

TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING AGENDA

Tuesday, September 02, 2025 AT 1:30 PM

TOWN HALL COMMISSION CHAMBERS, 3614 S. OCEAN BLVD., HIGHLAND BEACH, FL

Town Commission

Natasha Moore
David Stern
Vice Mayor
Vice Mayor
Commissioner
Judith M. Goldberg
Jason Chudnofsky
Commissioner

Marshall Labadie Town Manager Lanelda Gaskins Town Clerk Leonard G. Rubin Town Attorney

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. INVOCATION
- 5. APPROVAL OF THE AGENDA
- 6. PRESENTATIONS / PROCLAMATIONS
 - A. EPOC Blood Analysis System Presentation
- 7. PUBLIC COMMENTS

Public Comments will be limited to five (5) minutes per speaker.

8. ORDINANCES (Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.)

None.

9. CONSENT AGENDA (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.) Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.

Agenda

- A. August 05, 2025 Town Commission Meeting Minutes
- **10. UNFINISHED BUSINESS** (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)

None.

- **11. NEW BUSINESS** (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)
 - A. Consideration to cancel the September 16, 2025 Town Commission meeting.
 - B. Request for land filling approval for a portion of the property located at 2564 South Ocean Boulevard.
 - C. Resolution No. 2025-021

A Resolution of the Town Commission of the Town of Highland Beach, Florida, authorizing the Town Manager to finalize and execute the recognition acknowledgement petition related to the Highland Beach Professional Firefighters, Local #5504 Union; providing for conflicts; and providing for an effective date.

12. TOWN COMMISSION COMMENTS

Commissioner Jason Chudnofsky

Commissioner Judith M. Goldberg

Commissioner Donald Peters

Vice Mayor David Stern

Mayor Natasha Moore

13. TOWN ATTORNEY'S REPORT

14. TOWN MANAGER'S REPORT

15. ANNOUNCEMENTS

Board Vacancies

Code Enforcement Board One (1) vacancy for a three-year term

Meetings and Events

September 04, 2025 5:01 P.M. Town Commission First Public Hearing Budget

Meeting

September 16, 2025 1:30 P.M. Town Commission Meeting (Tentative)

September 18, 2025 5:01 P.M. Town Commission Second Public Hearing Budget

Meeting

Board Action Report

None.

16. ADJOURNMENT

NOTICE: If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript).

Pursuant to the provision of the Americans with Disabilities Act, any person requesting special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Town at 561-278-4548 at least five calendar days prior to the Hearing.

File Attachments for Item:

A. EPOC Blood Analysis System Presentation

Introducing the epoc® Blood

Analysis System



Portable Blood Analysis

The epoc system is a compact, portable device enabling on-the-spot blood testing wherever needed in healthcare settings.

Rapid, Accurate Results

It provides critical blood gas, electrolyte, and metabolite results in minutes, supporting urgent patient care decisions.

Streamlined Clinical Workflow

The handheld platform simplifies diagnostic processes, allowing paramedics to act quickly and efficiently.



All epocaesystem of Training training with the epocae system to ensure rapid, effective use in the field.









Benefits to the Community

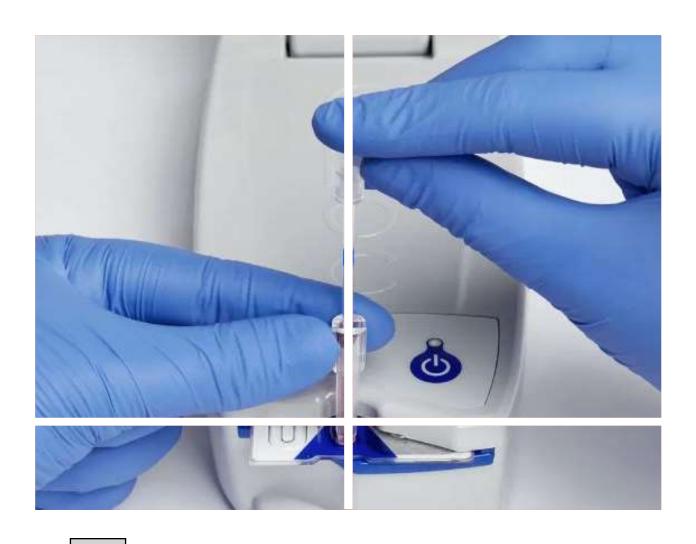
- Faster emergency care on scene
- Real-time diagnostic information
- Improved patient outcomes
- Supports critical decisionmaking in the field



Thank You!

We sincerely thank the Highland Beach Police and Fire Foundation for donating the epoc® Blood Analysis Systeman important tool in enha---i---t out POLICE AND FIRE

FOUNDATION



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A. August 05, 2025 Town Commission Meeting Minutes

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TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

TOWN HALL COMMISSION CHAMBERS 3614 S. OCEAN BLVD., HIGHLAND BEACH, FL

Date: August 05, 2025

Time: 1:30 PM

Please be advised that, due to a power outage, audio/video recording is unavailable for this meeting.

1. CALL TO ORDER

Mayor Moore called the meeting to order at 1:30 P.M.

