

LAW OFFICES
NEILL, GRIFFIN, TIERNEY, NEILL & MARQUIS

CHARTERED

311 SOUTH SECOND STREET

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FORT PIERCE, FLORIDA 34950

RICHARD V. NEILL^o
J. STEPHEN TIERNEY, III
RICHARD V. NEILL, JR.^{+o}
RENÉE MARQUIS-ABRAMS*

October 12, 2016

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*BOARD CERTIFIED WILLS, TRUSTS & ESTATES LAWYER
^oCERTIFIED CIRCUIT CIVIL/COUNTY COURT MEDIATOR
+BOARD CERTIFIED CIVIL TRIAL LAWYER
^oOF COUNSEL

Mayor William G. Thiess
2512 Lightlewood Lane
Fort Pierce, Florida 34946

Mr. Dale Reed
2811 North Indian River Drive
Fort Pierce, FL 34946

Mr. James Grimes
3203 North Indian River Drive
Fort Pierce, FL 34946

Mr. John Langel
2511 North Indian River Drive
Fort Pierce, FL 34946

Ms. Ingrid M. Van Hekken
304 Anchor Way
Fort Pierce, FL 34946

Mr. Timothy Ritter
2513 Lightlewood Lane
Fort Pierce, Florida 34946

RE: Town of St. Lucie Village

Gentlemen and Ms. Van Hekken:

In light of our lack of a quorum at the last meeting, the matters scheduled for consideration -- except for millage and budget -- remain pending, so I am asking you to again consider last month's report. (I will ask Helen to email you another copy of the report and attachments, but we won't send another hard copy unless specifically requested.)

There are a couple of additional matters that I need to mention:

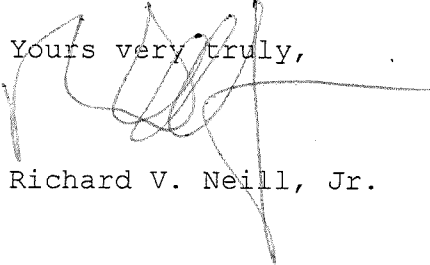
1. Hurricane clean up: I am enclosing a copy of an email exchange involving Bill Thiess and Waste Pro concerning hurricane yard waste pick up for the Village. You will be asked to approve the related expenditure this month.
2. Local Mitigation Strategy Plan update: I will plan to ask you to adopt the St. Lucie County local mitigation strategy plan by resolution at our upcoming meeting. Some correspondence was included in last month's report and it indicates that a copy of the plan is available on the County's website for review.

3. Comprehensive Plan/Village Marina update: Based on conversations with Wes Taylor, I'm expecting to hear from his attorney on these matters, and I had intended to reach out to Mr. Schopp in a timely fashion before the October meeting but seemed to have gotten distracted. I will follow up with him and we will have this matter on the agenda for discussion in November if necessary. I apologize to you and Wes for not having made any progress on this.
4. 4021 N. Old Dixie (Phillips): This is the property with the trailer/camper in the front yard. The matter was before you in March and the owner indicated he would be selling the camper within the next six months so it would be gone. That was deemed acceptable at that time; however, the trailer/camper has not been removed. Presumably, we will want to address this in November. I don't think it's appropriate to substantively discuss it this month without adequate notice.
5. North US 1/Old Dixie property (Kyle's Landing): We have an issue to address, not necessarily this month, as raised by Peter Harrison in the enclosed email exchange.
6. Lot on Yacht View (Fuzzard/Langel): I've enclosed an email exchange for your information. This matter will not be carried forward.

Do feel free to call if there's anything you want to discuss with me before the meeting.

With best regards.

Yours very truly,



Richard V. Neill, Jr.

RVNjr/hg
Enclosures

cc: Ms. Diane C. Orme, Clerk (w/encls.)
Cathy Townsend (w/encls.)
Wesley Taylor (w/encls)

From: Richard V. Neill, Jr.
Sent: Wednesday, October 12, 2016 8:57 AM
To: Bill Thiess
Cc: drome@comcast.net; Helen Green
Subject: RE: Waste Pro Clean Up

Bill,

I think so -- although I may ask them to confirm that this is an estimate, the end result may vary up or down, but will be based on those rates. That would seem obvious based on the exchange but sometimes it's better to state the obvious.

