

From: Matt McCormick <matthewmccormick@comcast.net>

Sent: Monday, November 09, 2020 11:12 AM

To: Paul Brazil <PBrazil@TownofPalmBeach.com>

Cc: Kirk Blouin <KBlouin@TownofPalmBeach.com>; Town Council <TCouncil@TownofPalmBeach.com>;

Town Council & Mayor <Town_Council_Mayor@TownofPalmBeach.com>; Jay Boodheshwar

<JBoodheshwar@TownofPalmBeach.com>; Town Clerks Staff <TownClerk@townofpalmbeach.com>;

Robert Weber <RWeber@TownofPalmBeach.com>

Subject: Re: Beach access Wells / Dunbar and the beach use

*****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.*****

Thank you Paul,

So I have a couple of quick questions.

1. From what I have been told at the State's Attorney office, that if beach access has been open to the public for more than 7 years, and maintained by the state or town, this access can then not be denied to public access. It may well be determined to be private land now, but the access or the public to continue use can not be denied.

2. Why was this former access for 40+ years with public signage done virtually in the middle of the night with no notice to the public? - this is really an underhanded way of handling public matters and needs to be investigated how this was handled.

3. With respect to the beach nourishment- if state funds or federal funds are used to rebuild the beaches any area with state sand can be used by the public - the land is still private but access and use for the public can not be denied. Hence I don't understand all the plastic poles that have been installed which clearly is an effort discourage and intimidate people from using state sand and state beaches?

4. Are these poles now also going to be installed for all Palm Beach non-town beaches? And if not, why not?

5. With respect to additional draconian rules that are being considered for this stretch of beaches, no dogs, no surfing, no kids with floaties... no trash, signs everywhere to clearly create further intimidation to residents and the public from using and enjoying our beaches, are these same rules then also going to apply to all non-public beaches in Palm Beach, and if not, why not?

The take away from all this, is the town has a real slated agenda to deny the use and access of beaches which are not town beaches - our beach access is now locked and closed from sunrise to sunset - again, while anyone on the north end enjoys parking, surfing, bond fires - picnics, dogs - beach parties and the like with no time limitations.

Please provide specific answer to my questions above. As noted, we have lived here for 20 years, my Mother lived here and my Grandfather lived here, my Great Grandfather came seasonally - but in the last 10 years it has become more and more clear that the only residents

that get immediate action and response and change are the ones who have arrived in the last 10 years with millions/billions of dollars to help influence what they want. And what they want they get, and often over night with no questions asked.

Thankfully there are those in the State's Attorney and County attorney's office that believe my concerns are valid and are willing to pursue on our behave.

I will be traveling tomorrow and not able to attend via zoom the council meeting when this topic comes up, but I would like my comments to be entered into the meeting record - I also request that my comments from my respective emails be read during resident comment time during the meeting.

Thank you very much.

Matt McCormick
250 Bradley Place.

Matthew B. McCormick
Executive Vice President
TTR | Sotheby's International Realty

[1206 30th St NW](#)
[Washington, D.C. 20007](#)
m: [\(202\)365-5883](#) | o: [\(202\)295-2388](#)
mmccormick@ttrsir.com

On Nov 9, 2020, at 9:51 AM, Paul Brazil <PBrazil@townofpalmbeach.com> wrote:

Good morning.

Attorneys have confirmed that both the 100 block of Atlantic roadway and the beach access are private and dedicated to the use of the residents in the 100 block of Atlantic Ave. This was a new development that was brought to our attention by an attorney working for those residents.

For many years, all parties believed both the road and the beach access were public. Public funds we used to maintain both and the public was allowed to use both. Now that we all agree that they are private, we will no longer spend public funds for maintenance.

Paul

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

Town of Palm Beach

Public Works Department
951 Old Okeechobee Road
West Palm Beach, FL 33401
Phone: 561-838-5440
www.townofpalmbeach.com

From: Kirk Blouin <KBlouin@TownofPalmBeach.com>
Sent: Monday, November 09, 2020 9:38 AM
To: Town Council <TCouncil@TownofPalmBeach.com>; Town Council & Mayor <Town_Council_Mayor@TownofPalmBeach.com>; matthewmccormick@comcast.net
Cc: Jay Boodheshwar <JBoodheshwar@TownofPalmBeach.com>; Town Clerks Staff <TownClerk@townofpalmbeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Robert Weber <RWeber@TownofPalmBeach.com>
Subject: RE: Beach access Wells / Dunbar and the beach use

Mr. McCormick,

Good morning. You can call me at 561-838-5410 and I or someone from the Town staff can provide the answers to your questions.

