

Mayor Gail Coniglio
Council President Danielle Moore
Council President Pro Tem Maggie Zeidman
Council Julie Araskog
Council Member Lew Crampton
Council Member Bobbie Lindsay
Deputy Town Manager Jay Boodheshwar

Dear Mayor; Members of the Town Council and Deputy Town Manager;
Re: Palm Beach Hotel Garbage Collection

I am writing in advance of the hearing on Tuesday December 10th to respectfully but adamantly request that you uphold the decision of Public Works Director Paul Brazil. Mr. Brazil, by his authority pursuant to Ordinance 22-2019, has determined that the Palm Beach Hotel, address 235 Sunrise Ave. Palm Beach, must place its garbage for collection on the Southeast corner of its property on Sunrise Ave, a commercial street. The Hotel seeks to continue placing its garbage on the residential street of Park Ave. I have been a resident of Park Ave. for twenty-five years and since 1998 I have been fighting to have the Hotel stop using Park Ave. as its personal garbage dump. In short, it's about time that this outrageous and unfair behavior comes to an end. I think it is safe to say that nowhere else in this Town have residents of one street been designated as the literal dumping ground for garbage generated by others who live on a different street. The nuisance created by the noise, the stench, the unsightliness and potential health concerns are well documented by the video and pictures presented by my neighbor Patrick Ohannessian, therefore, I will not belabor the obvious. Instead I would like to respond to the Hotel's appeal.

One of the Hotel's arguments is that because its practice has been in existence since the 1970s, it should continue to occur in perpetuity, which up till now is well into the next century. For whatever reason as to why this injustice to Park Ave.

residents has continued, does not justify the Hotel's request for a permanent assault on the quiet enjoyment of Park Ave. residents. When I moved into my home at 242 Park Ave. the character of the street was different. There were several multiple family homes and as well as an eighteen unit/room boarding house next door to me. Possibly because those types of structures provided a commonality of interest (short-term rentals), appearance, use, or character to that of the Hotel, there was no objection to the continued use of Park Ave. as the garbage collection location for the Hotel. However, what is clear today is that the justification no longer exists. To the relief and delight of all of us on Park Ave., the boarding house was demolished within the last decade or so. Additionally, the dwellings on Park Ave. are almost exclusively now single-family homes. These changes in land usage has significantly changed the character of our street as it has evolved into a full-fledged beautiful, quiet, peaceful one-way residential street with two parks; one for us and one for our pets. Therefore, the Hotel's insistence that Park Ave. be mired in the past and be deprived of all the benefits it deserves as a small quiet residential street is both unfair and a significant impediment to positive change and land use development.

The Hotel also argues that requiring it to place its own garbage in the front of its own commercial street will cause economic hardship and impact the welfare of its own residents. That "economic hardship" is characterized as the need for additional staff and garbage containers. Additionally, the Hotel states that it cannot possibly be responsible for both its commercial and residential garbage because of the volume of garbage it generates. First, I do not understand the connection/ causal link between simple relocation of garbage bins and an increase in equipment and staff. But more importantly, the arrogant and self-centered stance of the Hotel cannot be a basis to deprive Park Ave residents of the benefits of its own street. The self-inflicted challenges facing the Hotel due to the amount of garbage it generates, whether through its residents, the large number of vacation rentals it permits it

residents to allow, or other commercial endeavors or amenities in which it chooses to engage, cannot justify the continued violation of our quiet and enjoyment. The Hotel, a business entity for decades, certainly has the wherewithal to devise a process to store its containers/dumpsters that does not interfere with its bike storage or ingress or egress to Sunrise Ave.

Next, the Hotel's argument that garbage collection at its Southeast corner somehow alters the "landmark" designation of the Hotel is frivolous. Garbage collection, a ubiquitous occurrence in the Town and everywhere else for that matter, is temporary. Garbage bins/dumpsters are placed out for collection and can be removed immediately thereafter as garbage collection in our area of town occurs consistently everyday around 8:15 a.m.

As noted above, Mr. Brazil possess the authority to determine the location for collection and disposal of garbage and I know from personal knowledge that he has attempted to resolve the matter for months, but to no avail. The "economic hardship" and other inconveniences voiced by the Hotel do not justify the continued practice of moving its garbage to another street, our street, for collection. Mr. Brazil's decision to protect the quiet enjoyment of the Park Ave. residents was well within his discretion pursuant to Ordinance 22-2019. The Hotel cannot demonstrate an abuse of that discretion simply because it is being "inconvenienced" or because it has more registered voters than those that live on Park Ave. Thankfully mob rule does not carry the day.

Respectfully submitted

/s/ Dr. Rhonda Nasser

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