

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works

RE: Request from Property Owner of 70 Middle Road to Remove Sidewalk on Middle Road and Via Marina to Avoid a Chicane on Via Marina

DATE: June 22, 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council deny the appeal from Ms. Jennifer Naegele the owner of the property at 70 Middle Road and support staff's decision to deny the request to remove the existing sidewalks.

GENERAL INFORMATION

On July 18, 2020, Public Works received the request from Ms. Naegele to remove "both sidewalks on Middle Road and Via Marina" adjacent to her property to accommodate the location of a three (3) phase transformer which is necessary to serve the house at this address. Attached is the email request for both the Public Works consideration and subsequently appealing the Public Works denial of the request to Town Council. Also attached are graphic depictions of where the easement and transformer would be located if the sidewalk was eliminated along with the proposed location of a chicane. The potential chicane is due to the denied request by Ms. Naegele to provide an easement on the property at 90 Middle Road to locate the previously mentioned three (3) phase transformer that solely serves that property.

Town staff denied the request to remove the sidewalk in this location. Attached is an image taken from Google Earth that shows the sidewalk that runs along the north and south side of Via Marina from South County Road and South Ocean Boulevard. Also seen in the image is the sidewalk running north south continuously along the west side of Middle Road from Gulfstream to Via Marina. Town staff does not recommend disrupting this continuous pedestrian access on either the north side of Via Marina or the west side of Middle Road. This would be an unprecedented decision to eliminate sidewalk from the existing right-of-way and cause a disruption in the existing pedestrian access.

The request was denied due to public safety concerns. Approval of this request would also set a precedent that may not be in the best interest of the Town. Sidewalks exist to provide a safe place for all pedestrians not just the adjacent homeowner.

FUNDING/FISCAL IMPACT

Removal of the sidewalk and restoration would become a project expense.

TOWN ATTORNEY REVIEW

This memorandum has been reviewed by the Town Attorney.

Attachments

cc: Patricia Strayer, P.E., Town Engineer
Steven Stern, Underground Utilities Manager