09/01/2026 Town Commission Meeting

Public Comments

Item 7.A., Ordinance No. 2026-003

From:	Marshall Labadie
To:	Julie Pastore
Cc:	Lanelda Gaskins
Subject:	RE: September 1 Ordinance
Date:	Monday, August 31, 2026 4:41:58 PM
Attachments:	image001.png

Good Afternoon:

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

Thank you for your engagement and participation in the Town's public process which makes our 3 Miles of Paradise so special. Again, thank you!

Marshall Labadie, ICMA-CM
Town Manager

Town of Highland Beach
3614 South Ocean Boulevard
Highland Beach, FL 33487
(T) 561.278.4548
(F) 561.265.3582

Working to protect our 3 Miles of Paradise

From: Julie Pastore <jpv@jpindustrial.com>
Sent: Monday, August 31, 2026 4:27 PM
To: Natasha Moore <nmoore@highlandbeach.us>; David Stern <dstern@highlandbeach.us>; Judith Goldberg <jgoldberg@highlandbeach.us>; Don Peters <dpeters@highlandbeach.us>; Jason Chudnofsky <jchudnofsky@highlandbeach.us>; Marshall Labadie <mlabadie@highlandbeach.us>
Subject: September 1 Ordinance

To Whom It May Concern,

As an oceanfront homeowner in Highland Beach I am requesting the following:

Do not adopt this ordinance on September 1

Postpone the vote.

Notify every affected oceanfront property owner.

Obtain an independent legal and professional review of the ordinance and its consequences before proceeding.

Sincerely,

James Pastore
2435 S Ocean Blvd.
Highland Beach, FL 33487
330.853.1616 cell

From:	Jeffrey
To:	Lanelda Gaskins; noreply
Cc:	Marshall Labadie; Natasha Moore
Subject:	Request for Planning Board Review of Revised Ordinance
Date:	Monday, August 31, 2026 10:53:23 AM

Town Clerk:

Please include this correspondence in the official record for the proposed ordinance and distribute it to the Town Mayor and Manager,

The ordinance now under consideration contains language that is materially different from the language presented to and considered by the Planning Board. Consequently, the Planning Board has not held a public hearing or made a recommendation on the ordinance in its present form.

Before the Commission takes further action, I respectfully request that the Town determine whether the revised language constitutes a substantial modification requiring the ordinance to be returned to the Planning Board pursuant to Section 30-44(e)(3) of the Town Code, together with any applicable public-hearing and notice requirements.

Until that procedural question has been resolved, the Commission should not take final action on the revised ordinance.

Thank you,

Jeffrey Kleiman
Highland Beach Resident

From:	Jeffrey
To:	Town Clerk; Lanelda Gaskins
Cc:	Natasha Moore; Don Peters; David Stern; Jason Chudnofsky; Judith Goldberg; Marshall Labadie
Subject:	PUBLIC COMMENT Proposed Ocean Ridge Ordinance
Date:	Sunday, August 30, 2026 1:37:26 PM

Town Clerk — I respectfully ask that this statement be included in the official record for this agenda item. It does not need to be read aloud at the meeting.

PUBLIC COMMENT — TOWN COMMISSION

Proposed Ocean Ridge Ordinance | September 1, 2026 Commission Meeting

Mayor, Vice Mayor, and Commissioners:

I am asking the Commission not to take final action on this ordinance until it has completed the thorough due diligence warranted by the ordinance's potential consequences.

First, the ordinance's potential scope and effects have not been adequately established.

During the August 11 Town Commission meeting, Town Building Department staff stated: "Not every home is going to be in a flood zone, so it's going to impact a few, but not all homes."

I have found no analysis presented to the Commission identifying which properties or categories of properties may be affected. In the public meeting record and materials I reviewed, I also found no estimate of the number of single-family houses, townhomes, small condominium units, or large condominium buildings that may be affected.

Before adoption, the Commission should be provided with an objective analysis that identifies the housing types and the approximate number of properties potentially affected, including single-family homes, townhomes, small-unit condominiums, and large condominium buildings.

Second, the ordinance's scope expanded without identified, explicit Commission direction.

At its May 12 meeting, the Commission treated the dune, garage, and breakaway-wall issues as complicated matters requiring longer-term study. Less than a month later, Town staff included those subjects in an ordinance presented to the Planning Board.

I have found no Commission motion or other explicit direction in the public meeting record authorizing their inclusion. Before taking final action, the Commission should identify when and how that expansion of scope was authorized.

Third, the explanation presented at first reading did not convey the full substance of the Planning Board's recommendation.

At the August 11 first reading, the Planning Board's decision was described as merely an effort to remove duplicative language. The Planning Board transcript shows that its decision involved a substantive policy judgment, not simply the removal of duplication.

After substantial discussion, the Board voted four to one to remove the proposed language that was directly or indirectly related to Design Flood Elevation and instead rely on FEMA requirements, the Florida Building Code, and other applicable state standards.

Because the full basis for that recommendation was not explained at first reading, the Commission should reconsider its decision to restore the language after reviewing the Planning Board's actual discussion and reasoning.

