



**Town of Surfside
Town Special Commission Meeting
HEDGES/VISIBILITY
MINUTES
June 19, 2014
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2nd Floor
Surfside, FL 33154

1. Opening

Mayor Dietch called the meeting to order at 7:03 P.M

A. Roll Call of Members

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Tourgeman, Commissioner Karukin, and Commissioner Cohen. Commissioner Olchyk was absent.

B. Pledge of Allegiance

Chief David Allen led the Pledge of Allegiance

C. Discussion on Hedges and Corner Visibility (Sight Triangle) at Intersection – Joe Damien, Code Compliance Director

Town Manager Michael P. Crotty gave the introduction.

Code Compliance Director Joe Damien gave a brief overview of the issue. Director Damien said he has met with the residents and they have tried to come up with a solution that is both beneficial to the residents and addresses safety issues as well.

The Mayor turned the meeting over to the public.

Public Speaker Clara Diaz-Leal Parker and George Espinel gave a detailed slide presentation showing different scenarios of corner hedges. They also presented some recommendations.

Director Joe Damien said they share many of the same goals but there are State, County and City laws regarding safety issues which must be enforced. He mentioned the Green Book which is a guide to provide clear visible sightlines. Director Damien then gave a slide presentation showing some of the problem areas which have been identified as safety issues as well as corner hedges that are in compliance. He addressed some of the issues the community had regarding privacy.

Vice Mayor Tourgeman asked Chief Allen about traffic accidents that have occurred especially at intersections. Chief Allen said they did some research and said in 2012 among the accidents in the city 34 were in residential areas and 9 were at

intersections. In the year 2013 there were 26 in the residential area and no recorded accidents at intersections.

Commissioner Karukin first congratulated the resident group that put the presentation together as he felt it was an amazing job. He also stated that he did not support the code enforcement that was voted on previously. However he does not agree with all of the recommendations the residents presented which are choke points and circles; mirrors; one-way street issue; reducing speed limit; and parking problems. He feels some corners should be customized, is in favor of reducing the 25ft. to 15ft. and allowing higher hedges for privacy.

Commissioner Cohen asked Director Damien to identify the areas in non-compliance as to whether they were dead-end streets or heavily trafficked areas. Director Damien said they specifically did not put addresses in the presentation but was able to identify the streets. Commissioner Cohen asked what brought this about as there were no accidents, were there complaints. Director Damien said he received an email that was rather disturbing as it cited a safety issue, visibility and children being at risk because of poor visibility at certain corners. Director Damien then looked into the issue and they began citing homeowners. Commissioner Cohen feels that there is no big problem here and was not in favor of taking a large setback for hedges as most homeowners have small lots to begin with. He spoke about future planning and ways of deterring non-residential traffic in the residential area and making it more difficult and also mentioned gating.

Mayor Dietch said we live in a walking community where there are no sidewalks and unfortunately statistics do not mention the near misses involving cars and people. The Mayor asked Director Damien if it was true that no other community enforces site line triangles. Director Damien said staff had contacted other municipalities and they all enforce the code but some do not act on it in residential areas unless there are complaints. The Mayor asked about traffic control devices and Chief Allen explained the lengthy process which is controlled by the County. The Mayor asked Director Damien to define what would reasonable hardship criteria be to get some relief in certain areas. Director Damien explained they would need someone experienced to look at the different sites to make a decision and going with the Green Book could be costly.

Commissioner Cohen said perhaps we did not need to spend more money on a study as there are limited resources and we can solve some of the problems now. Commissioner Karukin agrees that we can make a decision regarding setback and hedge height now.

The Mayor opened the meeting to the public for their comments.

-Karen Levy said looking at the problematic corners only is the most reasonable approach and also adding more stop signs

-Deborah Cimadivilla was cited for non-compliance and she complied but now has no privacy in her yard. She believes four way stop signs would help solve the traffic

problem. She said that she hopes that whatever is decided upon this evening will be honored by future Commissions.

-Gisela Santiago commented that this began with an email and there have really been no other complaints. At all the meetings that have taken place regarding this issue only the residents against the ordinance have shown up and no one from the other side and thinks the Commission should take this into consideration.

