



# Martin County

Administrative Center  
2401 SE Monterey Road  
Stuart, FL 34996

## Meeting Minutes

### Local Planning Agency

Cynthia Hall, District 1, 11/2024  
William J. Flanagan, Vice Chair, District 2, 11/2022  
Donald Foley III, District 3, 11/2024  
James Moir, Chairman, District 4, 11/2022  
Ransom Reed Hartman, District 5, 11/2024  
Kimberly Everman, School Board Liaison, 12/2021

---

Thursday, June 3, 2021

7:00 PM

Commission Chambers

---

#### CALL TO ORDER

Chairman James Moir called the meeting to order at 7: 02 pm. A quorum was present.

#### ROLL CALL

Present: - James Moir, Chairman  
William J. (Joe) Flanagan, Vice Chair  
Ransom Reed Hartman  
Cynthia Hall

Not Present: Donald Foley III  
School Board Liaison – Kimberly Everman.

#### Staff Present:

Senior Assistant County Attorney .....Krista Storey  
Growth Management Director ..... Paul Schilling  
Senior Planner .....Marie Jose  
County Engineer..... Lisa Wichser  
Public Works Development Review Administrator .....Michelle Cullum  
Agency Recorder/Notary..... Denise Johnston

#### MINU APPROVAL OF MINUTES

##### MINU-1 April 15, 2021

The Board was asked to approve the minutes from the April 15, 2021 LPA meeting.

#### Agenda Item: 21-0620

MOTION: A Motion was made by Ms. Hall; SECONDED by Mr. Flanagan to approve the minutes of the April 15, 2021 LPA Meeting. The Motion CARRIED 4-0.

## **QJP-1 QUASI-JUDICIAL PROCEDURES**

Quasi-Judicial procedures apply when a request involves the application of a policy to a specific application and site. It is a quasi-judicial decision. Quasi-Judicial proceedings must be conducted with more formality than a legislative proceeding. In Quasi-Judicial proceedings, parties are entitled – as a matter of due process – to cross-examine witnesses, present evidence, demand that the witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

### **Agenda Item: 21-0705**

All persons wishing to speak on a Quasi-Judicial agenda item(s) will be sworn in.

## **OLD OLD BUSINESS**

### **OB-1 APPROVAL OF MARCH 18, 2021 MINUTES**

At the May 6, 2021 meeting, the Board was asked to approve the minutes from March 18, 2021. A discrepancy in the attendance was noted and a review of the March 18<sup>th</sup> meeting attendees needed to be conducted. Upon the review, the result was that no revision to the attendees listed as “Present” or “Absent” was necessary and the minutes can be approved as they were presented to the Board on May 6, 2021.

### **Agenda Item: 21-0746**

MOTION: A Motion was made by Ms. Hall, to approve the minutes of the March 18, 2021 LPA Meeting;  
SECONDED by Mr. Flanagan. The Motion CARRIED 4-0.

## **NEW NEW BUSINESS**

### **NPH-1 COMPREHENSIVE PLAN AMENDMENT 21-01, CHAPTER 5, TRANSPORTATION ELEMENT**

Public hearing to consider a proposed request to amend the text of Chapter 5, Transportation Element of the Martin County Comprehensive Growth Management Plan.

Requested by: Paul Schilling, Growth Management Department Director

Presented by: Maria Jose, Sr. Planner, Growth Management Department

### **Agenda Item: 21-0743**

#### **\*For the Record:**

STAFF: Ms. Jose presented NPH-1, a request initiated by the Board of County Commissioners (BOCC), is for a text amendment to Chapter 5, Transportation Element of the Martin County Comprehensive Growth Management Plan (CGMP).

STAFF: Recommends approval of the proposed text amendment so that the text and Figures of Chapter 5, Transportation Element of the CGMP may have the most recent and accurate data. Staff has coordinated with the staff of Martin County Public Works Department and the Martin County MPO staff to execute the text amendment required to the language and figures of Chapter 5, Transportation Element of the CGMP.

COUNTY: Ms. Story noted that she had a few minor comments regarding language tweaks and would get with staff before it goes to the Board of County Commissioners meeting.

PUBLIC: There were no comments from the public.

MOTION: A Motion was made by Mr. Flanagan, to approve staff's recommendation of approval with the minor language changes; SECONDED by Ms. Hall. The Motion CARRIED 4-0.

## **NPH-2 COMPREHENSIVE PLAN AMENDMENT 21-06, MAGGY'S HAMMOCK PARK**

Public hearing to consider a Board-initiated Future Land Use Map change from Residential Estate Density (2 units per acre) future land use to Public Conservation and General Institutional future land use on a 5.4 acre parcel located on S.E. Kubin Avenue, north of Maggy's Hammock Park, Port Salerno.

Requested by: Paul Schilling, Growth Management Department Director

Presented by: Maria Jose, Sr. Planner, Growth Management Department

### **Agenda Item: 21-0744**

#### **\*For the Record:**

STAFF: Ms. Jose Provided NPH-2, Exhibit 1, Certification of the required notification to the surrounding property owners.

Ms. Jose presented NPH-2, a request for a small-scale amendment initiated by the Board of County Commissioners (BOCC), for a comprehensive plan amendment to the future Land Use Map (FLUM) to change the parcel from Residential Estate Density (2 units per acre) to Public Conservation future land use.

STAFF: Recommends approval of the proposed FLUM change.

PUBLIC: Mr. Edmond Arcamonte who resides at 5327 SE Reef Way spoke regarding the need for more parks in the Rocky Point area and had some concerns regarding the appearance and placement of the lift station on the property.

