

**VILLAGE OF NORTH PALM BEACH  
WATERWAYS ADVISORY BOARD MEETING MINUTES  
NOV 22, 2022 5:30 PM**

**I. CALL TO ORDER – Jerry Sullivan**

**II. ROLL CALL – MEMBERS :**

**Jerry Sullivan, Chairman  
Bill Hipple, Vice Chairman  
Bruce Crawford, Secretary  
Mark Michels, Member  
Ed Preti, Member  
Paul Bartlett, Member, excused absence  
George Alger, Member, excused absence**

**III. GUESTS :**

**Debbie Searcy, Mayor and Chuck Huff, Village Manager  
Alex Ahrenholz , Village Community Development Manager  
Mike Abramczyk, Village Marine Patrol  
Returning Guests : Rita Budnik and Lisa Gallagher , Shore Road residents**

**IV. APPROVAL OF MINUTES – approved**

**V. PUBLIC COMMENT – Lisa and Rita reviewed previously presented concerns about vessel speeding and damage to docks and seawalls and No Wake zones and concerns about ever increasingly large boats. Officer Mike briefed us on progress of new No Wake signage. See attached notes from Lisa and Rita.**

**VI. NEW BUSINESS – continued from last years' concerns about ever larger boats docked at homes in NPB**

**A. Ed Preti presented his ideas for limiting boat size in 5 parts :**

**1) Correct the inconsistency in the Code, eg : 5-16, between boat and dock intrusion limited to 30% of canal width in one place and max 25% in other places ; 5-85, and 9-14. Suggest making it all 25% like pilings in all cases**

**2) Limit beam of boats to be within the Code piling limits**

3) Provisions so that boats do not impeded access to neighboring boats to their docks

4) So as not to overly restrict homeowners with smaller waterfront dimensions; boat lengths to be restricted as follows :

a) Waterfrontage less than 60 feet - boat lengths up to 80% of waterfrontage

b) Waterfrontage between 60-90 feet - boat lengths up to 70% of waterfrontage

c) Waterfrontage over 90 feet - boat lengths up to 60-65% of waterfrontage

5) Limit boat displacement (which is total registered weight on it's title and trackable by the Village) to somewhere in the range of 100 to 200 tons to be researched further so as to better understand the boat sizes being limited.

B. Bill Hipple repeated that Ed's concerns and ideas could be expressed in footprint definitions based on existing and possibly revised Code requirements for pilings and set backs from adjoining properties.

C. Comments from previous meetings : the less quantitative reasons to restrict boat sizes are :

1) larger boats disturb the bottoms of our waterways and undermine seawalls

2) larger boats create more risk of damage to seawalls and nearby properties in a storm due to their large profile to the wind

3) larger boats block views from people's homes

RESOLUTION : Subject to Mark Michels and others' concerns about limiting homeowner property rights , the Board unanimously agreed to recommend that :

If the Village wishes to restrict boat sizes in NPB waterways, the WAB suggests that the above ideas may help the Village create a plan.

VII. OLD BUSINESS – none

VIII. MEMBER COMMENTS : Mark Michel's and other comments and inputs were about being sure we were careful to not infringe on home owners' property rights

**IX. STAFF COMMENTS : Debbie, Chuck and Alex were active participants in the discussions**

**X. ATTACHMENTS :**

**A. Notes from Rita and Lisa**

**B. Copy of Pompano Beach boat size regulations**

**X. ADJOURNMENT**

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Please make  
part of the minutes.