Richard

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From: Bill Thiess [<mailto:bbthiess@gmail.com>]
Sent: Tuesday, October 11, 2016 1:27 PM
To: Richard V. Neill, Jr.
Cc: drome@comcast.net
Subject: FW: Waste Pro Clean Up

Richard – Is this response from Waste Pro adequate to take to the Board Tuesday and approve terms of the hurricane yard waste pickup, hauling, and disposal?

Bill

From: Lois Cardinale [<mailto:lcardinale@wasteprousa.com>]
Sent: Tuesday, October 11, 2016 9:59 AM
To: 'Bill Thiess' <bbthiess@gmail.com>
Cc: Michael T. Smith <mtsmith@wasteprousa.com>; Adolfo Covelli <acovelli@wasteprousa.com>
Subject: RE: Waste Pro Clean Up

Bill,

As per your conversation with our Mike Smith once you have approval we will come in as quickly as we can. Based on Mike's estimate pending approval we can start next Tuesday or Wednesday. Please call me if you have any questions or need anything else.
Thank you Bill

Lois Cardinale
Waste Pro USA
4100 Selvitz Road
Ft. Pierce, FL 34981
772-318-6917 Direct Office
772-530-0162 Cell Phone
772-464-6690 Fax

From: Bill Thiess [<mailto:bbthiess@gmail.com>]
Sent: Tuesday, October 11, 2016 9:52 AM
To: rneilljr@neillgriffin.com
Cc: drorme@comcast.net; Ron Parrish <parrishr@stlucieco.org>; Lois Cardinale <lcardinale@wasteprousa.com>
Subject: FW: Waste Pro Clean Up

Richard,

Waste Pro's unit prices for hurricane yard waste pickup in St. Lucie Village are below. I discussed a high-end estimate for quantities with Waste Pro Route Supervisor Mike Smith, and we agreed on the following:

Labor – 40 hours @ \$165/hour = \$6,600
Disposal – 100 tons @ \$36/ton = \$3,600
Total - \$10,200

The unit price for labor is for a 25-yard clamshell truck and crew to operate it. Mike said that it would definitely be next week before his crew would get to the Village for hurricane waste. He indicated that they should be able to do the routine yard waste pickup this Wednesday.

Given all of the above, I think it would be appropriate to take this up at next Tuesday's meeting of the Board of Aldermen. Mike was hopeful that Waste Pro would be able to get to the Village's hurricane waste shortly after that meeting. I have not heard back from Lois Cardinale yet regarding what Waste Pro may need contractually to begin this work. You indicated that the Village would be good with their email reply accepting the terms laid out in this email. If they need a signed contract or something other than this email approval, hopefully they will get that to us prior to next Tuesday's (October 18) 7:00 pm meeting.

Ron Parrish, Director of Public Safety for St. Lucie County, asked that we provide the above total cost estimate for the Village's hurricane waste pickup so that he could include it in the County's FEMA claim for this storm event. By including our costs in the County's claim, the Village may be eligible for FEMA reimbursement.

I will be out of town from tomorrow morning through Monday afternoon. Hopefully we will have all we need for Village Board approval by the time I return.

Bill

From: Lois Cardinale [<mailto:lcardinale@wasteprousa.com>]
Sent: Monday, October 10, 2016 3:57 PM
To: 'bbthiess@gmail.com' <bbthiess@gmail.com>
Subject: Waste Pro Clean Up

Hello Bill,

Do you want to give me a call about the clam truck doing clean up?

Here are the rates again:

165.00 per hour

Yard Waste is disposed at 36.00 per ton.

Please let me know if you have any questions.

Thank you!

Lois Cardinale
Waste Pro USA
4100 Selvitz Road
Ft. Pierce, FL 34981
772-318-6917 Direct Office
772-530-0162 Cell Phone
772-464-6690 Fax

FEW THOUGHTS ARE MORE BEAUTIFUL THAN TO THINK OF THE WORLD AT PEACE

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Richard V. Neill, Jr.

