

**MINUTES OF THE MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
FORT LAUDERDALE, FLORIDA  
THURSDAY, JANUARY 4, 2018 – 6:00 P.M.**

<b><u>Board Members</u></b>	<i>Attendance</i>	<b>Cumulative Attendance May 2017 - April 2018</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
F. St. George Guardabassi , Chair	P	6	0
Grant Henderson, Vice Chair	P	6	0
Jimi Batchelor	A	4	2
Cliff Berry II	P	5	1
Zane Brisson	A	4	2
George Cable	P	5	1
Joe Cain	A	4	2
Susan Engle	P	3	0
Richard Graves	P	4	2
John Holmes	A	3	3
Ted Morley	P	4	1
Roy Sea (arr. 6:10)	P	3	3
Ed Strobel	P	6	0
Bill Walker (arr. 6:06)	P	4	2
Jim Welch	P	6	0

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

Andrew Cuba, Manager of Marine Facilities  
Jonathan Luscomb, Supervisor of Marine Facilities  
Officer Michael Gelberg, Marine Police Staff  
Division Chief Stewart Ahearn, Fort Lauderdale Fire Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

Chair Guardabassi called the meeting to order at 6:00 p.m. and roll was called.

**II. Approval of Minutes – December 7, 2017**

**Motion** made by Mr. Welch, seconded by Mr. Strobel, to approve. In a voice vote, the **motion** passed unanimously.

### **III. Statement of Quorum**

It was noted a quorum was present at the meeting.

### **IV. Waterway Crime & Boating Safety Report / Fire Department Report**

Division Chief Stewart Ahearn of the Fort Lauderdale Fire Department reported the following activity since the last Board meeting:

- 28 calls, 20 of which were distress calls
- 3 vessel accidents
- 2 boat fires

Training for the new fire boat has been completed and the boat is in service 24 hours a day. Continuous training will go on for another year to bring backup Fire Department members up to speed on its use. The vessel was featured in the recent Winterfest Boat Parade.

Beginning January 1, 2018, the Fire Department moved a suppression unit to Station 49, which is staffed with eight personnel and can operate two fire boats. This is an adaptive response that increases the fire boats' ability to respond to marine emergencies.

Officer Michael Gelberg of the Marine Unit reported the following activity from the month of December 2017:

- 5 citations
- 25 warnings
- 12 safety inspections
- 3 accidents
- 5 reported incidents

The incidents included a vessel burglary, a boat collision, and an oil spill. The Marine Unit also participated in the Winterfest Boat Parade and New Year's Eve events, at which there were no issues or injuries.

Mr. Walker arrived at 6:05 p.m.

### **V. Waiver of Limitations – Mitch Milesi / 1325 East Lake Drive**

Tyler Chappell, representing the Applicant, showed a PowerPoint presentation on the Item, including multiple views of the subject property. The proposal is for a floating dock and ramp, which will provide access to the stern of the proposed vessel and allow marginal dock access for paddleboards and kayaks. Extraordinary circumstances

include the width of the waterway and the proximity of closest structures. Multiple structures in Lake Sylvia extend beyond 25 ft. into the waterway but do not have waivers. Letters of support from adjacent property owners were provided.

Mr. Chappell confirmed that mooring occurs in the lake, pointing out the location of the proposed dock in proximity to mooring piles. The floating dock is 25 ft. by 8.1 ft.

Mr. Sea arrived at 6:10 p.m.

Mr. Strobel asked if the proposed extension includes the 25 ft. floating dock. Mr. Chappell replied that it includes the floating and marginal docks. Mr. Cuba advised that any structure beyond 25 ft. is considered a mooring structure. It was clarified that the fixed marginal dock, for which there is no square footage limitation, is 20 ft. in length.

Chair Guardabassi expressed concern that the request could affect the ski zone. Mr. Chappell explained that most skiing activity turns away from the subject property. He pointed out that other vessels and mooring piles in the area extend more than 20 ft. into the waterway.

There being no other questions from the Board at this time, Chair Guardabassi opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Guardabassi closed the public hearing and brought the discussion back to the Board.

Ms. Engle asked how structures that exceed the limit but do not have waivers are dealt with. Mr. Cuba explained that some structures may have been issued permits prior to the waiver process, while others may have been constructed without the proper permits.

**Motion** made by Mr. Strobel, seconded by Vice Chair Henderson, to accept as is. In a roll call vote, the **motion** passed 10-1 (Chair Guardabassi dissenting).

## **VI. Dock Permit – Todd & Karin Correll / 1735 SE 8<sup>th</sup> Street**

Mr. Chappell, representing the Applicants, showed a PowerPoint presentation on the subject property, explaining that the property has transferred ownership with no record of previous authorization for right-of-way use. A wooden marginal dock currently exists on the property. The request would install a platform with a floating dock. Riprap will be placed under the platform. The width of the dock will increase from 8 ft. to 10 ft. Letters of support were provided from adjacent property owners.

