

From: [Paul Castro](#)
To: [Kelly Churney](#)
Subject: FW: Zoning Rules & The Colony Hotel Gathering of 150
Date: Friday, July 24, 2020 12:19:59 PM

From: Paul Wood <paul@colonyvilla.com>
Sent: Wednesday, June 24, 2020 2:01 PM
To: Benjamin Alma <BAAlma@PalmBeachPolice.com>; Paul Castro <PCastro@TownofPalmBeach.com>; Aly Serrano <aserrano@TownOfPalmBeach.com>
Cc: Kirk Blouin <KBlouin@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>; Carla Marcote <CMarcote@PalmBeachPolice.com>
Subject: Re: Zoning Rules & The Colony Hotel Gathering of 150

*******Note:** This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Ben,

To be specific the events were held on Jun 8th and 15th both in the evening after 7pm. On the evening of the first event we called the 24 hour police line and reported the noise as the level was in excess of 98DBA.

On both days the event was set up throughout the day; on the first event they dismantled the stage and the associated equipment throughout the night with the contractors breaking down the stage after midnight.

We are trying to be reasonable about the use of area, and we were surprised (and pleased) by the note from zoning that the space cannot be used for events as The Colony Management and CEO have told us it was approved by the town.

Our main issues is the amplified sound and live music when they are approximately 2.5 feet from our property line and all there is to divide us area shrubs, so having a commercial grade speak outside your living room blasting amplified trumpet and saxophones, is not conducive to a healthy home life.

Thanks

Pail

From: Benjamin Alma <BAAlma@PalmBeachPolice.com>
Date: Wednesday, June 24, 2020 at 1:35 PM
To: Paul Wood <paul@colonyvilla.com>, Paul Castro <PCastro@TownofPalmBeach.com>, Aly

Serrano <aserrano@TownOfPalmBeach.com>

Cc: Kirk Blouin <KBlouin@TownofPalmBeach.com>, Wayne Bergman <wbergman@TownOfPalmBeach.com>, Carla Marcote <CMarcote@PalmBeachPolice.com>

Subject: RE: Zoning Rules & The Colony Hotel Gathering of 150

Good afternoon,

Hope everyone is staying safe and healthy.

I don't see where a violation has occurred, yet. It appears the concern is that a violation may occur. If I am wrong, please let me know the date/time of the violation(s).

Please call 561-838-5454, 24/7, to report any violation.

I am also attaching the emails which Mr. Wood sent to Code Officer John Moriarty and the Town Manager's Office.

Thank you,

Ben

From: Paul Wood <paul@colonyvilla.com>

Sent: Wednesday, June 24, 2020 12:56 PM

To: Paul Castro <PCastro@TownofPalmBeach.com>

Cc: Kirk Blouin <KBlouin@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>; Carla Marcote <CMarcote@PalmBeachPolice.com>; Benjamin Alma <BAлма@PalmBeachPolice.com>

Subject: Re: Zoning Rules & The Colony Hotel

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Dear All,

Thank you for your response. My number is 774-994-7766 and similarly am on and off calls today but please leave me a message if I don't answer and I will return your call.

Kind Regards

Paul

774-994-7766

Sent from my iPhone

On Jun 24, 2020, at 12:52, Paul Castro <PCastro@townofpalmbeach.com> wrote:

Mr. Wood,

Good afternoon. The Colony Hotel does not have permission to use the newly renovated garden on the east side of the Colony Hotel property for outdoor events. It is a passive space. They would need Town Council approval of a special exception in order to have events in that location. Via this email I am asking Code Enforcement to investigate your complaint. If you will send me your phone number I will call you today when we get out of the Architectural Commission meeting. I am not sure when that will be as it is an all-day meeting.

Kindest regards,

Paul Castro, AICP

Zoning Manager

360 South County Road

Palm Beach, FL 33480

(561)227-6406

pcastro@townofpalmbeach.com

From: Wayne Bergman <wbergman@TownOfPalmBeach.com>

Sent: Wednesday, June 24, 2020 11:15 AM

To: Paul Castro <PCastro@TownofPalmBeach.com>

Cc: Kirk Blouin <KBlouin@TownofPalmBeach.com>

Subject: Fwd: Zoning Rules & The Colony Hotel

Paul please call Mr. Wood today. Thank you.

Wayne Bergman

Sent from my iPhone

Begin forwarded message:

From: Paul Wood <paul@colonyvilla.com>

Date: June 24, 2020 at 10:49:44 AM EDT

To: Wayne Bergman <wbergman@TownOfPalmBeach.com>, Kirk Blouin <KBlouin@TownofPalmBeach.com>
Cc: Gail Coniglio <GConiglio@TownofPalmBeach.com>
Subject: Re: Zoning Rules & The Colony Hotel

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Dear Messer's. Bergman and Blouin,

I would appreciate a reply to my questions outlined below in the original mail sent on Jun 9th, I find it difficult to understand how it takes over 2 weeks for a reply to a resident on what appear to be simple requests.

Whilst I was initially skeptical about a statement made by the General Manager of The Colony "that the town is on their side on this topic and won't respond to our complaints" I am being to think that there is perhaps truth in the statement that the town has taken a position on this topic and is choosing to ignore us.

In the absence of some clarity and action by the town on an issue that is significantly disturbing for multiple residents, and is causing harm, discomfort, repose, peace health and safety, we clearly will need to consider our next steps to resolve this issue.

Kind Regards

Paul Wood

From: Paul Wood <paul@colonyvilla.com>
Date: Monday, June 15, 2020 at 12:35 PM
To: "wbergman@townofpalmbeach.com" <wbergman@townofpalmbeach.com>
Cc: "kblouin@townofpalmbeach.com"

<kblouin@townofpalmbeach.com>

Subject: Re: Zoning Rules & The Colony Hotel

As we are about to encounter event #2 with amplified sound this evening; I would be grateful if you could let me know when you will be able to provide an answer to my questions below.

Kind Regards

Paul Wood

From: Paul Wood <paul@colonyvilla.com>

Date: Tuesday, June 9, 2020 at 2:53 PM

To: "wbergman@townofpalmbeach.com"

<wbergman@townofpalmbeach.com>

Subject: Zoning Rules & The Colony Hotel

Dear Sir,

I would like to understand the zoning rule and permits issued to The Colony Hotel.

I am a resident / President of the Board for The Ocean Colony Palm Beach COA which is located directly alongside the hotel. The Colony recently renovated the East Garden area and have started to use it as an event space. Last evening they held an event that had amplified music from a live band, singing and other noise. This noise at times reached over 98DBA when measured from my home. The impact of this noise is significant and infringes on the life and comfort of the residents of Ocean Colony COA. Indeed, I believe that given the close proximity (2.5 feet) to the residences, it would always directly contravene, S42-196 (3) of the Town Ordinance on prohibited noise.

The residents of Ocean Colony (5 homes) have no issues with

the outside space being used but strongly believe the use of the new event space should be restricted and have a covenant to prohibit the use of live music and amplified sound that would inevitably contravene S42 -196(3) of the Town ordinance, otherwise every time there is an event of any kind that disturbs us we are going to have to seek enforcement by the police.

Could you advise if we need to petition the zoning board to seek such a restriction to the use of the East garden?

Could you also please clarify if event permits are required for events at the hotel?

Is a permit required to erect temporary structures such as tents and stages?

Kind Regards

Paul Wood

President Ocean Colony Palm Beach COA

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

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