



MINUTES OF THE MEETING OF THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE TOWN OF BRINY BREEZES, FLORIDA HELD ON THURSDAY, FEBRUARY 11, 2010 AT 4:00 P.M. IN THE TOWN HALL, 4802 NORTH OCEAN BOULEVARD, BRINY BREEZES, FLORIDA.

**IN ATTENDANCE:**

Members of the Planning and Zoning Board; Resident from District I, Barbara Orfe; Resident from District III, Jerry Lower (Chairman); Resident at Large, Ira Friedman; Alternate Member #1, Jim Phillippi; Alternate Member #2, James Leming

Absent with notice is Lee Godby, Resident from District IV

Absent without notice is John Stanley, Resident from District II

Also present are: Town Clerk Pro Tem, Kathleen Bray; and Town Attorney, Jerome Skrandel

**CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL**

Chairman Jerry Lower called the meeting to order at 4:00 p.m. Roll call was taken by Town Clerk Pro Tem Bray.

**ADDITIONS, WITHDRAWALS, DEFERRALS, ARRANGEMENT OF AGENDA ITEMS**

Chairman Jerry Lower stated that the P&Z Board has not received feedback from the Corporation regarding the EAR. Items VII.B, C and D. are stricken from the agenda until there is Corporate response.

**EX-PARTE COMMUNICATIONS**

None

**MINUTES FOR APPROVAL**

A motion to approve the minutes for the January 14 &15, 2010 meeting was made and seconded (Orfe/Friedman). Motion carried.

## **CORRESPONDENCE**

None

## **ANNOUNCEMENTS**

None

## **REPORT FROM BRINY BREEZES, INC. – DIRECTOR AND/OR MANAGER**

No representative is present.

## **REPORT FROM TOWN ATTORNEY**

At the request of Chairman Jerry Lower, Town Council President Sharon Kendrigan explained that the Corporation asked the Town to do what is necessary for the Boynton Beach Police Department to enforce parking rules on the privately owned land in Briny Breezes. Attorney Jerry Skrandel explained that the Town can have the police enforce municipal laws, and that the Briny parking rules would need to be made a Town Ordinance in order to have the police enforce the parking rules. To be clear, by giving the Town permission to enforce Briny Breezes, Inc parking rules on the corporate owned property, the Corporation would still retain ownership of the private property.

A motion has been made and seconded (Orfe/Friedman) to prepare an ordinance allowing the Town to enforce parking violations within the Town limits.

## **PUBLIC COMMENTS:**

Resident Dave Westgate asked what the Briny Breezes, Inc rules committee should do regarding the parking section of the rules. Attorney Skrandel suggested that they don't discuss that particular section of the rules until the Town has a first draft of the ordinance that he needs to prepare regarding that issue.

Mayor Roger Bennett raised the question about a member of the P&Z Board being elected to the Briny Breezes, Inc. Board of Directors, would there be a conflict of interest. Attorney Skrandel stated that yes, there is a conflict of interest and that conflict would prevent the person in such a position from participating in discussions and voting privileges on any issues that would possibly be discussed by the Town.

Board member Ira Friedman asked if there should be a special meeting on the EAR if the corporation's response to the EAR were to be received in the near future. The general consensus was that it would not be necessary since there is no looming deadline for the EAR to be wrapped up.

## **ANNOUNCEMENTS**

The next scheduled P&Z Board meeting is March 11, 2010 @ 4:00 in the Town Hall.

If the Board chooses to have a meeting before the regularly scheduled meeting, they will give a three day notice.

A motion to adjourn the meeting was made and seconded (Phillippi/Friedman). Motion carried  
Meeting adjourned at 5:22 P.M.

These minutes were **approved** by the Briny Breezes  
Planning & Zoning Board on March 11, 2010

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Jerry Lower, Chairman

TOWN SEAL

ATTEST:

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Kathleen Bray, Town Clerk Pro Tem