn: Says all agenda should be online so public can see the minutes of each meeting.

Chairman Bier reminded the members that a resolution to extend our committee's extension to complete our work will be on the February 3rd agenda. He suggested that our members attend to support this resolution sponsored by our committee liaison, Councilwoman Matson.

Meeting was adjourned at 6:41 PM.

Respectfully submitted,

Bev Gerald, Secretary

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