

**MINUTES  
TOWN OF JUPITER ISLAND  
IMPACT REVIEW COMMITTEE MEETING  
THURSDAY, MARCH 6, 2025**

**TIME:** Thursday, March 6, 2025 – 9:00 AM  
**PLACE:** Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL  
**PRESENT:** Present were Chair Bonnie Schiralli, Vice Chair Judy Holden, Members Valerie McNeely, Jennifer Madden and Eleanor Seaman, and Alternerate Members Marshall Field V, Maria Bayazid, and Christina Whitney. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

**CALL TO ORDER AND COMMENTS\***

Chair Schiralli called to order at 9am and read the purpose of the Impact Review Committee from the Town Code. She announced a quorum and the committee members introduced themselves. Voting members were announced. Alternate Members Christina Whitney and Maria Bayazid also introduced themselves.

Town Clerk Kogos swore in those who wish to speak during the hearing including: Paul Catania of Parker Yanette Design Group; Attorney Jared Gaylord of Marc R. Gaylord P.A; Chuck Yanette of Parker Yanette Design Group; Richard Rutledge, Innocenti & Webel; and Building Director Catherine Harding.

**ACTION ITEMS**

**1. Minutes of the February 6, 2025 Impact Review Committee Meeting**

**MOTION:** Vice Chair Holden/ McNeely moved to approve minutes as presented.

**ACTION:** Motion Passed 5-0

**2. 508 South Beach Road**

The property is vacant land. The request is to construct a new one-story residence, with a pool, patio, a main driveway entrance with a gate and a service entry driveway with a gate, parking area, mechanical enclosures, a 3-bay garage, detached one story guest house, detached home office and gym and associated hardscaping and landscaping.

**Ex-Parte Communication**

- Chair Schiralli stated that she visited the property with Director Harding, read all materials, and had no ex-parte communication.
- Vice Chair Holden stated that she visited the property, read all materials, and had no ex-parte communication.
- Member Madden stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.
- Member McNeely stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.

- *Member Seaman stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*

Director Harding introduced the application and provided background information. She explained that the standards had been met, the application had been reviewed by the Building Department, and supplemental requirements would be addressed prior to the building permit.

Attorney Jared Gaylord introduced the project team. He provided an aerial photograph of the property and provided a history of the property as he displayed historical aerial photographs. He displayed the property survey and explained the reason for the BOA application and the relief for fill over three feet. He displayed the floor plan of the proposed structure, landscaping, and access points including gates. He reviewed the drainage system and exfiltration trenches. He displayed streetscape photographs of the property and neighboring properties, followed by photographs of the existing buffering.

Chair Schiralli asked about building further west of neighboring structures. Attorney Gaylord explained the "line of site" rule and explained the shoreline variances.

Vice Chair Holden asked about retaining walls and swales. She questioned the water flow from the swales and questioned if most of the water would flow toward the waterway. Attorney Gaylord stated that the water would flow to the lowest point due to the natural grading of the properties. He noted that most of the area slopes toward the waterway, with elevations decreasing as one moves west. He clarified that the water is not being intentionally directed but follows the natural topography.

Vice Chair Holden referred to retaining walls and noted many of the existing walls are in disrepair. She asked if the walls could be built to last for a longer period of time. Mr. Catania explained the construction of the proposed seawall would include metal rods and concrete.

Member Seaman asked if the project is a spec house or if the owner intends to occupy the property. Attorney Gaylord stated that the family will reside in the home.

Mr. Catania of Parker Yanette reviewed the landscape plans noting the vegetation plans and plant material, both existing and proposed. He reviewed the swimming pool area and displayed buffer elevations. He explained the retaining walls and noted receipt of a letter of approval from the neighbor. Mr. Catania also displayed the gate elevations.

Member McNeely referred to the south buffer. Mr. Catania explained that two buffers will be combined, making a dense vegetation buffer.

Chair Schiralli referred to the entry gate and asked about the pillars and lighting. Mr. Catania confirmed there would be no planned lighting. Chair Schiralli also inquired about the construction material storage. Mr. Catania noted that the construction materials will be stored out of sight.

Chair Schiralli inquired about the service driveway, and Mr. Catania confirmed it would be installed near the end of the project.

Chair Schiralli asked about the retaining wall. Attorney Gaylord explained that a retainer wall agreement between the neighbors had already been recorded. She referred to the boulders that are on the current property and asked if they would be removed or used. Mr. Catania stated that they will be strategically

used in the landscape as decorative accents. She asked about tree removal occurring currently on the property. Attorney Gaylord stated that he had advised the owners not to remove any vegetation at this time. However, Director Harding stated they were cited for a violation for removal and working after hours.

Vice Chair Holden noted that she did not see a west view of the buffering in relation to the neighboring properties. Attorney Gaylord displayed various views for the Committee.

Public Comment: None

***MOTION: Holden/Seaman moved to approve the application with recommended conditions, based on the testimony presented, the plans submitted, and the fact that the application meets the standards of Article X, Division 2, Section 2.02 for impact review.***

### 3. 302 South Beach Road

The property is vacant land. The request is to construct a new one-story residence, a 2-car garage, guesthouse, cabana, pool, sauna and pergola with new landscape and hardscape.