From: Richard V. Neill, Jr.
Sent: Saturday, September 03, 2016 9:45 AM
To: 'Bill Thiess'
Cc: drorme@comcast.net; Helen Green; Brandon Langel (blangel1122@aol.com)
Subject: RE: Yachtview question
Attachments: 2015-8 Ordinance re obstructions ROW.pdf

Thanks, Bill. I'm copying Brandon on this email so he can have this for his file. I'm also attaching a copy of the referenced ordinance. Richard

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From: Bill Thiess [<mailto:bbthiess@gmail.com>]
Sent: Friday, September 02, 2016 5:19 PM
To: Richard V. Neill, Jr.
Cc: drorme@comcast.net; Helen Green
Subject: RE: Yachtview question

Richard,

Yes, I concur. The driveway permits are meant to cover the driveway from the owner's garage or parking area to the road pavement and almost always require crossing unpaved right-of-way to make that connection. Section 4(a) of our right-of-way permitting ordinance does state that rather clearly in my mind.

Bill

From: Richard V. Neill, Jr. [<mailto:RNeillJr@neillgriffin.com>]
Sent: Friday, September 2, 2016 11:33 AM
To: bbthiess@gmail.com
Cc: drorme@comcast.net; Helen Green <HGreen@neillgriffin.com>
Subject: Yachtview question

Brandon Langel is considering purchase of the Fuzzard property.

His question is whether he can connect his (planned) concrete driveway through the right of way to the actual roadway.

My take on our ordinance is that, provided he is getting a driveway permit for construction on his property, he could include an extension through the ROW to the roadway in the permitted work and that it wouldn't require a ROW related permit.

Concur?

Richard

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From: Brandon Langel [<mailto:blangel1122@aol.com>]
Sent: Thursday, September 01, 2016 4:36 PM
To: Richard V. Neill, Jr.
Subject: Fwd: survey

See attached.

Thank you,
Brandon Langel

Begin forwarded message:

From: Hoyt Murphy Jr. <hoytmurphy@hotmail.com>
Date: August 24, 2016 at 7:36:28 AM EDT
To: "blangel1122@aol.com" <blangel1122@aol.com>
Subject: survey

Brandon,

Attached is a copy of the survey.

HOYT C. MURPHY JR. "PAT"
Coldwell Banker Hoyt Murphy Realtors

**10 offices serving the Treasure Coast
from Melbourne to Port St. Lucie
(772)971-7424 (Cell)
(772)460-2051 (Direct office line)**

> From: coldwellste@gmail.com
> Date: Wed, 24 Aug 2016 07:25:36 -0700
> Subject: Scanned Document 08/24/2016 07:25
> To: hoytmurphy@hotmail.com
>
> Scanned from MFP07655221
> Date:08/24/2016 07:25
> Pages:1
> Resolution:200x200 DPI
> -----
> please do not reply.

Richard V. Neill, Jr.

From: Richard V. Neill, Jr.
Sent: Monday, October 03, 2016 2:13 PM
To: 'Harrison, Pete'
Subject: RE: Three parcels in St. Lucie Village

Mr. Harrison,

Other than the mayor also recalling that the issue had come up, the meeting wasn't that helpful on this issue.

I'm trying to determine how the issue was addressed previously.

Richard

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From: Harrison, Pete [<mailto:Pete.Harrison@am.jll.com>]
Sent: Thursday, September 29, 2016 1:49 PM
To: Richard V. Neill, Jr.
Subject: RE: Three parcels in St. Lucie Village

I don't think so because it stipulates what the impervious area is. I think it is 50%

Peter Harrison
Senior Vice President
601 Brickell Key Drive, Suite 1000 | Miami, FL 33131
305.960.8402 direct | 305.606.8352cell



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From: Richard V. Neill, Jr. [<mailto:RNeillJr@neillgriffin.com>]
Sent: Thursday, September 29, 2016 12:11 PM
To: Harrison, Pete <Pete.Harrison@am.jll.com>

Cc: bbthiess@gmail.com; dorme@comcast.net; Helen Green <HGreen@neillgriffin.com>

Subject: RE: Three parcels in St. Lucie Village

Pete,

I'll have to look at that. I think we have had this come up on one prior occasion.