2. ROLL CALL

Commissioner Jason Chudnofsky Commissioner Judith Goldberg Commissioner Donald Peters Vice Mayor David Stern Mayor Natasha Moore Town Manager Marshall Labadie Town Manager Leonard Rubin Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United State of America.

4. INVOCATION

None.

5. APPROVAL OF THE AGENDA

MOTION: Goldberg/Peters – Due to the power outage, a motion was made and seconded to postpone Items 6.A., 6.B., and 10.A through 10.C to the next Town Commission meeting. The motion passed unanimously, 5 to 0.

6. PRESENTATIONS / PROCLAMATIONS

- A. EPOC Blood Analysis System Presentation
- B. Annual Comprehensive Financial Report for Fiscal Year Ending September 30, 2024 Presentation

Date: August 05, 2025



<u>PUBLIC COMMENTS (Public Comments will be limited to five (5) minutes per speaker.)</u>

There were no public comments.

8. ORDINANCES (Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.)

None.

- 9. CONSENT AGENDA (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.) Public Comments will be limited to three (3) minutes per speaker per item after Commission initial discussion.
 - A. Approval of Meeting Minutes

June 17, 2025 Town Commission Meeting Minutes

July 15, 2025 Town Commission Meeting Minutes

B. Resolution No. 2025-019

A Resolution of the Town Commission of the Town of Highland Beach, Florida, amending Resolution No. 2025-018 setting the proposed not to exceed millage rate pursuant to Section 200.065(2)(B), Florida Statutes, and setting the date, time and place at which a public hearing will be held to consider the proposed millage rate and tentative budget; providing for conflicts; and providing for an effective date.

MOTION: Goldberg/Stern – A motion was made and seconded to approve the Consent Agenda which passed unanimously, 5 to 0.

- **10. UNFINISHED BUSINESS** (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)
 - A. Building Department Recertification Program Update
 - B. Florida Department of Transportation (FDOT) RRR Project Update
 - C. Continued discussion on temporary signage.
- **11. NEW BUSINESS** (Public Comments will be limited to three (3) minutes per speaker per item after Town Commission initial discussion.)
 - A. Designation of a Voting Delegate for the Florida League of Cities 2025
 Annual Conference Required Business Meetings

The Town Commission discussed the voting delegates for the Florida League of Cities 2025 Annual conference. The Town Commission agreed to nominate

Page 3 of 4



Commissioner Goldberg and Commissioner Donald Peter. Both Commissioners accepted the nominations.

MOTION: Moore/Stern - Motion was made and seconded to nominate Commissioner Judith Goldberg as the primary delegate and Commissioner Donald Peters and the alternate voting delegate. The motion passed unanimously, 5 to 0.

12. TOWN COMMISSION COMMENTS

Commissioner Jason Chudnofsky had no comments.

Commissioner Judith M. Goldberg had no comments.

Commissioner Donald Peters had no comments

Vice Mayor David Stern had no comments.

Mayor Natasha Moore had no comments

13. TOWN ATTORNEY'S REPORT

Town Attorney Rubin had nothing to report.

14. TOWN MANAGER'S REPORT

Town Manager Marshall Labadie had nothing to report.

15. ANNOUNCEMENTS

Mayor Moore read the announcements as follows:

Board Vacancies

Code Enforcement Board One (1) vacancy for a three-year term

Meetings and Events

August 12, 2025 1:00 P.M. Special Magistrate Hearing

August 14, 2025 9:30 A.M. Planning Board Regular Meeting

August 12 through 15, 2025 Florida League of Cities Annual Conference

August 21, 2025 1:30 P.M. Town Commission Meeting (tentative)

Board Action Report

None.

Town Commission Meeting Minutes

DRAFT

Date: August 05, 2025 Page 4 of 4

16. ADJOURNMENT

The meeting adjourned at 1:33 P.M.

APPROVED: September 02, 2025, Town Commission Meeting.

	Signed Minutes on file in the Town Clerk's Office
ATTEST:	Natasha Moore, Mayor
	Transcribed by Lanelda Gaskins
	09/02/2025
Lanelda Gaskins, MMC Town Clerk	Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: https://highlandbeach-fl.municodemeetings.com/.

File Attachments for Item:

B. Request for land filling approval for a portion of the property located at 2564 South Ocean Boulevard.



TOWN OF HIGHLAND BEACH AGENDA MEMORANDUM

MEETING TYPE: Town Commission Meeting

MEETING DATE September 2, 2025

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: Request for land filling approval for a portion of the property located at

2564 South Ocean Boulevard.

SUMMARY:

On August 14, 2025, the Planning Board approved a special exception request (Application No. PZ-25-28) to install 105 linear foot seawall and seawall cap, a 275 square foot dock, and a 33,000 pound capacity boat lift for the property located at 2564 South Ocean Boulevard. As part of the latter request, the Applicant proposes to fill a 1,360 square foot area from the existing retaining wall (abutting the existing pool) to the new seawall as follows:

Proposed fill location	Amount of fill
From existing retaining wall (abutting the existing pool) to the rear property line.	1,000 square feet
From the rear property line to new seawall	360 square feet

The Planning Board's approval was contingent upon the following conditions of approval:

- 1. Sod or artificial turf shall be placed from the property line to the seawall cap.
- 2. Town Commission approval of a land fill permit pursuant to Chapter 14 of the Town Code of Ordinances.