**PUBLIC COMMENT SUBMITTAL**  
**November 22, 2022 Meeting of Village of NPB Waterways Board**

Rita Budnyk  
804 Shore Drive, NPB

- If not already, the North Palm Beach Waterway (Earman River and waterway north of Lighthouse Bridge to the Intracoastal, including lagoons), should be a NO WAKE waterway.
  - If it is a NO WAKE zone, then please post signs clearly stating No Wake.
  - Better enforcement of the no wake and minimum wake zones are needed.
  - Many boaters and jet skiers completely ignore the no wake and minimum wake zones. With the rising tides, the wakes cause damage to docks, sea walls, and property. The water is forced under the docks and the wakes push the boards upward and off the dock. Even with owners raising their docks to seawall level, the wakes created still force water through the higher dock boards, and to lap over the sea walls in some areas. Dock and seawall replacement and repair is very expensive. I emailed photos and videos to the Board.
  - The wakes created by the boats and jet skiers also pose a safety risk to the many paddle boarders and kayakers that also use the waterway. I have witnessed paddleboarders falling into the water due to a boat's wake. I have also witnessed on numerous occasions boats going too fast, and on two occasions, boats almost crashing into my neighbors' docks. Thankfully, people in their backyards shouted warnings to these wayward boaters.
- Please encourage better enforcement of the residential docking code – only the “occupant and his family” may keep his or her boat/watercraft behind his or her home in which he or she actually occupies (lives/resides in).
- Please limit the size of vessels docked behind homes. Require that boats and watercrafts be docked parallel to the back property line and within the 10 foot setback on each side. Perhaps, make an exception for parallel docking for the ends of the side canals where the lots only have a portion on the water. **NO PART OF THE BOAT OR WATERCRAFT OR ANY MARINE STRUCTURE SHOULD ENCROACH OVER ANOTHER'S PROPERTY LINE.**
- Limit the intensity and amount of marine infrastructure behind residential homes. For example, “No more than two dock pedestals may be located on a residential property in the R-1 zoning district.” This will prevent individuals from in reality using residential property zoned for single family residences as a de facto marina. The primary use of the property by code should be single family residence. The docking of one's personal boat behind his or her home is an accessory use.

PLEASE MAKE MY COMMENTS A PART OF THE OFFICIAL MEETING MINUTES.

## § 91.10 DOCKING AND LIVING ABOARD BOATS.

(A) It shall be unlawful for any person to live aboard any boat or other waterborne craft, unless the boat or watercraft is docked at a marina. **LIVE ABOARD BOATS** means any vessel used solely as a residence; or any vessel represented as a place of business, a professional or other commercial enterprise, or a legal residence. However, the definition of **LIVE ABOARD** shall not apply to vessels falling under the definition of **WATER TAXIS** as set forth in § 91.14(A).

(B) The use of docks other than as accessory to the principal residential use of the property in residentially- zoned districts within the city is prohibited. This includes, but shall not necessarily be limited to, the prohibition of boarding cruise parties or charter parties at a dock located at or adjacent to a residentially-zoned property within the city, except that this provision shall not be construed to prohibit such parties on private pleasure craft or the pick-up or drop-off of passengers by a water taxi that has obtained a business tax receipt from the city.

## (C) Dockage.

(1) In canals or waterways adjacent to single- family, multi-family and commercial zoned lots where the property is improved and has been issued a Certificate of Occupancy for single-family, multi-family and commercial use or in canals or waterways adjacent to property which has been improved and issued a Certificate of Occupancy for single-family, multi-family and commercial use, docking of boats or watercraft shall be permitted, provided that no boat or watercraft shall be docked in any canal or waterway in such a manner as to have any part of the boat or watercraft extended within five feet of an extended boundary lot line or encroach into the "navigational channel" as defined in Chapter 151. of Pompano Beach Code

(2) In canals or waterways adjacent to single- family zoned lots where the property is improved and has been issued a Certificate of Occupancy for single-family use or in canals or waterways adjacent to property which has been improved and issued a Certificate of Occupancy for single-family docking of boats or watercraft shall be permitted under the following conditions.

(a) Unless otherwise provided for in this subsection, all boats or watercraft located in any canal or waterway shall be docked parallel to the seawall or shoreline. However, where the seawall or shoreline is curved or does not form a straight line and where it is impossible for the boat or watercraft to be docked parallel to the seawall or shoreline the boat or watercraft shall be docked as parallel as possible.

(b) The parallel docking restriction <sup>Exceptions</sup> for boats or watercraft located in a canal or waterway shall not apply in the following situations; however, all other applicable restrictions must be met:

1. Where the city or other applicable and authorized agency has issued a permit for a dock, wharf, pier, dolphin mooring or other such structure for the purpose of docking of boats or watercraft perpendicular to a seawall or shoreline prior to December 14, 1993, and where the structure is in conformance with the approved plans.

2. Where the property owners along the city have executed and recorded the proper documents as provided for in § 151.03(F).

3. Where a court of competent jurisdiction has adjudicated the docking rights of the adjoining property owners.

4. Any boat or watercraft docked at the terminus of a dead-end canal or waterway. For the purpose of this subsection **TERMINUS** shall mean the ending point of a canal, river, basin or waterway and where the lots located at said ending point have been platted or designed or developed in such a way that the longest shoreline of any lot abutting the canal, river, basin or waterway, is 30 feet or less, and, where it is impossible for said boat or watercraft to be docked parallel to the