



Litigation Management Counsel

TOWN OF PALM BEACH

FEB 02 2018

Town Manager's Office

February 1, 2018

Mayor Gail L. Coniglio
Town Counsel of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: Charter Cub Parking

Dear Mayor and Members of the Town Counsel of Palm Beach:

The Charter Club application has caused considerable discussion in our town, however, I wish to limit my remarks to the parking issue.

We have lived on the ocean block of Seabreeze since 1999. Of interest, as well is the fact that for a few years prior to moving to 133 Seabreeze, we lived on Phipps Plaza. As a result, we are familiar with parking issues which were the subject of concern when the valet parking for the 264 restaurant maintained a valet parking stand on County Road and parked patrons' cars in Phipps Plaza. The noise of vehicles and parking attendants calling out to each other became a significant problem, which was addressed and resolved by this counsel.

Now we are faced with what is potentially a significant threat to the tranquility of the sea streets. To allow a change in the permitted parking regulations which are in effect on the ocean blocks of the sea streets would adversely affect the peace and quiet, as well as safety of those blocks. As to the peace and quiet issue. It is real. Our master bedroom is close to the street and traffic during the day is a noise pollution issue. We have considerable improper parking on this block at the present time by construction workers rehabbing and building homes on the ocean end of the block. I know that it's important to be a good neighbor while the nearby homes are being worked on, but it is a blessing when the work day ends and the trucks of the workers and material suppliers' leave for the day.

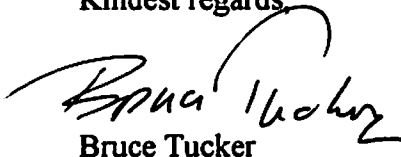
There is also a clear safety hazard which is apparent when vehicles park opposite each other on this block which seems to be a bit narrower than other blocks. The parked vehicles narrow the ocean block to one lane resulting in an Alphonse and Gaston bobbing and weaving effect, sometimes at speed as vehicles turn into Seabreeze off of South County. Any changes to the current permitted parking could only increase this risk environment, especially late at night putting, the Town at a liability risk.

The applicant is just that and it is his burden to show that the conduct of his enterprise will not have an adverse effect on the existing homeowners in the area of the applicant's enterprise. It is the applicant's duty to contract for safe off street parking. For the applicant to protest that such an arrangement is too expensive will avail him nothing.

Our town is famous for its protection of its citizen taxpayers' quiet enjoyment of their homes. The Counsel is well aware of its responsibility to "prevent critical and dangerous overuse of its streets, parking resourcesand damage to overall historic character and to overall property values".

It goes without saying that a great majority of the interested parties in the room on February 14th have, by their service on various committees and boards become aware of, have been challenged by, and been true to a basic maxim of such service which is to protect the vested interest and welfare of those we have sworn to serve. All institutions have by-laws and mission statements which set out this responsibility in one way or another, but the best guidance in this regard and one that has served me well, was extended by a senior chief of staff of a hospital group on whose board I was honored to serve. As I paged through the by-laws at my first meeting, he tapped the volume that I was pouring over and with a smile told me that it was easy to be oriented to my primary obligation by simply remembering "Primum non Nocere". He assured me that it was a maxim that had served him well and I have found its guidance to be true.
Thank you for your service to our town. It can't be easy.

Kindest regards

A handwritten signature in cursive script, appearing to read "Bruce Tucker", with a large, sweeping flourish extending from the end of the name.

Bruce Tucker
133 Seabreeze Ave.
Palm Beach