According to Section 14.1 of the Town Code of Ordinances, the following provisions pertaining to "land filling" apply:

Any person desiring to add to or extend any lands, areas, including submerged lands, to remove sand, rock or earth from any submerged lands, to construct a finger canal, lagoon or yacht basin within the territorial limits of the town by any means, including, but not limited to, hydraulic dredging, pumping, dragline, dynamiting or shovel, **shall first make application to the town commission for**

permission to do so. Such written application shall be accompanied by a plan or drawing showing the area to be filled and also showing the area from which any fill material is to be dredged or removed by other means. Specifications sufficient in detail as to clearly outline how the dredging or filling procedure will take place must also accompany the application.

The Applicant has provided a narrative regarding the fill operation and materials. The plans approved by the Planning Board, as noted above, show the area to be filled (see attached 11X17 plans). The Applicant has received both Florida Department of Environmental Protection and US Army Corps of Engineers approval for the project. The corresponding file numbers for each agency are provided in the table below.

FDEP (Permit Number)	ACOE (File Number)
50-0349303-003,004,005-EE (seawall and seawall cap).	SAJ-2021-03211(LP-JFB).
50-0349303-006-EE (dock and boat lift).	

FISCAL IMPACT:

N/A

ATTACHMENTS:

Applicant's fill narrative.

Planning Board Action form – August 14, 2025.

August 14, 2025 Planning Board staff report and backup materials.

RECOMMENDATION:

At the discretion of the Town Commission

Town of Highland Beach
Building and Zoning Department
3616 South Ocean Blvd
Highland Beach, Florida 33487

Re: Mikhail Vesselov 2564 S Ocean Blvd Highland Beach, FL 33487

Project Number PZ-25-28

Planning and Zoning Review Comments

- 1. The amount of fill will be 1,360 square feet total (455 cubic yards total), there will be 360 square feet (120 cubic yards) of fill placed WEST of the Property Line, and 1,000 square feet (335 cubic yards) of fill placed EAST of the Property Line.
- 2. See Sheets 5 of 13, Sheet 6 of 13, Sheet 8 of 13, and Sheet 9 of 13
- 3. Explanation of Fill Operations:
 - a. The new seawall to be installed will create a 12'-11" wide opening between it and the existing retaining wall (9'-6" from existing retaining wall to the property line and 3'-5" from the property line to wet face of the new seawall panel). This void is shown on Sheet 5, Sheet 6, Sheet 8 and Sheet 9 of the plans.
 - b. This void will be filled with clean fill material from offsite sources. The fill operations will not proceed until the new seawall is in place, however, some initial fill materials may need to be placed prior to completion of the new seawall to keep the new seawall panels in an upright position.
 - c. The fill materials will be brought by truck and dumped into the void and spread out and levelled by crane or backhoe. The materials will be placed in approximately 8 to 12-inch layers. Each layer will be tamped down to remove air pockets and compact the materials. This will be repeated until all the fill materials are placed and the desired final grade is achieved.

Thank you.

William R Thomas



TO:	Ingrid Allen	Town Planner.	Planning	Division
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Carol Holland, Officer Manager, Building Department Jeff Remas, Building Official, Building Department

FROM: Town Clerk's Office

DATE: 08/14/2025

SUBJECT PROPERTY

APPLICANT/OWNER: Elena & Mikhail Vesselov
PROPERTY ADDRESS: 2564 South Ocean Boulevard
PROPERTY CONTROL NUMBER: 24-43-46-28-09-000-0161

APPLICATION NO. PZ-25-28

	REVIEW GIVEN TO SUBJECT PROPERTY
	Preliminary Review: Final Review: Special exception to install a 105 linear foot seawall and seawall cap, a 275 square foot dock, and a 33,000 pound capacity boat lift for the property located at 2564 South Ocean Boulevard.
	Amended Site Plan Review Other
JANT	JGUST 14, 2025 MEETING, THE PLANNING REVIEWED THE ABOVE MATTE TO THE TOWN CODE OF ORDINANCES, AND HEREBY CERTIFIES THAT THE ACTION WAS TAKEN:
	Denied Approved Approved with Conditions (as noted) Other:
	JANT

THE BOARD'S FINDINGS WERE AS FOLLOWS:

MOTION: David/Powell – Moved to approve Development Order No. PZ-25-28 with the following conditions: Sod or artificial turf shall be placed from the property line to the seawall cap and contingent upon Town Commission approval of a land fill permit pursuant to Chapter 14 of the Town Code of Ordinances. Based upon a roll call: Member David (Yes), Member Powell (Yes), Member Babij (Yes), Member Axelrod (Yes), Vice Chairperson Rosen (Yes), and Chairperson Mendelson (Yes). The motion passed on a 6

to 0 vote.