Fourth, Town staff's recently stated new interpretation of existing code should not be converted into an express local restriction without independent verification.

Town staff has recently stated that existing code means oceanfront construction, including garages, cannot occur below Design Flood Elevation. That interpretation appears inconsistent with provisions allowing certain uses and construction below elevated buildings, subject to specific requirements.

Before incorporating that interpretation into the ordinance, the Commission should obtain independent review from the appropriate state authorities concerning the applicable code provisions and from qualified professional engineers concerning the related technical issues.

A new staff interpretation of longstanding code that has not been independently verified should not become an express local restriction until both the code interpretation and its technical basis have been independently evaluated.

Finally, specific technical claims presented in support of the ordinance have not been supported by written professional analysis.

Town staff has cited outside experts and engineering concerns but presented no supporting written analysis from Florida-licensed professional engineers or architects to the Commission.

Before final action, the Commission should require the written calculations, studies, or professional opinions supporting the technical claims relied upon in proposing the ordinance. Those materials should be placed in the public record so that they can be independently evaluated and publicly reviewed.

The public record presented to the Commission does not identify an immediate condition requiring final action at this meeting.

I respectfully ask the Commission to postpone final action until the ordinance's potential effects, the applicable code interpretation, and the technical claims supporting it have been independently reviewed.

Thank you.
Jeffrey Kleiman

From:	Marshall Labadie
To:	Toni Spink
Cc:	Lanelda Gaskins
Subject:	RE: Highland Beach Ordinance
Date:	Monday, August 31, 2026 9:00:45 AM
Attachments:	image001.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

Thank you for your engagement and participation in the Town's public process which makes our 3 Miles of Paradise so special. Again, thank you!

Marshall Labadie, ICMA-CM
Town Manager

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3614 South Ocean Boulevard
Highland Beach, FL 33487
(T) 561.278.4548
(F) 561.265.3582

Working to protect our 3 Miles of Paradise

-----Original Message-----
From: Toni Spink <tbspink@att.net>
Sent: Saturday, August 29, 2026 4:42 PM
To: Judith Goldberg <jgoldberg@highlandbeach.us>; Jason Chudnofsky <jchudnofsky@highlandbeach.us>; Marshall Labadie <mlabadie@highlandbeach.us>
Subject: Highland Beach Ordinance

POSTPONE THE SEPTEMBER 1st VOTE

Toni Spink, Highland Beach
Sent from my iPad

From:	Marshall Labadie
To:	Savita Kanodia
Cc:	Lanelda Gaskins
Subject:	RE: New Zoning ordinance Concerns
Date:	Monday, August 31, 2026 9:04:18 AM
Attachments:	image001.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

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Marshall Labadie, ICMA-CM
Town Manager

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(T) 561.278.4548
(F) 561.265.3582

Working to protect our 3 Miles of Paradise

From: Savita Kanodia <savitakanodia1@gmail.com>
Sent: Monday, August 24, 2026 6:01 PM
To: Natasha Moore <nmoore@highlandbeach.us>; Judith Goldberg <jgoldberg@highlandbeach.us>; Jason Chudnofsky <jchudnofsky@highlandbeach.us>; David Stern <dstern@highlandbeach.us>; Don Peters <dpeters@highlandbeach.us>; Marshall Labadie <mlabadie@highlandbeach.us>
Subject: New Zoning ordinance Concerns

Dear Mayor and Commissioners,

I am writing to respectfully urge you to oppose, or at least postpone, adoption of the proposed oceanfront zoning ordinance. Based on the information available, I'm concerned that this ordinance could significantly limit property rights and deserves much more review. I respectfully ask that you postpone any vote, obtain independent legal and professional review, and ensure all affected property owners are properly notified and have a meaningful chance to comment. Thank you for your time and service to our community.

Sincerely
Savita Kanodia

2355 South Ocean Blvd
Highland Beach FL 33387

From:	Marshall Labadie
To:	Marc Julien
Cc:	Lanelda Gaskins
Subject:	RE: September 1 Vote
Date:	Monday, August 31, 2026 9:02:52 AM
Attachments:	image001.png image002.png image004.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

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Marshall Labadie, ICMA-CM
Town Manager

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Highland Beach, FL 33487
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(F) 561.265.3582

Working to protect our 3 Miles of Paradise

From: Marc Julien <mjulien@marcjuliengroup.com>
Sent: Tuesday, August 25, 2026 7:51 AM
To: Marshall Labadie <mlabadie@highlandbeach.us>
Subject: September 1 Vote

Dear City Manager Labadie

- Do not adopt this ordinance on September 1
- Postpone the vote
- Notify every affected oceanfront property owner - how this can happen without a notification is shocking
- Obtain an independent legal and professional review of the ordinance and its consequences before proceeding.

