

Brian O'Neil 5/10/24

**TOWN OF BEVERLY SHORES
BUILDING SITE AND BUILDING COMMITTEE
MEETING MINUTES
MARCH 9, 2024**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present: Scott Vlieg, Chairman
Brian O'Neil, Vice Chairman
Mark Lies, Secretary
David Wagner, Building Commissioner
Council Liaison, Matrona Malik

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online for attendees.
- III. Minutes – Motion Lies, second Wagner, to approve minutes of February 10, 2024 meeting. Minutes were unanimously approved.
- IV. Building Commissioner Report –
 - A. List of active permits/project status – Building Commissioner reports on status.
 - B. Inspections conducted in previous month – Building Commissioner reports and Chairman Vlieg assists.
 - C. Communications received from residents
 1. Questions about ordinances - None.
 2. Questions about procedures to add on or remodel - None.
 - D. New permits on the horizon –
 1. 4 W. Stillwater – Discussion about possible permit for remodel on 4 W. Stillwater property.
- V. New Permit Applications – None.
- VI. New Business – None.
- VII. Old Business –
 - A. 527 E. Bellevue – Owner appears to discuss the issue of removal of trees on property without a permit by Jon's Tree Service on January 31, 2024. Owner indicated that he did not believe that a permit was required. Discussion that Town Clerk had provided Owner with information by email on requirement to have a permit in September, 2022. Owner states he did not remember receiving the email. Owner believes that a penalty for failing to obtain a permit is punitive. Chairman discusses that the Committee is trying to be consistent with penalties for failure to obtain permits. Owner indicates that he will obtain permit in the future. Motion O'Neil, second Lies, to waive the penalty to Owner for failure to

obtain permit. The fee to obtain permit is \$50.00 and because permit was not obtained, the permit fee is doubled. The total fee is \$100.00. Motion passed.

Discussion about whether Residents are required to use tree removal contractors whose names are registered with the Town. Residents are not required to use the contractors from the list, but any contractor must be registered, pay the registration fee and show proof of liability insurance. Discussion about whether contractors can be fined when they perform tree removal without a permit. Motion Lies, second Nolan, to request an opinion from Town legal counsel whether the Town can issue a penalty to a tree removal contractor, in addition to the resident, when the resident does not obtain a permit and the contractor removes the trees. Motion passed.

- B. 128 E. Dunes Highway – Charlie Ray from the Duneland Group appears in person. Owners appear by telephone. Discussion about the structure to be constructed, including the excavation of boring and construction of the footings for the structure. Discussion regarding the correspondence issued by K&S Engineers, Inc., soil engineers, dated January 12, 2024, regarding recommendations for excavation and construction of the borings and the footings for the structure. Chairman Vlieg discusses the K&S Engineers, Inc. recommendations. Charlie Ray recommends that K&S Engineers, Inc. be followed during process. Owners agree to comply with the recommendations. Motion Lies, second Wagner, that the permit be issued and that the terms and conditions in the K&S Engineers, Inc. correspondence, dated January 12, 2024 are incorporated into and controlling in the building permit as to the construction and that the Owners will contact K&S Engineers, Inc., to review the process to ensure that it complies with the recommendations for testing at each stage. Further, that the Owners will contact the Building Commissioner to also be present when K&S Engineers, Inc. is present to observe compliance with the recommendations. Motion passed. There was further discussion with Owners regarding the use and activities that will be conducted in the structure. Owners represent to the Committee that the structure will be utilized for residential and not for commercial purposes.

VIII. Public Comments –

- A. Resident Thiems present and commends Committee on enforcing tree removal permit process to preserve trees. Chairman Vlieg comments that Residents should feel free to come to the Committee if they have any questions about potential construction plans.

IX. Discussion – None.

- X. Adjournment – Motion Lies, second Nolan, to adjourn. Motion passed. Meeting adjourned at 9:52 a.m.