HIGHLAND BEACH BUILDING DEPARTMENT



3614 S. Ocean Boulevard Highland Beach, FL 33487 Ph: (561) 278-4540

PLANNING BOARD STAFF REPORT

MEETING OF: August 14, 2025

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY WILLIAM THOMAS, UNLIMITED PERMIT

SERVICES, INC., REQUESTING A SPECIAL EXCEPTION TO INSTALL A 105 LINEAR FOOT SEAWALL AND SEAWALL CAP, A 275 SQUARE FOOT DOCK, AND A 33,000 POUND CAPACITY BOAT LIFT FOR THE PROPERTY LOCATED AT 2564 SOUTH OCEAN

BOULEVARD. (APPLICATION NO. PZ-25-28).

I. GENERAL INFORMATION:

Applicant (Property Owner): Elena & Mikhail Vesselov

2564 South Ocean Boulevard Highland Beach, FL 33487

Applicant's Agent: William Thomas

Unlimited Permit Services, Inc.

902 NE 1 Street #2

Pompano Beach, Fl. 33060

Property Characteristics:

Comprehensive Plan Land Use: Single Family

Zoning District: Residential Single Family (RS)
Site Location: 2564 South Ocean Boulevard
Parcel PCN#: 24-43-46-28-09-000-0161

Request and Analysis:

The Applicant is requesting a special exception to install a 105 linear foot seawall and seawall cap, a 275 square foot concrete dock, and a 33,000 pound capacity elevator boat lift. According to the Applicant, 105 linear feet of existing riprap along with remains of a previous dock, wood access pier, boat lift, and mooring pile are proposed to be removed.

The Applicant has obtained both Florida Department of Environmental Protection (FDEP) and U.S. Army Corps of Engineers (ACOE) authorization for the above-referenced request as follows:

FDEP (Permit Number)	ACOE (File Number)
50-0349303-003,004,005-EE (seawall and seawall cap).	SAJ-2021-03211 (LP-JFB).
50-0349303-006-EE (dock and boat lift).	

Note that there are dimensional discrepancies between the plans approved by FDEP and ACOE and the plans submitted to the Town as part of the special exception request. These discrepancies include the following:

Proposed	FDEP and ACOE authorizations	Town submittal
Seawall elevation	6.21 feet	7.0 feet
Dock square footage	440 square feet (55'X8')	275 square feet (55'X5')

Pursuant to Section 6-128(b) of the Town Code, all seawalls west of State Road A1A shall be at Base Flood Elevation (BFE) or higher as provided by the FEMA FIRM maps. The BFE for the property is currently at seven (7) feet. According to Town Ordinance Number 2025-002 (Adopted on January 21, 2025) which amended certain accessory marine facility and seawall regulations, the maximum combined seawall cap and dock width shall not exceed eight (8) feet. Based on these Town Code requirements, the Applicant revised the seawall elevation and the proposed dock width from eight (8) feet to five (5) feet given the proposed seawall cap width is three (3) feet. Email correspondence from FDEP and ACOE indicates that such discrepancies do not affect the validity of their authorizations (see attached).

The proposed dock and boat lift are in compliance with the 25 foot required marine side setback for accessory marine facilities located within the RS zoning district. In addition, the proposed boat lift is in compliance with the below definition of "boat lift" as provided in Section 30-131 of the Town Code. According to the Applicant's boat lift detail (sheet 9), the top of the proposed boat lift is 6'6" above the proposed dock while the top of the vessel's superstructure is approximately 7'10".

Boat lifts means the bottom of the keel of any boat shall not be hoisted greater than one foot above the existing seawall elevation. In no case shall the lift be higher than the superstructure of the boat when lifted except for personal watercraft including jet skis (Sec. 30-131).

The Applicant also proposes to fill a 1,360 square foot area between the existing retaining wall abutting the swimming pool and the new seawall. Pursuant to Section 14.1 of the Town Code, the following provisions pertaining to "land filling" apply:

Any person desiring to add to or extend any lands, areas, including submerged lands, to remove sand, rock or earth from any submerged lands, to construct a finger canal, lagoon or yacht basin within the territorial limits of the town by any means, including, but not limited to, hydraulic dredging, pumping, dragline, dynamiting or shovel, shall first make application to the town commission for permission to do so. Such written application shall be accompanied by a plan or drawing showing the area to be filled and also showing the area from which any fill material is to be dredged or removed by other means. Specifications sufficient in detail as to clearly outline how the dredging or filling procedure will take place must also accompany the application.

As noted above, a land fill request will be reviewed and considered by the Town Commission.

Section 30-67(b) of the Town Code indicates that docks, seawalls, and boat lifts in all Residential zoning districts require special exception approval by the Planning Board. Section 30-36(a) of the Town code states that the Planning Board may approve, approve with conditions, or deny a request for special exception relating to seawalls, bulkheads, retaining walls and accessory marine facilities.

If the Planning Board approves the request, the Applicant will be required to obtain a building permit, prior to initiation of construction, from the Town of Highland Beach Building Department. Pursuant to Section 30-21(g) of the Town Code, commencement of construction shall be initiated within two (2) years following the date of approval by the Planning Board.