## Ex-Parte Communication

- *Chair Schiralli stated that she visited the property with Director Harding, read all materials, and had no ex-parte communication.*
- *Vice Chair Holden stated that she visited the property, read all materials, and had no ex-parte communication.*
- *Member Madden stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member McNeely stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member Seaman stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*

Director Harding introduced the application and provided background information. She stated that the applicant met the requirements of Article X, Division 2, Section 2.02, Standards for Impact Review, as outlined in the application. She noted that a full staff review was conducted and that supplemental requirements would be addressed before a building permit is issued. She also mentioned a letter of support from a neighbor.

Attorney Jared Gaylord greeted the committee and introduced the project team. He displayed current and historic aerial views of the property. He showed the property survey and explained using the easement for access, instead of South Beach Road. He displayed the architectural plans along with the site data. He

reviewed the floor plans and elevations, explained the proposed regrading of the lot and the necessary retaining walls. He also displayed existing streetscape photographs, as well as views of the property buffers.

Alternate Member Field asked if the property has ocean access. Attorney Gaylord stated that there is a private easement right included in the property.

Member Madden asked about the construction access off South Beach Road, and how it will be buffered. Attorney Gaylord briefly reviewed the matter, noting that the landscape architect will provide additional details.

Vice Chair Holden opined that a 12' retaining wall seems inappropriate. Mr. Yanette clarified it is 5' to top of the retaining wall. Mr. Yanette stated that the highest point is 5.5' from the neighboring side. Vice Chair Holden questioned if it is 12' from the neighbors. Mr. Yanette explained the height per the grading and noted a significant buffer.

Chair Schiralli inquired about the existing lease on a private easement. Attorney Gaylord explained that acknowledged trucks were on the property and confirmed they were from the construction across the street. He clarified that while the trucks belong to a different contractor, they have a lease for the property. However, once construction begins, presumably on May 1, they will be notified to vacate.

Member Seaman asked for assurance of the owner intent of use of the property.

Mr. Yanette reviewed the landscape plans explaining the existing vegetation that will be removed or relocated and proposed planting materials. He provided elevations of the vegetation surrounding the proposed structures. He reviewed the current buffers compared to the proposed buffers. He also reviewed the construction staging plan, explaining the construction fence and preliminary vegetative buffering for screening.

Member Madden asked about maintaining the invasive Australian Pine species. Mr. Yanette confirmed the owner wants to keep the trees.

Chair Schiralli confirmed the easement is jointly owned and noted the ramble needs to be repaired after construction. Discussion ensued regarding a secondary entry along the easement drive, noting the only gate will be a construction gate.

Vice Chair Holden questioned potential buffering along the easement. Mr. Yanette stated there is an 8' hedge, but not heavily screened, which is in character with the neighboring properties.

Public Comment:

Ann Geddes was sworn in. She explained that she is the neighboring property and noted that she has been subjected to construction for the last four years. She asked about the height of the buffer on the south. She stated that she would prefer not to have access in front of their entry door. She also asked that the owners be required to maintain their portion of the easement. Attorney Gaylord displayed the location of Mrs. Geddes current driveways in contrast to the proposed driveways. Mrs. Geddes also requested minimizing any potential construction damage to her property. Chair Schiralli required placement of an 8' silt fence versus 6' along the south side. Mrs. Geddes agreed. Mrs. Geddes asked about the easement agreement and owner maintenance of the easement, as well as the construction timeline. Attorney Gaylord noted the site prep would occur this summer and construction is proposed to begin in May 2026.

Discussion ensued about the motion.

The Board recommended the following conditions:

- Ramble shall be repaired after construction cut is completed.
- Install 8' silt construction fence on south side and property maintained, irrigated and seeded.
- Easement shall be maintained during construction.

***MOTION: Holden/Madden moved to approve with recommended conditions, based on the testimony presented, the plans submitted, and the fact that the application meets the standards of Article X, Division 2, Section 2.02 for impact review.***

***ACTION: Motion passed 5-0.***

*The Board recessed at 10:33 AM.*

*The Board reconvened at 10:42 AM.*

#### **4. 169 South Beach Road**

The request is to add a new 3 bay garage that will be attached to the main residence. The garage will have space to park 3 cars and room for storage. The new garage will not result in additional floor area due to the use of the non-habitable nature of the space and Ordinance No. 393.

## **Ex-Parte Communication**

- *Chair Schiralli stated that she tried to visit the property, read all materials, and had no ex-parte communication.*
- *Vice Chair Holden stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member Madden stated that she drove into the driveway, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member McNeely stated that she visited the property, spoke with Director Harding, read all materials, and had no ex-parte communication.*
- *Member Seaman stated that she looked at the plans, spoke with Director Harding, read all materials, and had no ex-parte communication.*

Director Harding introduced the application and provided background information and noted the revised plan was submitted to attach the proposed garage to an existing accessory structure. The applicant has agreed to wait until the end of June 2025 so the current ZIP will not apply to this application. She stated that existing landscape buffers around the garage walls would be maintained, enhanced, and allowed to grow higher to improve screening from the beach. She noted that original requirements from South Martin Regional Utility, public safety agencies, and King Tree Service remain in effect, with Code Compliance monitoring construction site maintenance. She read a letter of support from one of the neighbors.

