

# TOWN OF PALM BEACH

## Information for Town Council Meeting on: October 13, 2020

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TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Public Works Actions to Date – Sunrise Avenue to Wells Road

DATE: September 28, 2020

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### **GENERAL INFORMATION**

#### **Beach Nourishment, 2020**

In March 2020, the U.S. Army Corps of Engineers' contractor, Weeks Marine, started construction of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment. The dredging subline landing was placed on the shore in the vicinity of Sunrise Avenue. Between March 17<sup>th</sup> and May 1, 2020, the beach was renourished. Prior to the beach nourishment project, the shoreline in the Sunrise to Wells vicinity had receded close to the seawalls. Following nourishment, the shoreline position is consistently greater than 100 feet from the seawalls in this same area.

#### **Interaction with Residents**

The Public Works Department has responded to an increased amount of email correspondence from private residences between Wells Road and Root Trail since November 2019. The primary issue for these emails, disproportionate from the rest of the beaches in Town, pertains to public access and use of the beach. Public Works staff has taken steps to assist the residents with their concerns for both safety and quality of life while maintaining public rights based on Florida Statutes.

#### **Public Beach Accesses:**

Prior to 2020, the Town was maintaining public beach access points at Wells Road, Dunbar Road, and Atlantic Avenue. Following a review of legal documentation by the Town Attorney's office, Atlantic Avenue is no longer being maintained as a public access point. The public access points have landscaped to be consistent with the neighborhood and gates have been installed. The gates will be locked (either manually or with timed locks) between sunset and sunrise.

#### **Private Beach Accesses:**

Atlantic Avenue, Everglade Avenue, and Seminole Avenue beach accesses are private and are being maintained by the residents with a locked gate. The only private beach access in the area that is currently accessible by the public is Root Trail. Public Works staff is working with the two (2) ownership entities of Root Trail to have improvements permitted by the state. The ownership of the Root Trail access is being reviewed by the Town Attorney and our Planning, Zoning and Building Department. Public Works staff understands that if the ownership does not change, the current owners of the Root Trail beach access intend to install a locked gate in the near future. Residents have asked for Town regulatory signs at Root Trail. Ownership should be determined before signs are installed. Regulatory signs on private property would be a precedent.

### Beach Signage:

Oceanfront residents requested that the Town assist with obtaining regulatory authorization to install signs near the seawalls to discourage the public from trespassing onto both the seawall and improved private property. Public Works staff confirmed with the Town's sea turtle monitor that no nests were present within two (2) feet of the seawalls and that signs could be installed without harming sea turtles.

As requested by the oceanfront residents in May 2020, Public Works staff committed to redesign the signage at the Wells Road and Dunbar Road beach accesses to be more aesthetically pleasing and to discourage unwanted behavior on the beach. The Town has regulatory signs at the public beach accesses. We are in the process of revising the signs to clarify that dogs must be on a leash and the reference to "tents" will be removed.

### Beach Post and Rope:

In June 2020, oceanfront residents requested that the Town install post and rope along the Erosion Control Line to identify public and private land. Public Works staff informed that the Town would not pursue this activity due to both liability and permit-ability issues.

In September 2020, Public Works staff installed posts and rope along the north and south limits of both the Wells Road and Dunbar Road beach accesses from the seawall extended shore-perpendicular approximately 100 feet onto the berm. The purpose of the posts and rope are to aid beachgoers toward the shoreline. No work was performed on the beach prior to the Town's sea turtle monitor confirming that no nests were present in the area.

Also in September 2020, oceanfront residents requested that Public Works staff work with FDEP to obtain regulatory authorization for posts and rope to be installed along the Erosion Control Line (ECL). Public Works staff met with FDEP staff on the beach to discuss the request by the residents. FDEP concluded that such an activity would require a permit application to be submitted for review. FDEP informed that such an activity would likely result in permit denial as FDEP would interpret posts and rope running along the ECL as an activity inconsistent with public rights as identified within Florida Statutes. FDEP suggested that the residents consider the installation of "monoposts" (a single free standing post spaced approximately 10 feet apart) without rope to guide the public. Monoposts are exempt from permitting. The Town confirmed with the sea turtle monitor that there are no nests in the approximate location of the monoposts. Public Works staff believes that the residents will pursue this alternative and install free standing posts on the privately owned section of beach. Ropes resting on the sand can be placed without the need for a permit; however, these ropes must be picked up every night during sea turtle nesting season.

### Beach Access Renovations:

In June 2020, oceanfront residents requested that the Town renovate both Dunbar and Wells Roads public beach access points in an effort to provide a more esthetic look to their neighborhood mimicking the renovations performed by the Atlantic Avenue residents. These renovation consist of decorative aluminum fencing and gates, installation of salt tolerant turf, native plantings, fountain grasses, green island ficus hedging, and low-flow irrigation systems for both Dunbar and Wells Roads' accesses respectively. The water for these systems are being provided by the adjoining residents existing irrigation systems. Funding for the renovations and additional maintenance costs are being provided by these oceanfront residents. These renovations commenced the third (3<sup>rd</sup>) week of September and are currently anticipated to be completed in two (2) weeks.

Parking:

Installation of parking kiosks was approved by the Town Council and the kiosks have been ordered. We anticipate delivery within a week. Installation will be completed as soon as possible after delivery.

Additionally, the residents have requested that we review the sight triangles at the western end of the 100 block streets. We found that the visibility was limited and have changed some of the parking spaces on County Road to "Compact Car" parking spaces. The signs will be installed on October 1, 2020.

**Dune Restoration, 2021**

The Town continues to work with FEMA and the Florida Department of Emergency Management to replace the vegetated dunes damaged from hurricanes Matthew and Irma. The sand for these dunes will be truck-hauled from Phipps Ocean Park following completion of the Phipps Ocean Park/Reach 7 Beach Nourishment Project in early 2021. The dimensions of this dune would be similar to that which was constructed in 2016. The height of the dune will only be approximately two feet above the elevation of the berm so that ocean vistas are not impacted. The width of the dune will vary based on the existing conditions, but will likely be about 15-20 feet wide. This dune work is expected to be performed during March and April 2021. If the dune sand is in place by mid-April, the Town will look to have the dunes vegetated prior to May 1, 2021. Should the dune sand not be in place until May 1<sup>st</sup>, the dunes will be vegetated after November 1, 2021 following the sea turtle nesting season. Sea oats will be plants approximately 12 inches apart throughout the newly placed dune. Five to six-foot-wide paths will be left at both the public and private access points to allow beachgoers to stay off the vegetation. After sea oats are planted to vegetate the dune, the Town will obtain a state permit to install posts and rope to best protect the newly vegetated dune. A post and rope system will keep beachgoers from trespassing onto the dunes which, inherently, would keep beachgoers from trespassing onto the seawalls and improve private property.

cc: Jay Boodheshwar, Deputy Town Manager