Staff reviewed the Applicant's proposed request including plans date stamped received by the Building Department on July 24, 2025 and finds that the project is consistent with the special exception provisions of Section 30-36 of the Town Code, were applicable, and consistent with the Town Comprehensive Plan and Town Code of Ordinances. If the Planning Board should grant approval of the request, staff recommends the following conditions of approval:

- 1. Sod or artificial turf shall be placed from the property line to the seawall cap.
- 2. Contingent upon Town Commission approval of a land fill permit pursuant to Chapter 14 of the Town Code of Ordinances

Should you have any questions, please feel free to contact me at (561) 637-2012 or iallen@highlandbeach.us

Attachments: Application

Aerials Current site photos FDEP approval ACOE approval Applicant Plans (11X17)



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

PROPERTY INFORMATION ASSOCIATED WITH THIS APPLICATION

Address: 2564 S OCEAN BLVD, HIGHLAND BEACH FL 33487 PCN: 24-43-46-28-09-000-0161

Full Legal Description of the Property [as described in the deed] or reference to an attachment:

BYRD BEACH S 5 FT OF LT 16-A & LT 17-A

Zoning District:

What is the location of the installation?

RS-RESIDENTIAL SINGLE FAMILY (24-HIGHLAND BEACH) M Intracoastal Waterway (ICW) 🗆 Interior Canal/Basin 🗖 N/A

PROPERTY OWNER (APPLICANT) INFORMATION

Name: ELENA & MIKHAIL VESSELOV

Phone: 954-628-2192

Fax:

Mailing Address: 2564 S OCEAN BLVD, HIGHLAND BEACH FL 33487

Email Address: jeff@uconstructionpartners.com

APPLICANT'S AGENT INFORMATION

Name: WILLIAM THOMAS

Phone: 954-532-0129

Fax:

Company Name: UNLIMITED PERMIT SERVICES, INC.

Mailing Address: 902 NE 1 ST #2, POMPANO BEACH FL 33060

Email Address: OFFICE@UNLIMITEDPS.NET

Provide a detailed description of the proposed project (use additional pages if necessary):

Proposed 55' x 8' (440sf) concrete dock on (8) 12" x 12" concrete piles,

Proposed Neptune 33,000lb 4-track boat lift, two 10' return walls,

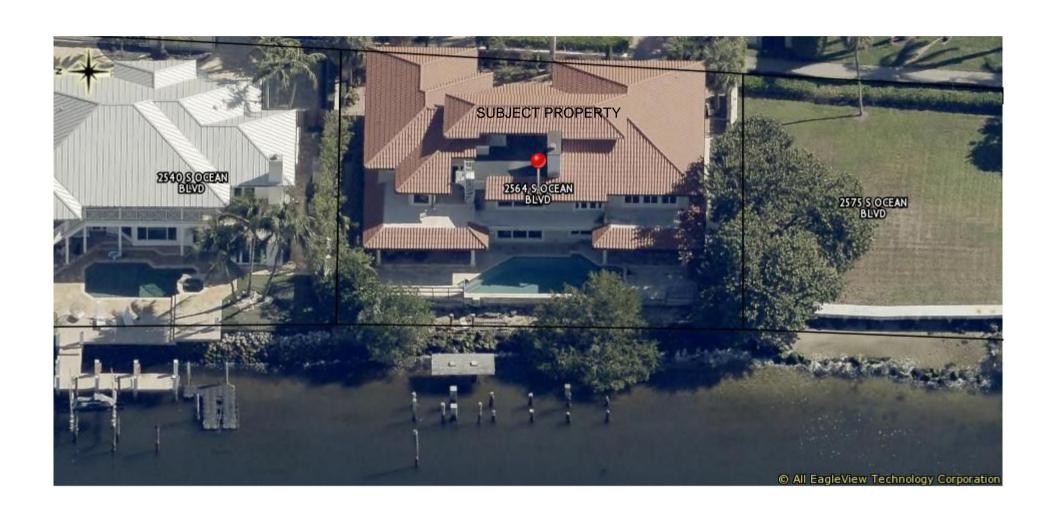
105' of new 36" wide x 14" concrete cap with (13) 12" x 12" concrete vertical piles,

(12) new 12" x 12" concrete batter piles and concrete panels.