Vice Chair Holden expressed concern about the handling of the project, stating that receiving information late hindered proper review. She requested to defer the project.

Town Clerk Kogos swore in Tucker Johnson.

Mr. Johnson stated he did not request or authorize the withdrawal of his application. He explained that while in Antigua, he learned of actions taken to derail it, which he opposed. He worked with Richard Rutledge and Scott Hughes to develop a compromise at the Town's request but noted the original plan remained an option if more time was needed. He explained this is an effort on his part to accommodate the Town. He asked the committee to hear the application.

Vice Chair Holden stated that she did not review the original plans as she was informed it was withdrawn.

Chair Schiralli questioned why the town opposed the plan and who specifically objected. He noted the ambiguities and unidentified individuals influencing the decision, stating that, given the property size, he understood the desire for an attached garage.

Vice Chair Holden stated that she is not ready to vote on either plan as she did not review any plans.

Mr. Tucker stated that the Town withdrew the application without his knowledge. He explained that Commissioner Scott pressed the building department to withdraw.

Chair Schiralli asked why the committee did not receive a copy of the commission disagreement/approval of the application.

Town Attorney Baird stated that the Town Manager explained to him that the genesis of the new plan is that there was an interpretation of the new code, regarding the original plan submitted. He explained with the garage attached to the residence; the interpretation is it would be greater than the allowable square footage. The revised plan compromises by moving the garage to an accessory building. Town Clerk Kogos swore in Scott Hughes.

Chair Schiralli expressed concern that the plans had been significantly altered and apologized for any misinterpretation. She questioned whether the matter could be postponed until next month, echoing a concern previously raised by Vice Chair Holden.

Mr. Hughes explained that they need to apply to DEP for the Town to give a permit. Chair Schiralli stated that she thought this is a replacement of an existing garage. Mr. Hughes stated that DEP approval is required due to the project's location east of the CCL line. He noted the application was initially approved for impact review before being reconsidered. He emphasized that his client should not be negatively affected by code interpretation issues and that the revised plan aligns with the timeline and town priorities. He stated this is an adjustment, not a full overhaul.

Member Seaman stated they should hear the presentation.

Vice Chair Holden stated she is conflicted. Mr. Johnson stated this would set him back a year if the application is not heard today. He further added that other people created the inconvenience (not him). Vice Chair Holden agreed to hear the application.

Chair Schiralli, Member McNeely, and Member Madden also agreed to hear the application.

Attorney Jared Gaylord greeted the committee and introduced the project team. He displayed aerial views of the property showing the existing structure and motor court area utilizing a shade covering, not an actual garage enclosure. He displayed the existing survey of the property followed by site photographs, explaining the current parking area and the proposed garage structure. He displayed the architectural plans including the floor plans, roof line comparison (proposed vs. current covered area) and elevations, followed by renderings. He confirmed the roof will be flat and planted. The building will be painted off white with sage green trim that will match the house but will not be visible anywhere off the property.

Mr. Rutledge briefly reviewed the landscape and construction staging plan.

Vice Chair Holden asked about access for lawn equipment in the garage area. Mr. Rutledge explained that the 12-foot-wide, 10-foot-tall bays would accommodate maintenance needs. He noted that a pathway allows for lawn mowers and equipment access, and an existing lawn ramp provides entry to the backyard, with soil on three sides and rock boulders along one side.

Member Field expressed that this is only an addition to the current cloth covered space.

Public Comment: None

***MOTION: Holden moved defer without prejudice. (The motion failed due to lack of second. )***

Member McNeely stated no objections to the application itself but expressed concern over the process.

***MOTION: McNeely/Madden moved to approve the application as revised with recommended conditions, based on the testimony presented, the plans submitted, and the fact that the application meets the standards of Article X, Division 2, Section 2.02 for impact review.***

Chair Schiralli noted the project was approved by the Town Commission on September 7, with a DEP permit and zoning waiver secured on September 9. She viewed the situation as a hardship, questioned the last-minute disruption, and stated she felt comfortable approving the project.

***ACTION: Motion passed 4-1. Vice Chair Holden dissented.***

## **5. Other Items\***

Director Harding stated the next meeting will be April 3, 2025, if all applications are ready to be heard.

- a. Next Meeting - April 3, 2025

Confirmed the next meeting will be April 3, 2025 if all applications are ready to be heard.

- b. Other Matters\*

Chair Schiralli asked whether there was any official update regarding rumors about the BOA being advisory or potentially becoming part of the IRC. Director Harding did not have further information about this matter at this time.

Town Attorney Baird stated he previously provided a memo regarding quasi-judicial procedures, noting that speaking with staff, or anyone outside the hearing room, is actually an ex-parte disclosure, and the subject matter should be disclosed as well. Discussion ensued regarding procedure and sunshine law.

Chair Schiralli adjourned the meeting at 11:44 AM.

Respectfully Submitted,

Kimberly Kogos, Town Clerk