COUNTY: Mr. Schilling and Mr. Dulin addressed his concerns.

LPA: Mr. Moir commented that it made sense for the lift station to be located off Kudin Ave.

MOTION: A Motion was made by Ms. Hall, to approve staff's recommendation of approval; SECONDED by Mr. Hartman. The Motion CARRIED 4-0.

## **NPH-3 MAGGY'S HAMMOCK PARK REZONING (QUASI-JUDICIAL)**

Application for re-zoning from R-1B (Single Family Residential District) to PC (Public Conservation District) and PS-1 (Public Service District) or most appropriate zoning district regarding Comprehensive Plan Amendment 21-06, Maggy's Hammock Park.

Presented by: Paul Schilling, Growth Management Department Director

Requested by: Maria Jose, Sr. Planner, Growth Management Department

### **Agenda Item: 21-0745**

#### **\*For the Record:**

LPA: Ex parte communication disclosures: None; Interveners- None present.

COUNTY: All staff and individuals speaking on this matter were sworn in.

STAFF: Ms. Jose Provided NPH-3, Exhibit 1, Certification of the required notification to the surrounding property owners, exhibit 2, Ms. Jose's resume, a copy of the staff report and the agenda.

STAFF: Ms. Jose presented NPH-3, a request for Application for re-zoning from R-1B (Single Family Residential District) to PC (Public Conservation District) and PS-1 (Public Service District) or most appropriate zoning district regarding Comprehensive Plan Amendment 21-06, Maggy's Hammock Park.

STAFF: Recommends approval of the zoning district change from R-1B to PC and for a portion of the subject site, a change from R-1B to PS-1.

LPA: Ms. Hall pointed out a discrepancy in the land use map.

STAFF: Ms. Jose stated she would update the land use map.

Public: There were no comments from the public.

MOTION: A Motion was made by Ms. Hall, to approve staff's recommendation of approval with the update to the land use map; SECONDED by Mr. Flanagan. The Motion CARRIED 4-0.

#### **NPH-4 PUBLIC HEARING REGARDING EXCAVATION, FILLING AND MINING, AMENDING ARTICLE 4, ARTICLE 5 AND ARTICLE 10, LAND DEVELOPMENT REGULATIONS.**

Requested by: Lisa A. Wichser, P.E. CFM, County Engineering, Public Works Department and Frank Poma, Palm City holdings, LLC

Presented by: Michelle Cullum, P.E. Development Review Administrator, Public Works Department

##### **Agenda Item: 21-0799**

##### **\*For the Record:**

COUNTY: Ms. Cullum presented Item NPH-4 for the Excavation, Filling and Mining Amending Article 4, Article 5 and Article 10, Land Development Regulations. Ms. Cullum noted that the Lisa Wichser, County Engineer and the applicant were also present.

Ms. Cullum noted that the one issue with the proposed ordinance is the applicant requested the amendment establish a ten (10) year timeframe with two (2) optional extensions of five (5) years each for Mining Operation development. Staff finds a five (5) year timeframe with two optional extensions of five (5) years each more consistent with other applications.

STAFF: Recommends approval of the ordinance amending Article 4, 5 and 10 of the Land Development Regulations.

LPA: Mr. Moir agreed that the 5-year timeframe makes more sense.

LPA: Mr. Reed and Mr. Moir had questions regarding the hauling fees.

COUNTY: Ms. Wichser addressed their questions.

Mr. Moir: Asked about the requirements and triggers for an ex-fill permit.

COUNTY: Ms. Cullum and Ms. Wichser addressed his questions.

Mr. Moir: Had questions regarding mined lakes and the use of herbicides in littoral and aquatic environments.

COUNTY: Ms. Wichser noted that they will work with the Environmental Division of the Growth Management Department and the Littoral restrictions and the littoral planting regulations will be moved over to Article 9 and reviewed in the future.

Public: None

MOTION: A Motion was made by Mr. Flanagan to approve staff's recommendation of approval with the acknowledgement of the reduction of the timeline; SECONDED by Mr. Hartman. The Motion CARRIED 4-0.

**NPH-5 PUBLIC HEARING TO CONSIDER AMENDING ARTICLE 4, SITE DEVELOPMENT STANDARDS, DIVISION 8, EXCAVATION, FILLING AND MINING TO CREATE MINING STANDARDS FOR MINING OPERATIONS, LAND DEVELOPMENT REGULATIONS.**

Requested by: Frank Poma, Palm City Holdings, LLC

Presented by: Michelle Cullum, P.E. Development Review Administrator. Public Works Department

**Agenda Item: 21-0800**

COUNTY: Ms. Cullum, Development Review Administrator, Public Works Department requested on behalf of the County and applicant that this item be continued to the July 1, 2021 LPA Meeting.

MOTION: A Motion was made by Ms. Hall to continue this item to the July 1, 2021 LPA Meeting; SECONDED by Mr. Hartman. The Motion CARRIED 4-0.

**COMMENTS:**

1. PUBLIC - None
2. STAFF - Paul Schilling noted that there are no items for June 17, 2021 meeting and the next meeting will be July 1, 2021.
3. LPA - There was no further business.

**ADJOURN:**

The Local Planning Agency meeting of June 3, 2021 meeting adjourned at 8:00 pm.

Respectfully Submitted:

Approved by:

\_\_\_\_\_  
Denise Johnston, Martin County  
Growth Management Department  
Agency Recorder/Notary

\_\_\_\_\_  
Jim Moir, Chairman

\_\_\_\_\_  
Date Signed