

# TOWN OF PALM BEACH

Information for Town Council Meeting on: December 14, 2021

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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: Consideration of Waivers to Town Code for Construction Dates and Noise for Lake Worth Lagoon Channel Dredging

DATE: November 24, 2021

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## **STAFF RECOMMENDATION**

Town staff recommends Town Council approve a waiver for Palm Beach Intracoastal Neighbors (PBIN) and their contractor to allow construction related activities outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels for channel dredging in the Lake Worth Lagoon.

## **GENERAL INFORMATION**

PBIN plans to recommence dredging of the Lake Worth Lagoon channels along the Town of Palm Beach. The original scope of the project was completed in June 2020 with Town staff and consultant oversight for regulatory compliance. Following completion, some Town residents expressed a desire for their properties to also be included within the project. This required a modified scope and additional regulatory authorization. The Town assisted with the permitting process. Since this project is to use the same disposal location for the sediment as the marina, work could not resume until the marina project was completed. Now that the marina project is completed and past the date of December 1<sup>st</sup> for limited construction, PBIN is requesting waivers to perform the work. PBIN requests waivers of the following sections of the Town Code of Ordinances:

**Section 42-198** – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays (commencing on December 1<sup>st</sup> and ending May 1<sup>st</sup>).

**Sections 42-226 through 229** – regulates noise, equipment operation, work hours, and the standard Town requirement to “stand down for the season”.

The Town’s consultant, Applied Technology & Management, Inc., has been retained by PBIN to provide construction oversight and regulatory compliance monitoring.

## **FUNDING/FISCAL IMPACT**

There is no funding/fiscal impact related to this item. All related permitting and construction work for this project have been paid for through donations.

Attachment

cc. Patricia Strayer, P.E, Town Engineer  
Robert Weber, Coastal Program Manager