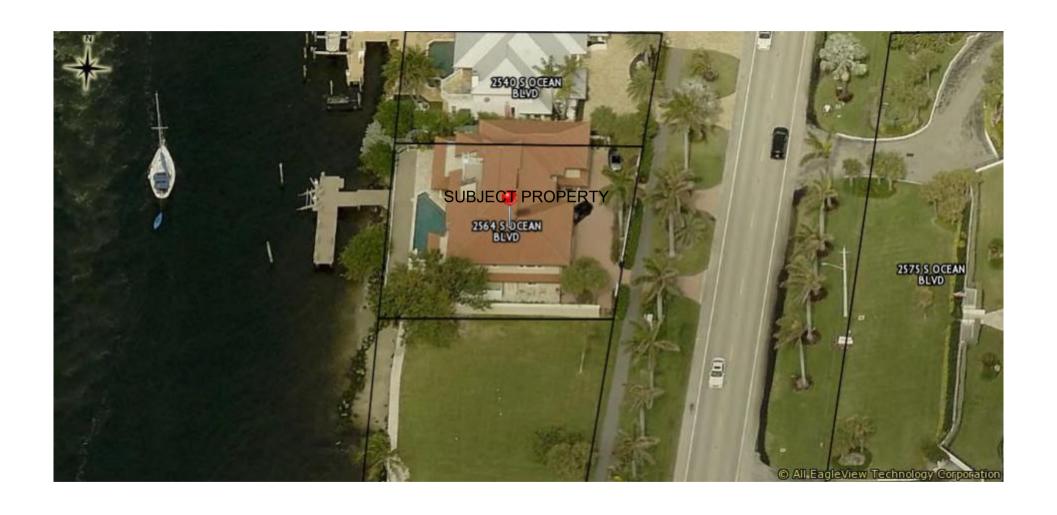
I give permission to the members of the Town Commission, Planning Board and staff to inspect the property for the purpose of this application. I declare that all statements made herein are true, based upon the best available information. Willful false statements may jeopardize the validity of my application or any decision issued thereon. I have fully read the information outlining the application requirements. With this application, I am submitting the necessary supporting materials listed.

Property Owner's Signature: Property Owner's Printed Name Mikhail Vesselov	Date: 4 10 25
Received by the Town Clerk's Office:	
Received By:	Date:
Date Public Notices Mailed:	
Date Legal Advertisement Published	

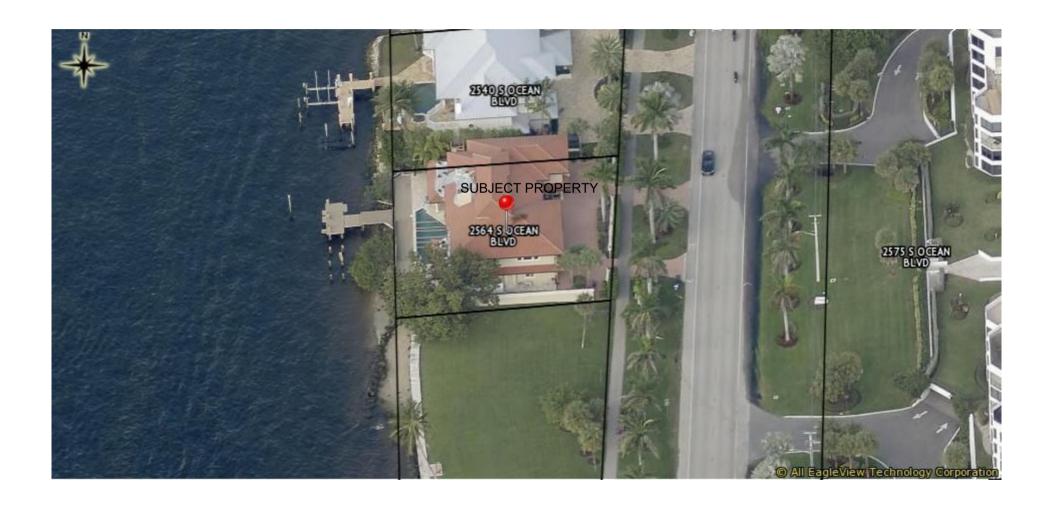




Aerial from 2020



Aerial from 2021





















Kathy Cartier

From: Sattelberger, Danielle < Danielle.Sattelberger@FloridaDEP.gov>

Sent: Thursday, May 22, 2025 2:24 PM

To: Kathy Cartier

Cc: SED Permitting; Tracey, John

Subject: RE: 50-0349303-006-EE - Mikhail Vesselov - 2564 S Ocean Blvd - Highland Beach

Good afternoon,

The modified dock still meets exemption criteria. If you would like a formal letter with the Department's verification with the updated plans, a new application will need to be submitted.

Thank you,



Danielle C. Sattelberger

Environmental Administrator

Florida Department of Environmental Protection Southeast District – West Palm Beach 3301 Gun Club Road, MSC 7210-1 West Palm Beach, FL 33406 Danielle.Sattelberger@FloridaDEP.gov

Office: (561) 681-6783

Notice: Florida has a broad public records law. Most written communications to or from state officials regarding official business are public records and may be disclosed upon request. Your email communications may therefore be subject to public disclosure.

From: Kathy Cartier < kathyc@unlimitedps.net >

Sent: Tuesday, May 20, 2025 2:45 PM

To: SED Permitting <SED Permitting@dep.state.fl.us>

Subject: 50-0349303-006-EE - Mikhail Vesselov - 2564 S Ocean Blvd - Highland Beach

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Good afternoon,

Juliana Hall recently assisted in our processing of the referenced and attached exemption verification project. Minor changes were made to the plans during the building permit review process and the city has asked for confirmation from the FDEP that the project remains covered. Please see attached plans which show the proposed dock width reduced to 5 feet and the elevation raised to 7 feet NAVD. Please confirm by reply email that the exemption remains valid.

