



PLANNING BOARD After Action March 23, 2010

Discussion of Planning Issues

Mr. Fryd brought up the issue of how to handle emails sent directly to individual Planning Board members. He opined that they should be disseminated to all members through staff so all members get the same information. Mr. Lorber reiterated that any email conversations between members of the public and board members must be copied to staff. He further said that it would be better for discussions to occur at the board meetings as a standard procedure, instead of in private. Mr. Held noted that there is an ordinance regarding exparte communications that requires that such emails be forwarded to staff so they can be placed in the file. Although there is no requirement that it be sent to all board members, the board can make that request. Mr. Fryd agrees that board members should refer the sender of the email to staff so it can be on the record. Ensuing in a dialog with senders is not recommended. The Board directed staff to provide a white paper to the Board regarding how to treat emails from the public.

Motion: Veitia/Stolar. Vote 5:0. Kuperman absent. Approve.

Mr. Stolar brought up the issue of whether a Board member may ask a question to staff or any speaker at any time during board proceedings as indicated by ordinance. Mr. Held pointed out that it would be at the discretion of the chair subject to the administrative necessities of the moment. Mr. Fryd and Mr. Held proposed that the Board meet to have discussions, such as this one, at a separate meeting at a scheduled time. The meeting would include topics such as board function, responsibilities, interaction, etc.

Mr. Stolar brought up the issue of the amendment of motions made and acceptance by the maker of the motion. He read into the record that, according to "Robert's Rules of Order", the amendment must be open to debate and voted on formally, regardless of whether or not the maker of the motion accepts the amendment unless adopted by unanimous consent, etc. etc. Mr. Held and Mr. Lorber said there is an understanding that the general practice is to ask if the maker will accept the amendment and to put the amendment to a vote if the maker does not accept the amendment, etc, etc. Mr. Lorber proposed that this topic be discussed also at the aforementioned meeting to be scheduled and the Board agreed.

Upcoming List of Discussion Items for the Year

The Board went through last years work plan's discussion items. Various items of interest and importance were brought up. Staff will revise and update the list and bring a final draft to the Board for review and approval.

Possible Changes to Notice Requirements

The TRAC Committee recommended to the Land Use Committee that the public notice period be extended from 15 days to 30 days. This was prompted by citizens' complaints that 15 days is not

enough to obtain information about the cases going before the Land Use Boards and to prepare for them. This would require an ordinance change. Staff would have to change the timeline and all deadlines for application submission accordingly. This means that applicants would have to submit their applications two weeks before they do now. While this might be somewhat burdensome to the applicant, staff from different departments would have more time to fully review studies submitted with an application and address all the issues. Also, there would be more time for the public to access and review this information. There were concerns, objections, and agreements expressed, and suggestions made by the Board. Staff will bring an ordinance to the Board in the near future.

Administration

After Action report – February 23, 2010 meeting

Motion: Stolar/ Beloff. Vote: 6-0. Approve with amendments.

Progress Reports

File No. 1875. 619 - 623 Washington Avenue – Karma South Beach f/k/a Ahnvee Restaurant/Lounge.

Motion: Beloff/Kuperman. Vote 5-0. Fryd recused. Continue to the April meeting to be heard as a Modification to CUP.

Previously Continued Items

File No. 1952 – 1430 Stillwater Drive. The applicant, Tommi Tuominen, is requesting Conditional Use approval to remove an existing boat dock, mooring piles and davits and construct a new L-shaped dock consisting of a walkway and a terminal platform with a boat lift located on the west side of the platform for a total projection when boat is docked of approximately one hundred and four (104) linear feet waterward from the seawall.

Motion: Veitia/Beloff. Vote 6-0. Approve as recommended by staff.

File No. 1951 – 1440 Ocean Drive. The Betsy. The applicant, Betsy Ross Owner, LLC is requesting Conditional Use approval for a Neighborhood Impact Establishment including the hotel's restaurant and lobby bar, its rooftop, and its basement lounge.

Motion: Beloff/Kuperman. Vote 6-0. Deny without prejudice.

New Applications

None

Meetings Reminder / New Business

*** Next Month's Regular Meeting: TUESDAY, April 27, 2010 at 1:30 p.m. for discussion of Planning issues and 3:00 for the regular agenda, unless otherwise changed in consultation with the Chairperson depending on the length of the agenda. Please mark your calendars and inform staff if you have a schedule conflict.