Sincerely,

Marc Julien

Marc Julien

Marc Julien Group
755 NW 17th Ave, Suite 107
Delray Beach, FL 33445
P: 954-200-7758
F: 954-200-8969
www.marcjulienhomes.com
www.stakautolifts.com

CGC1518003

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From:	Marshall Labadie
To:	hum bird
Cc:	Lanelda Gaskins
Subject:	RE: Postponing Sept 1 Vote on Ordinance No 2026-003
Date:	Monday, August 31, 2026 9:02:30 AM
Attachments:	image001.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

Thank you for your engagement and participation in the Town's public process which makes our 3 Miles of Paradise so special. Again, thank you!

Marshall Labadie, ICMA-CM
Town Manager

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3614 South Ocean Boulevard
Highland Beach, FL 33487
(T) 561.278.4548
(F) 561.265.3582

Working to protect our 3 Miles of Paradise

From: hum bird <moogmessiah@gmail.com>
Sent: Friday, August 28, 2026 1:28 PM
To: Marshall Labadie <mlabadie@highlandbeach.us>
Subject: Postponing Sept 1 Vote on Ordinance No 2026-003

From: Theresia Siegl 3809 S. Ocean Blvd. Highland Beach, FL 33487
To: Town Manager Marshall Labadie, mlabadie@highlandbeach.us
Date: August 28, 2026
Subj: Postponing Sept 1 Vote on Ordinance No 2026-003

Dear Town Manager Labadie:
Ordinance No 2026-003 has just come to our attention but we are not sure of the specifics and how it will affect us and our property values. Therefore, please do not adopt the ordinance on Sept 1. We residents need clear explanations of every new Town restriction. To do this we would need an independent legal and professional review and sufficient notice and time to respond.

Thank you, Town Manager Labadie , for your consideration.
All the best,
Theresia Siegl

From:	Marshall Labadie
To:	Debbie Muller
Cc:	Lanelda Gaskins
Subject:	RE: New Zoning Ordinance
Date:	Monday, August 31, 2026 9:02:30 AM
Attachments:	image001.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

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Marshall Labadie, ICMA-CM
Town Manager

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Highland Beach, FL 33487
(T) 561.278.4548
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Working to protect our 3 Miles of Paradise

From: Debbie Muller <djmuller43@gmail.com>
Sent: Tuesday, August 25, 2026 2:21 PM
To: Marshall Labadie <mlabadie@highlandbeach.us>
Subject: New Zoning Ordinance

Dear Marshall,

As an oceanfront homeowner in Highland Beach I am requesting the following:

Do not adopt this ordinance on September 1

Postpone the vote.

Notify every affected oceanfront property owner.

Obtain an independent legal and professional review of the ordinance and its consequences

before proceeding.

Sincerely,
Deborah J Muller
2375 S Ocean Blvd.
Highland Beach, FL 33487

From:	Marshall Labadie
To:	Brian Kessler
Cc:	Lanelda Gaskins
Subject:	RE: Pending Ordinance
Date:	Monday, August 31, 2026 9:04:18 AM
Attachments:	image001.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

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Marshall Labadie, ICMA-CM
Town Manager

Town of Highland Beach
3614 South Ocean Boulevard
Highland Beach, FL 33487
(T) 561.278.4548
(F) 561.265.3582

Working to protect our 3 Miles of Paradise

From: Brian Kessler <brian@brianskessler.com>
Sent: Monday, August 24, 2026 6:00 PM
To: Natasha Moore <nmoore@highlandbeach.us>; Judith Goldberg <jgoldberg@highlandbeach.us>; Jason Chudnofsky <jchudnofsky@highlandbeach.us>
Cc: David Stern <dstern@highlandbeach.us>; Don Peters <dpeters@highlandbeach.us>; Marshall Labadie <mlabadie@highlandbeach.us>
Subject: Pending Ordinance

Do not adopt the Oceanfront Property ordinance on 9/1
Postpone the vote
Notify every affected oceanfront property owner
Obtain an independent legal and professional review of the ordinance and it's consequences before processing.

Brian Kessler
561-602-7600

brian@brianskessler.com

From: Marshall Labadie
To: girgises
Cc: Lanelda Gaskins
Subject: RE: Postpone
Date: Monday, August 31, 2026 9:10:03 AM
Attachments: image001.png

Good morning,

We have received your email regarding the ordinance changes being considered by the Town Commission at tomorrow's regular Commission meeting. Your email will be included in the public record, along with communications received from several other residents regarding this matter, and will be shared with the Town Commissioners for their review. I appreciate you taking the time to review the proposed ordinance changes and to share your concerns and perspective with the Town.

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Marshall Labadie, ICMA-CM
Town Manager

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Highland Beach, FL 33487
(T) 561.278.4548
(F) 561.265.3582

Working to protect our 3 Miles of Paradise

From: girgises <girgises@yahoo.com>
Sent: Sunday, August 30, 2026 12:36 PM
To: Marshall Labadie <mlabadie@highlandbeach.us>
Subject: Postpone

Please postpone the September 1st vote until we are better informed about the new ordinance.

We need time to understand the restrictions that will be imposed and their effects on the property owners.

Thank you,
Akram Girgis
2 Ocean PL
Highland Beach, FL 33487

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