

**From:** [Marshall Labadie](#)  
**To:** [Commission](#)  
**Cc:** [Ingrid Allen](#); [Lanelda Gaskins](#)  
**Subject:** FW: 11/7/2023 commission meeting  
**Date:** Monday, November 6, 2023 11:14:10 AM  
**Attachments:** [image001.png](#)

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FYI....



**Marshall Labadie, ICMA-CM**  
Town Manager

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**From:** Marc Siegel <mnsiegel@hotmail.com>  
**Sent:** Friday, November 3, 2023 1:41 PM  
**To:** Marshall Labadie <mlabadie@highlandbeach.us>  
**Subject:** 11/7/2023 commission meeting

Marshall,

I reviewed the agenda for the upcoming meeting and am concerned about the possible changes to the marine ordinances. If you recall, residents of Boca Highland Beach Club and Marina had to deal with the install of poles and pilings at 1006 Grand Court (Touchette).

I was a strong opponent to the eyesore that Mr.Touchette had installed and all the friction that was created within the community and town due to this installation. Errors were made in the installation as well as the proposals by the marine installation company.

With this in mind,I sincerely hope that the commission consider this in their discussions for change and minimize the height requirements as well as control the oversized docks and the consideration for the neighboring property. Oversized boats and vessels belong in marina's that can accommodate them.

Sincerely

Marc N.Siegel

## Ingrid Allen

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**From:** Marshall Labadie  
**Sent:** Monday, November 6, 2023 11:44 AM  
**To:** Ingrid Allen  
**Subject:** FW: Report and Recommendation of Planning Board

FYI....

-----Original Message-----

From: Richard Greenwald <ragreenwald@bellsouth.net>  
Sent: Monday, November 6, 2023 10:32 AM  
To: Natasha Moore <nmoore@highlandbeach.us>; David Stern <dstern@highlandbeach.us>; Evalyn David <edavid@highlandbeach.us>; Don Peters <dpeters@highlandbeach.us>; Judith Goldberg <jgoldberg@highlandbeach.us>  
Cc: Marshall Labadie <mlabadie@highlandbeach.us>  
Subject: Report and Recommendation of Planning Board

Good morning,

I will not be able to attend the Nov. 9 meeting when a Planning Board report is to be presented to the Commission.

Please allow me to voice serious objection on the part of Shelley and myself to recommendations of the Planning Board regarding accessory marine structures. These observations are based on first reads. There may be more to come.

The proposed recommendation for dock setbacks from the Planning Board is zero, as in none.

In my neighborhood setbacks are currently 25 feet. We happen to like that. Over the last few years, I have been present for Greg Babij's report, Commission discussions, Ingrid's public comment meetings, Bel Lido meetings etc. etc. I have heard proposals ranging from "not broken, keep the status quo", a "box", a "notched box", 15 foot setbacks, 10% of the length of property setbacks, 5 feet from the property line for docked boats extending beyond docks and a variety of other proposals. I never heard a group recommendation for "property line to property line", zero setbacks for docks. That is a supremely radical departure from the status quo. Where did it come from?

As I said, Shelley and I are strongly opposed for both aesthetic and safety reasons.

Furthermore, there are no proposed set back restrictions on floating structures which I assume means plastic or rubber docks, lifts, bait pens, and other objects. I have heard conflicting reports from staff about what the Town can regulate vs. what is confined to the State. I would like to see a legal opinion on this topic as in some instances a municipality may tailor regulations as long as they are not less restrictive than that imposed by State statute.

There is another major problem which I hope is a clerical error rather than a surreptitious attempt to change the rules. The amendment was supposed to read "extend 25 feet or 25% of the waterway "whichever is less". However, in the agenda text recommendation, "whichever is less" is conspicuously left out. This may not make a difference in some neighborhoods, but it definitely does in mine and several others where 25% could be over 75 feet. Totally unacceptable—and rather suspicious.

What's the Planning Board's next step? Recommend eliminating all existing property line setbacks for any purpose? After all, shouldn't property owners have full use of their property?

The Planning Board is, of course, free to recommend whatever they choose. However, should the above suggestions move forward into a proposed ordinance the Commission should anticipate some serious pushback. Given the numerous important items under Town consideration, this may not be the best time to stir contention and polarization.

Thank you for your attention.

Best regards,

Richard and Shelley Greenwald  
4308 Tranquility Drive

Sent from my iPad