Thank you,

Kirk Blouin
Town Manager



Town of Palm Beach
360 South County Road
Palm Beach, FL 33480
561-838-5410

P.S. Don't forget to complete the 2020 Census Questionnaire and Be Counted before the October 31st deadline.

Visit: <https://www.2020census.gov/>

Or Call: [844-330-2020](tel:844-330-2020)

From: Aly Serrano <aserrano@TownOfPalmBeach.com> **On Behalf Of** Town Council
Sent: Monday, November 09, 2020 8:39 AM
To: Town Council & Mayor <Town_Council_Mayor@TownofPalmBeach.com>
Cc: Kirk Blouin <KBlouin@TownofPalmBeach.com>; Jay Boodheshwar <JBoodheshwar@TownofPalmBeach.com>; Town Clerks Staff <TownClerk@townofpalmbeach.com>
Subject: Fw: Beach access Wells / Dunbar and the beach use

From: Matt McCormick <matthewmccormick@comcast.net>

Sent: Saturday, November 7, 2020 12:48 PM

To: Town Council

Subject: Re: Beach access Wells / Dunbar and the beach use

*****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.*****

A footnote question for the council to my email below.

Is the 100 block of Atlantic a private road or public?, if private as contested by the 100 block owners in their reclaim of the former public beach access, why has the the town maintained the streets and why does the town enforce parking on a Private road?

Furthermore, is the town getting reimbursed for their cost of over 50 years of maintaining the Atlantic Ave. Beach access?, Trash, maintenance, beach stairs. And what about taxes for this parcel, if it is private who has paid the taxes for the last 50 years?

As a town resident tax payer it seems we have really been screwed with how this has a been handled.

Matthew B. McCormick

Executive Vice President

TTR | Sotheby's International Realty

[1206 30th St NW](#)

[Washington, D.C. 20007](#)

m: [\(202\)365-5883](tel:(202)365-5883) | o: [\(202\)295-2388](tel:(202)295-2388)

mmccormick@ttrsir.com

On Nov 7, 2020, at 11:29 AM, Matt McCormick <matthewmccormick@comcast.net> wrote:

As a 20 year resident, and third generation Palm Beach family I am greatly disturbed by the continual efforts of the town to limit non beach front owners access and enjoyment of our beaches. It has gotten to the point of being ridiculous and very discriminatory.

The closing of Atlantic ave. Beach access virtually in the middle of the night with no discussion or notice to the Public is a complete sham and Travesty. This beach access has been open to the Public since the beginning of time, maintained by the town and had signage. Someone clearly paid someone to make this all happen and look the other way.

Now the town council wants to take control of the state beach area between the Breakers and Wells Rd. which are not town beaches and create all sort of controls and rules - no dogs, no surfing, no floaties , no ball tossing, no trash, no eating Dorito chips... etc. etc. its all too much. These are not Town beaches - so please back off with all these crazy double standard rules.

The town does not own beaches on the North end of island - so the town can not make rules that effect our beach enjoyment and then look the other way with rules and regulations where the Mayor lives like they did during Covid. If there are going to be no dogs, surfing etc. permitted on these beaches the same must apply to all the beaches on the North End where there is also public access points.

I have spoken with the State Attorney's office and they concur with much of what I have outlined, and are willing to pursue should I be willing to file a formal complaint that the towns actions are clearly an effort to discriminate local and state residents the legal right to use and enjoy state beach access in the same manner that other palm beach residents are allowed to enjoy their beaches.

The town has allowed for a public access point to state beaches which have been re-nourished with State and Federal funds to be closed, which State law prohibits, they have allowed for cheap plastic stakes to be placed up and town the beach, which look like trash all in an effort to intimidate Palm Beach residents from using the beaches - I only hope that this kind of police like state of control continues to all beaches that are not town beaches, and the town council not take actions that do not apply on a more universal and less preferential basis.

Thank you.

Matt McCormick
250 Bradley Place

Matthew B. McCormick

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.