Thank you for your assistance,



Kathy CartierUnlimited Permit Services, Inc 902 NE 1 Street, Suite #2 Pompano Beach, Florida 33060 Office (954) 532-0129 ext. 3 kathyc@unlimitedps.net





FLORIDA DEPARTMENT OF Environmental Protection

Southeast District 3301 Gun Club Road, MSC 7210-10 West Palm Beach, FL 33406 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Alexis A. Lambert Secretary

January 28, 2025

Vesselov Mikhail 2564 South Ocean Blvd Highland Beach, FL 33487

Sent via e-mail: Kathyc@unlimitedps.net

Re: File No.: 50-0349303-006-EE

File Name: Vesselov Dock and Boat Lift

Dear Vesselov Mikhail:

On December 19, 2024, we received your request for verification of exemption to perform the following activities: 1) install a 440 sq. ft. dock and 2) install a boat lift. The project is located in the Intracoastal Waterway, Class III Waters, adjacent to 2564 South Ocean Blvd, Highland Beach (Section 28, Township 46 South, Range 43 East), in Palm Beach County (Latitude N 26°25'39.4600", Longitude W -80°3'50.7874").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity**. This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Juliana Hall at the letterhead address or at Juliana.Hall@FloridaDEP.gov

Project Name: Vesselov Dock and Boat Lift

Page 2 of 5

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(b), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review- NOT REQUIRED

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code.

3. Federal Review - NOT APPROVED

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing

Project Name: Vesselov Dock and Boat Lift

Page 3 of 5

process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and

Project Name: Vesselov Dock and Boat Lift

Page 4 of 5

120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

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Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Project Name: Vesselov Dock and Boat Lift

Page 5 of 5

EXECUTION AND CLERKING

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Environmental Specialist II

liana

Southeast District

Enclosures:

Attachment A- Specific Exemption Rule Project drawings, 6 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP - Danielle Sattelberger, Juliana Hall

Kathy Cartier, Unlimited Permit Services, Inc., Kathyc@unlimitedps.net

Additional mailings:

Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Kameil Akbar January 28, 2025