-Brett Ellis said he drove through other municipalities and finds that there has not been enforcement of code. He believes they should be allowed to have landscaping which enhances the community.

-Stefan Latt feels there has been an unbalanced approach to the issue as they should have input from a traffic engineer as well as someone from Planning and Zoning. He feels that many residents have such small lots that it would be a hardship to have them reduce the size of their yard. He feels we should look at other ways to deter heavy traffic such as gates for residents.

-Jose Fuentes first thanked the Commission and the citizen group for their efforts in bringing this forward. He believes this is a non issue and the code should not be enforced. In some areas where there is a problem some measures could be taken. He is in favor of four way stop signs and speed bumps and limiting the speed limit.

-Steven Parker is concerned with all the new businesses and the amount of traffic that will be coming through his street. He spoke about finding another way out of the city not just through Byron and also about gating the community. He thinks all have done a good job in presenting the issue and hopes it will conclude in a fair decision.

-George Espinel said the Green Book was a book of suggestions which they used in their presentation as everyone is for safety. He believes that site triangles are ineffective and there are better means to put in place. As to code enforcement he feels site triangles should be deprioritized.

The Mayor closed the public discussion.

Vice Mayor Tourgeman said he has paid close attention to all that was said this evening but feels the hedges must be brought into the home owner's property and not use the easement as he believes that is where some of the problems occurred. Some residents have bushes right up to the curb. He stated he believes in safety first and knows there are problems even though no accidents occurred last year at intersections. He rides his bicycle and has had several incidents where visibility was obstructed. He believes reducing the footage and clearing the easement would solve some problems with visibility. He thanked the group that put the presentation together and realizes a lot of time and effort went into it and believes we can reach a happy medium.

Commissioner Cohen said what stands out to him is that no one is here to say enforce the code and said that we should not go beyond the public line into private property. He made mention that the town has taken measures to beautify the business district but nothing has been done in the residential areas. Residents should have the option of putting in landscaping as long as it is done correctly but should understand there are areas that have high traffic and safety would be an issue. He said the Commission should be careful in their decision as the code should then be enforced.

Vice Mayor Tourgeman addressed the statement made by Commissioner Cohen that nothing has been done to beautify the residential area. The Vice Mayor said that on 91st Street a beautification project has been designed and \$650,000 has been allotted for this. Commissioner Cohen said he was aware of the 91st street project but was talking about residential areas in general.

Commissioner Karukin said he completely agrees with Commissioner Cohen and was against more enforcement and voted it down. He said this is a non-issue, we need to decrease the footage and increase hedge height.

The Mayor spoke about trees and said they have been discussing putting more trees in the town and is something they want to do. As to the issue this evening he feels all are in agreement that safety is important. There was discussion regarding stop signs and striping.

Director Damien was asked for his recommendation and he stated he was not a traffic engineer and his expertise was in code administration. However, he believes if we can clear the easements and right of way and reduce the site triangle to 15 feet will probably accomplish what needs to be done to relieve the situation. Commissioners Cohen and Karukin feel we do not need to hire a traffic engineer and we can take care of the issue ourselves.

Vice Mayor Tourgeman made a motion to move forward on the following:

1. Remove everything from the right of way which is public property
2. Reduce site lines from 25 feet to 15 feet provided that we do not go into private property.
3. Move stop signs wherever possible in compliance with Miami Dade County
4. Striping corner
5. Hardship criteria on properties that are true hardships.

A discussion took place regarding the height of the hedges if they are not in the right of way and comments were made as to 6 feet in height.

The motion received a second from Commissioner Cohen and all voted in favor with Commissioner Olchyk absent.

With the reduction in site line and clearance of the right of way the hedge height is no longer an issue.

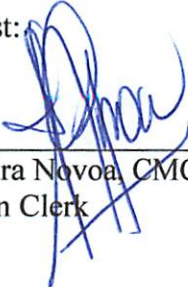
Adjournment

There being no further business to come before the Commission, the meeting adjourned at 10:01 p.m.

Accepted this 12th day of August, 2014



Daniel Dietch, Mayor

Attest: 

Sandra Novoa, CMC
Town Clerk