

Thursday, April 16, 2026, 2:00 p.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio from the item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting the Code Enforcement Board Secretary at (561)227-7080. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

CALL TO ORDER:

Chair, Mr. Brooker called the hearing to order.

ROLL CALL:

Dave Brooker, Chairman
Scotch Peloso, Vice Chairman
John P. Cohen, Member
Harris S. Fried, Member
Chris Larmoyeux, Member
John McGowan, Member
Pamela Saba, Member

The Chairman introduced our new alternate member Michelle Cohen who expressed that she was looking forward to serve on the code board.

Town Attorney Lashley reminded the Chairman that Ms. Cohen would not be a voting member for this month's hearing.

PLEDGE OF ALLEGIANCE:

APPROVAL OF THE MARCH 19, 2026, CODE BOARD MINUTES

Motion by Mr. Fried to approve the minutes of March 19, 2026.
Motion seconded by Mr. McGowan
Motion passed unanimously.

APPROVAL OF THE AGENDA:

The agenda was amended with the removal of item #3 and item #4
Motion by Mr. Fried to approve the amended agenda
Motions Seconded by Mr. McGowan
Motion passed unanimously.

ADMINISTRATION OF OATH TO TOWN STAFF:

Town staff were sworn in by Board Secretary Marcote.

Town Assistant Attorney Lashley reminded the board of the fine assessment cases and not bringing them back for a separate hearing to follow the new proceeding that the board agreed upon in February

PUBLIC HEARING:

Case # CE 26-219, 445 Brazilian Ave., 445 Brazilian Owner LLC:

Violation of Chapter 46, Section 46-66 (a) of the Town of Palm Beach Code of Ordinances states there are hereby adopted by the town, for the purpose of prescribing regulations governing conditions hazardous to the health, safety, welfare, life and property from fire or explosion, certain codes in accordance with F.S. §§ 633.202 and 633.208 the "Florida Fire Prevention Code" adopted by the State Fire Marshal Chapter 69A-60 of the Florida Administrative Code, as may be amended, including N.F.P.A. 1 Fire Code, Florida Edition, and the N.F.P.A. 101 Life Safety Code, Florida Edition, both as modified by Chapter 69A-60 of the Florida Administrative Code, all of which are deemed adopted by reference, as fully as if set out at length herein, as the minimum fire safety code. If conflicts exist between the codes, the more stringent shall be applied at the discretion of the fire chief or his or her representatives.

No Ex parte declared by the board.

Officer Moriarty presented the case and entered evidence into the record.

Fire Marshall M. DeLoach was present and gave testimony in the case.

Frieda Rose the property manager for the property owner was present and gave testimony.

Motion by Mr. Larmoyeux of a finding of non-compliance, assesses administrative fee of \$150.00 to be paid within 30 days of this order and to come into compliance by May 15, 2026. If compliance is not met a daily running fine in the amount of \$250.00 will commence on May 16, 2026, and will continue until compliance is met.

Motion seconded by Mr. Fried.

Motion passed unanimously.

Case # 26-78, 230 Colonial Lane, Salvator Impastato:

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances requires building permits to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

No Ex parte declared by the board.

Officer Olivares presented the facts of the case and entered evidence into the record.

Nicholas Pastor was present on behalf of the property owner and gave testimony in the case.

Motion by Mr. Fried of finding of non-compliance, assess administrative fee in the amount of \$150.00 to be paid within 30 days of this order and to come into compliance by June 15, 2026. If compliance is not met than a daily running fine in the amount of \$250.00 a day will commence on June 16, 2026, and run until compliance is met.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

FINE CONSIDERATION/REDUCTION:

Case # CE 25-2119, 2800 S Ocean Blvd., Four Seasons

Violation of Chapter 134, Section 134-227 of the Town of Palm Beach Code of Ordinances states Special exception uses and their related accessory uses or any expansion, enlargement, or modification of an existing special exception use or any physical expansion of an existing special use or facility shall be permitted only upon authorization by the town council, provided that such uses shall be found by the town council to comply

with the requirements in this subdivision and other applicable requirements as set forth in this chapter. All special exception uses require site plan review in accordance with article III of this chapter. Additional standards applicable to planned unit development are contained in article V of this chapter.

Ex parte was declared by Chairman Mr. Brooker, he listed to the Town Council meeting regarding this property. No other board members declared ex parte.

Officer Moriarty reminded the board of the facts of the case.

Assistant Town Attorney Lashley read into the record the Town Councils verdict of the special exception denial.

Mr. T. Madhav was present on behalf of the property owner.

Motion by Mr. Fried to order a daily running fine in the amount of \$250.00 a day commencing on April 14, 2026, and to run until compliance is met.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

Case # CE 25-1140, 3456 S. Ocean Blvd., Claridges Condominium:

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances requires building permits to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

Ex parte was declared by Chairman Mr. Brooker, he listed to the Town Council meeting regarding this property. No other board members declared ex parte.

Officer Moriarty reminded the board of the facts of the case.

Attorney J. Gavigan was present on behalf of the property owner.

Motion by Mr. Larmoyeux to postpone this case until July 16, 2026, Code Board Hearing.

Motion seconded by Mr. Peloso.

Motion passed unanimously.

Case # CE 24-2578, 3460 S Ocean Blvd. Claridges Condominium:

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances requires building permits to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

Ex parte was declared by Chairman Mr. Brooker, he listed to the Town Council meeting regarding this property. No other board members declared ex parte.

Officer Moriarty reminded the board of the facts of the case.

Attorney J. Gavigan was present on behalf of the property owner.

Motion by Mr. Larmoyeux to postpone this case until July 16, 2026, Code Board Hearing.

Motion seconded by Mr. Peloso.

Motion passed unanimously.

OFFICIALS COMMENTS:

Mr. Cohen made comments regarding procedures but won't discuss abatements at this time. Discussion of the fine assessment was again discussed.

MEETING SCHEDULE:

The next hearing date of May 21, 2026, was announced.

ADJOURNMENT:

Motion by Ms. Fried to adjourn.

Motion seconded by Mr. McGowan.

Motion passed unanimously.