

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
OCTOBER 08, 2008 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led by Chair Bob Wilbur.

B. ROLL CALL:

CHAIR:	BOB WILBUR
VICE-CHAIR:	PATRICK REILLY
BOARD MEMBERS:	RICHARD CAMERON DON KRIEGER BUD RYAN, excused
ALTERNATE:	CINDY ZINDEL, excused
ALTERNATE:	LIZ RITTER, voting for Ryan
SECRETARY:	DENINE FUSCO-SCARBRO,

Also present: Mayor Eschenberg.

C. ADDITIONS/DELETIONS/CHANGES:

D. CONSENT AGENDA

1. Approval of Minutes

Regular Planning and Zoning Meeting – 08/13/08

Regular Planning and Zoning Meeting – 09/10/08

Exhibit: Agenda Report No. 1

Recommendation: Motion to approve

MOTION: Reilly / Krieger to approve P&Z minutes of 08/13/08 as corrected: show Reilly as excused.

Vote: All Ayes.

MOTION: Reilly / Krieger to approve P&Z minutes of 09/10/08 as corrected: ROW s/b caps.

Vote: All Ayes.

E. PUBLIC HEARING:

F. ACTION:

2. Appointment of Alternate Positions

Exhibit: Agenda Report No. 2

Recommendation: Discussion

Ritter was a voting member and that she abstained from vote.

MOTION: Reilly / Krieger to recommend that Council appoint Liz Ritter to the position of Alternate #1 and fill any upcoming vacancy on the Planning & Zoning Board.

This had to do with the priority of alternates voting on the Board, Reilly stated that Cindy Zindel is on vacation and asked if there a rule that alternate #1 votes first, and alternate #2 votes second. Can Alternate #2 vote before alternate #1?

Reilly proposed when alternate #1 leaves on vacation then alternate #2 becomes the voting alternate.

Wilbur thinks a part time alternate should be the #2 alternate, because they are not here half the year. Krieger thinks we shouldn't change this because she asked in advance; this should have been discussed with Cindy when she put in for the vacation explaining that when she comes back she will be alternate #2. Unless more people have come forward to become alternates then a decision would need to be made.

Wilbur explained we are short an alternate, and Mr. Cameron is not extending his term after October of 2008.

The person here at the time becomes alternate #1, when other alternates are away are # 2 because the other person is physically not here, explains Krieger.

Reilly is questioning about who appoints alternates to the P & Z Board? It has to go in front of Council to get approved and if Mr. Cameron retires tonight does it go to Council that we as a Board recommend that Mrs. Ritter comes instead of Ms Zindel, do we keep it in house or does it go to Council for vote?

Reilly states that Zindel will be back by November 1st, November 3rd the first Council meeting. The recommendation would have to be made ahead of time.

As an advisory Board do we have the responsibility to recommend to Council who the Board feels would be the best alternate, it would be Councils choice to choose out of the alternates available who would fill the position, states Wilbur.

Wilbur would like to recommend to council what we would like to do; to move alternate #2 (Mrs. Ritter) to alternate #1 position to fill a potential vacancy at the end of the month, and to move Ms Zindel to alternate # 2 position.

Wilbur asks the Mayor about how he recalls how the Council feels about alternate positions on Boards are the filled by the Board or by recommendation from Council as to who moves up from alternates to full time positions?

Mayor says, that in the past about 8-10 years ago the Council let the P&Z Board do it the way they want to, but it seems more recent the Council wants to get involved , I recommend that you send a recommendation to Council of what you want to do.

Reilly asked that the minutes reflect that Ritter is a voting member tonight in Ryan's absence and that she abstained from the vote.

Vote: Ayes: 4; Abstained, 1 (Ritter abstained).

G. DISCUSSION ITEMS:

3. Evaluate & Appraisal Report (EAR) Amendments

Exhibit: Agenda Report No.3

Recommendation: Discussion

Reilly said he spent quite a bit of time reviewing it. It was very detailed and it should be coming from the consultants. The maps were incredible and opened up fast and had had great detail. He also stated he liked the idea of splitting up the review over the course of two nights. There are nine elements and lots of material to cover. Reilly asked Board about their overall expectation of the report.

Krieger said he wanted a paper copy. The maps did not open fast for him. He likes to be able to write on it. Krieger is seeing 5% in some areas and would like to further review. The tables and data should be correct from the consultants.

Ritter would also prefer a paper copy. Staff will order copies for them. Wilbur is reviewing one of the two public copies. The Mayor will review on disc.

Krieger asked about the due date. He thought we had more time -18 months from adoption of report. Clerk will check on due date – is it this Jan or next Aug. and get back to P&Z. To have a PH on Nov 19 do we need to have it then or can we postpone it and have more time to review it.

Chair asked them to send questions regarding report to Clerk so she can forward them to all other members and the consultants. Reilly suggested just writing them down and bringing them to the first meeting. Wilbur asked if Council realizes the importance of the Comp Plan. Clerk said yes.

H. OLD BUSINESS/NEW BUSINESS:

4. Foundation Park Boulevard East- Update

Exhibit: Agenda Report No. 4

Recommendation: Discussion

Chair asked Franklin to update. Franklin explained that this has been discussed before and staff was directed to pursue the possibility. A survey of the possible alignment was done last April. We listed it as a project for funding with transportation impact fees and it was approved. These funds can only be spent on certain projects that qualify under the criteria. If the feasibility study is positive we will report back and then pursue the next step. When Council was updated at last meeting, a person spoke against it. He lives on Lett Lane and did not think it should be done.

Wilbur said that they have tried to provide development in this area and every project would require access from Booth. This new road at the existing intersection would provide access to develop the area without bringing commercial traffic on Booth Road. It is a very positive development. Krieger asked where the money came from. Transportation Impact fees on new developments within Malabar. They are collected by the County and must be petitioned for by the Town.

MOTION: Reilly / Krieger to support the continuation of the feasibility study for the extension Foundation Blvd and continue the process.

Vote: All Ayes

Add Public section to Agenda:

Public:

Tom Eschenberg, Beran Lane. Reminds P&Z of meeting on the 20th at 7PM for the Water Star Presentation. Mayor Eschenberg understands that Cameron will not be continuing and hates to see him leave this Board. He hopes it is not over filling out the (financial statement) paper. No, it is over frustration. Cameron stated as an example the looking for new property for town hall and the moving forward with the purchase of the property next door and then it is all set aside. Cameron has tried his best to bring up - Cameron also said he has volunteered on the Trails and Greenways and was smacked down for that. He feels antiquated.

They are an advisory Board and he is getting the feeling that they are being expected to review the plans like they are building inspectors. It was his understanding that they are to review it to see if it fits into the Town's plan and then recommend Council approval and then the Building Department review the details for permitting.

Reilly also stated that the checklist had been provided by staff to use as a guide for the meetings. He asked Board to review and we will discuss it at our Nov meeting. This procedure will keep us out of trouble. Have as Action Item at the Nov mtg.

I. ADJOURN:

There being no further business to discuss, **MOTION:** Reilly / Krieger to adjourn this meeting.

Vote: All Ayes. The meeting adjourned at 8:25PM.

BY:

Bob Wilbur

Bob Wilbur, Chair

Denine Fusco-Scarbro

Denine Fusco-Scarbro, Secretary

11/12/08

Date Approved