Mr. Henderson asked if the proposed structure would extend further into the waterway. Mr. Chappell confirmed this, stating that the plans include a new seawall, making the extension a total of 20 ft. from the property line. Mr. Cuba clarified that the City allows structures to extend 25 ft. or 25% into the waterway, whichever is less.

Mr. Berry recalled a previous discussion of flooding in the subject area. Mr. Cuba stated that there is a new minimum height requirement for seawalls, which is expected to address this issue. Mr. Chappell noted that the City has sent notices to waterfront property owners with failing seawalls, advising them that they need to replace these structures.

There being no other questions from the Board at this time, Chair Guardabassi opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Guardabassi closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Morley, seconded by Mr. Berry, to approve. In a voice vote, the **motion** passed unanimously.

## **VII. Waiver of Limitations – Darlene & David Marcinkevich / 77 S. Birch Road, Unit C-6**

David Nutter, representing the Applicants, stated that the request is for a boat lift on a T-shaped dock at a multi-dock residence. The dock was built in approximately 2005 and was approved by the waiver process. The proposed boat lift would be on the outside of the last T-head and inside the existing mooring piles. Due to the position of the dock, this places the lift significantly beyond the 25 ft. or 25% limitation, requiring a waiver of roughly 105 ft. The lift would be well clear of the navigational channel. No new mooring slips would be created.

Mr. Welch commented that the subject location is close to the City's marina, which will be renovated at some point, and asked if adding a structure would affect these plans. Mr. Nutter explained that when the slips were created, mooring piles were also installed on the outside of the last T-head. Mr. Cuba added that the plans fall within the residential development's riparian rights.

Mr. Nutter continued that the Applicants' condominium association has voted in favor of allowing the boat lift. A letter of approval from the association is included in the backup materials. Mr. Cuba clarified that the condominium itself is considered the Applicant in this case, although the unit owner's name is on the Application. The Application will be revised to correct this error.

Mr. Nutter stated that the boat lift has already been installed due to a misunderstanding by his firm's construction department. The City has confirmed that a variance is necessary.

There being no other questions from the Board at this time, Chair Guardabassi opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Guardabassi closed the public hearing and brought the discussion back to the Board.

Chair Guardabassi asked if a recommendation against approval of the boat lift could require the Applicant to remove it. Mr. Cuba confirmed this, but pointed out that the Board has previously received after-the-fact waiver applications.

**Motion** made by Vice Chair Henderson, seconded by Mr. Welch, to approve. In a voice vote, the **motion** passed unanimously.

### **VIII. Reports**

None.

### **IX. Old / New Business**

Mr. Cuba reported that the City Commission has reviewed and discussed the communication sent to them by the Board at their December 7, 2017 meeting with regard to technical and economic aspects of the use of the southwest portion of the 17<sup>th</sup> Street Bridge. The Commission supports the concept of dockage in the port. Mr. Cuba advised that it was his interpretation that a subcommittee may be formed if the Board wishes.

Mr. Welch requested further clarification of what a subcommittee's responsibilities would entail. Mr. Cuba replied that the subcommittee was likely to be asked to look into the issue, including studies and reports, and make a recommendation to the City Commission.

It was noted that Vice Chair Henderson and Board member Joe Cain had expressed interest in participating in a subcommittee. Mr. Cuba stated that the Board may form the subcommittee at tonight's meeting, with the recommendation that Mr. Cain be included. He explained that the subcommittee must provide public notice of its meetings and must take minutes if more than one Board member participates. He concluded that he would send an email on this topic to Mr. Cain in advance of the next meeting and would add the subcommittee as an Agenda Item.

Mr. Cuba advised that City and County liaisons plan to meet on January 5, 2018 to discuss a 2018 summit meeting between the Board and the Broward County Marine Advisory Committee (MAC). He will report on this item at the next Board meeting. He estimated that the summit would be held near mid-year 2018.

The Board members discussed downed trees in canals, which has been an issue since the recent hurricanes. Mr. Cuba encouraged the members to report these incidents to him and he would bring them to the attention of the appropriate entities. Chair Guardabassi suggested that the members be proactive in addressing Code Enforcement issues in addition to waivers and other permitting concerns.

Mr. Berry asked if the Board might see an update on the City's dredging plans. Mr. Cuba replied that he would request a presentation on this topic.

Chair Guardabassi noted that the Board had previously discussed seawall conditions in the Las Olas area, which are in need of address. Mr. Cuba advised that he would seek additional information on this before the next meeting.

## **X. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 6:58 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]