Might it be a distinction between impervious area and floor area?

We have a meeting this evening on taxes and perhaps I can get some input before or after that.

Richard

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From: Harrison, Pete [<mailto:Pete.Harrison@am.jll.com>]

Sent: Thursday, September 29, 2016 11:57 AM

To: Richard V. Neill, Jr.

Subject: RE: Three parcels in St. Lucie Village

On both the residential 5 acres and the commercial 5 acres it appears that the lot coverage is 40% and the height limitation is 35'. It also indicates that the FAR for the commercial is .25 which, assuming a 40% coverage makes no sense. As I correct?

Peter Harrison

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pete.harrison@am.jll.com

From: Richard V. Neill, Jr. [<mailto:RNeillJr@neillgriffin.com>]

Sent: Thursday, September 29, 2016 10:38 AM

To: Harrison, Pete <Pete.Harrison@am.jll.com>

Cc: bbthiess@gmail.com; dorme@comcast.net; Helen Green <HGreen@neillgriffin.com>

Subject: RE: Three parcels in St. Lucie Village

Pete,

For clarification, the parcel ID division differs from the zoning/FLU division of the property. The east half of the entire property (the two parcels together) is residential and the west half of the entire property is commercial.

Here are some basic excerpts from the Zoning Ordinance, and the land use map (Map 1.4) is also attached.

Richard

From: Harrison, Pete [<mailto:Pete.Harrison@am.jll.com>]

Sent: Thursday, September 29, 2016 10:15 AM

To: Richard V. Neill, Jr.

Subject: RE: Three parcels in St. Lucie Village

The residential site is only 31,400 square feet. On the larger site on US 1 which is commercial what kind of coverage can we build to there? Thanks for your help. I will reach out to Bonnie Landry.

I hope this acquisition proceeds so we might have the opportunity to meet.

Peter Harrison

Peter Harrison

Senior Vice President

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305.960.8402 direct | 305.606.8352cell



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pete.harrison@am.jll.com

From: Richard V. Neill, Jr. [<mailto:RNeillJr@neillgriffin.com>]

Sent: Thursday, September 29, 2016 10:07 AM

To: Harrison, Pete <Pete.Harrison@am.jll.com>

Cc: bbthiess@gmail.com; drome@comcast.net; Helen Green <HGreen@neillgriffin.com>

Subject: RE: Three parcels in St. Lucie Village

Mr. Harrison,

Kyle's Landing owns property in St. Lucie Village.

The other parcels are actually in the unincorporated county. A contact at the county would be:

Bonnie C. Landry, AICP

Planning Manager

Planning and Development Services Department

2300 Virginia Avenue

Fort Pierce, FL 34982

(772) 462-1589

As far as the parcel in the Village, there is actually an adjacent (Kyle's Landing owned) parcel which completes the parallelogram. If you look at the two parcels together, the east half will be residential and the west half – on US 1 – will be commercial.

I will check the particulars and follow up, but wanted to give you this information now.

Regards,

Richard

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From: Harrison, Pete [<mailto:Pete.Harrison@am.jll.com>]
Sent: Wednesday, September 28, 2016 4:11 PM
To: Richard V. Neill, Jr.
Subject: Three parcels in St. Lucie Village

Richard the three parcels are as follows:

1. Kyle's Landing Folio 1420-111-0003-0005 located on Hwy 1. Zoned C-VG
2. Savanna View Folio 1408-321-0002-0005 Just north of Harbor Branch Road on the west side of Hwy. 1. Zoned "I"
3. King's Commercial which consists of two parcels which are divided by King's Highway. Folio 1406-131-0005-0007 and 1406-131-0006-0004. Zoned CG

Your assistance is greatly appreciated.

Peter Harrison
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