Clerk Date

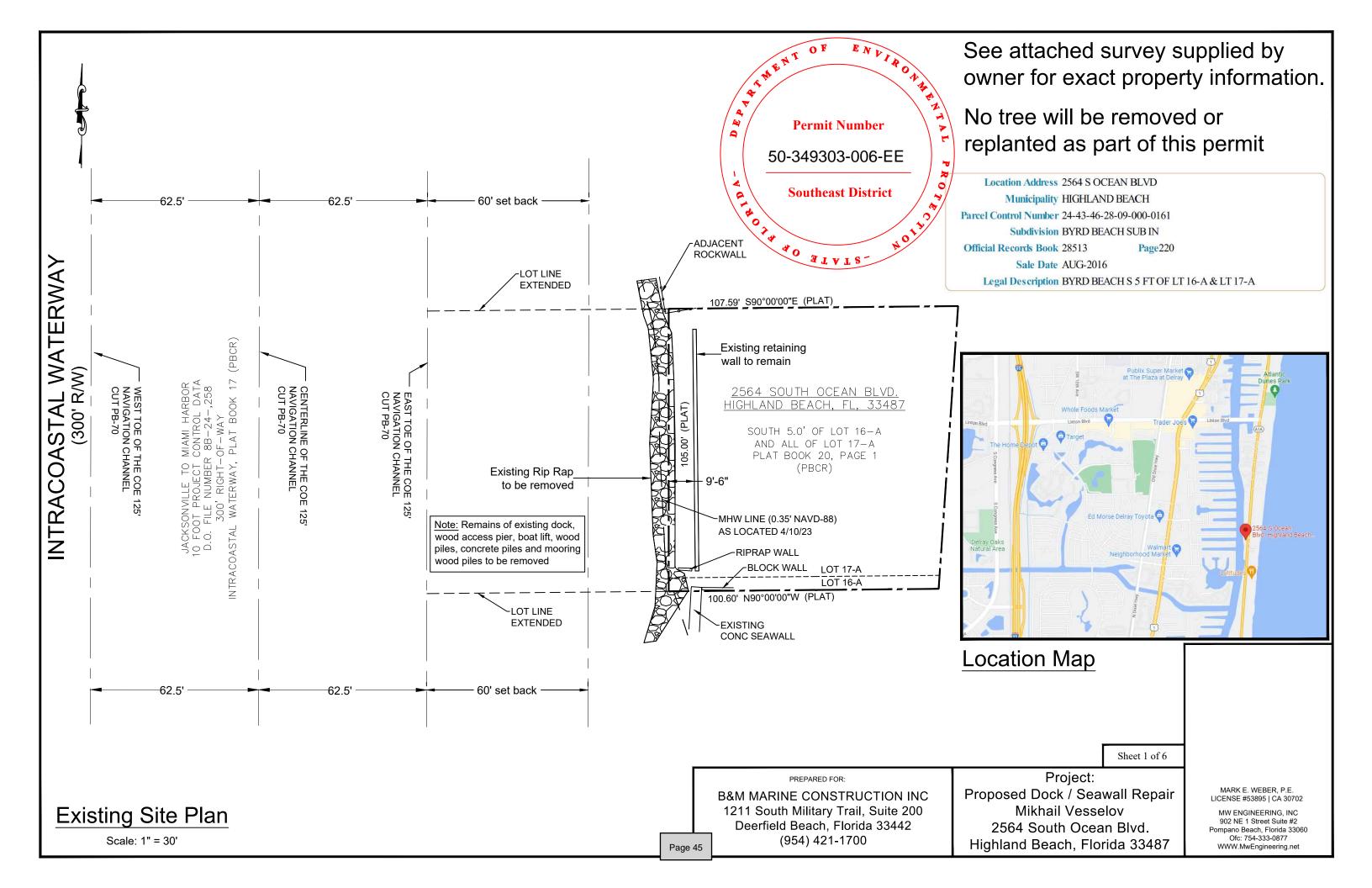
Attachment A

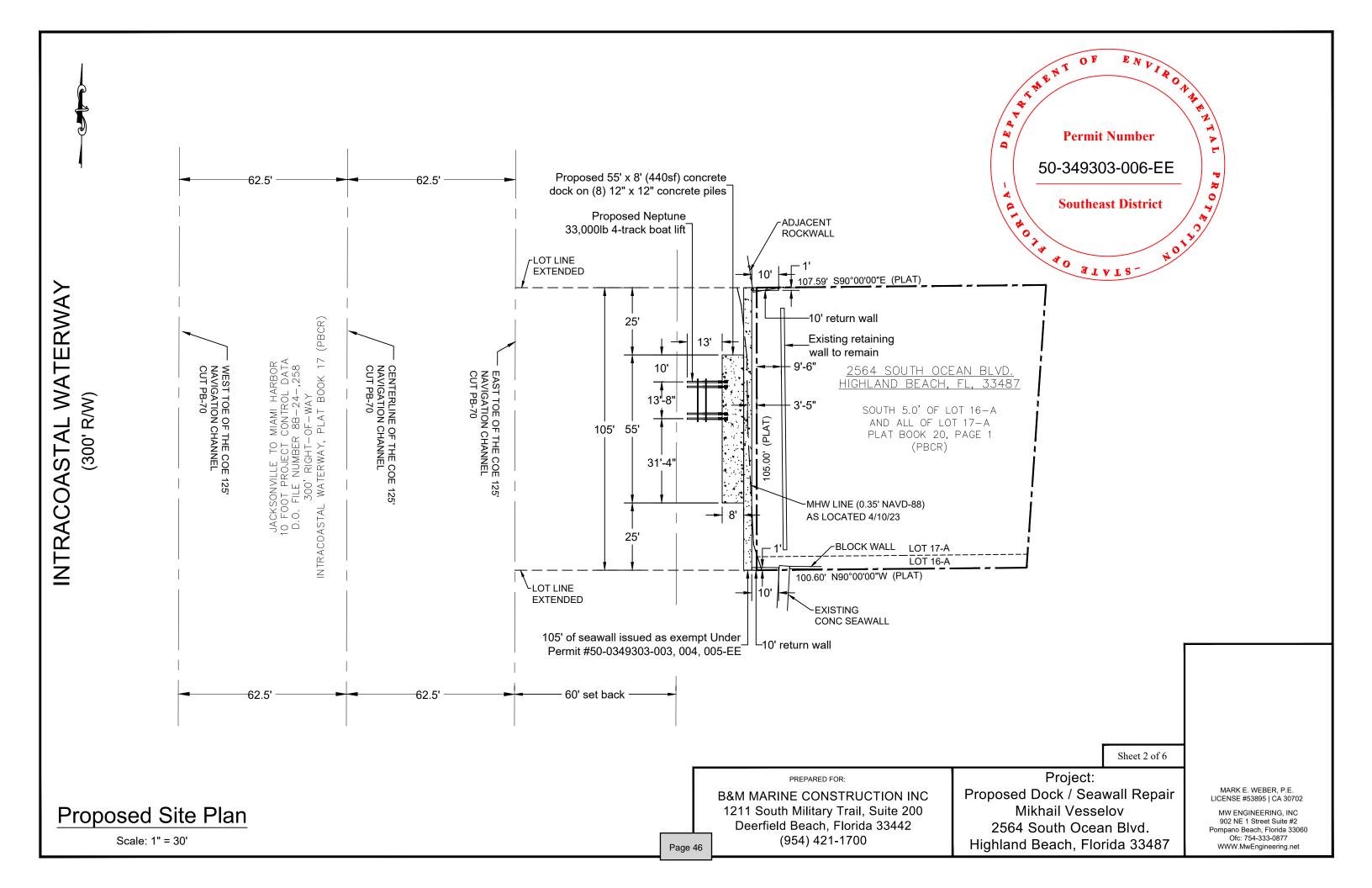
Chapter 62-330.051 Exempt Activities.

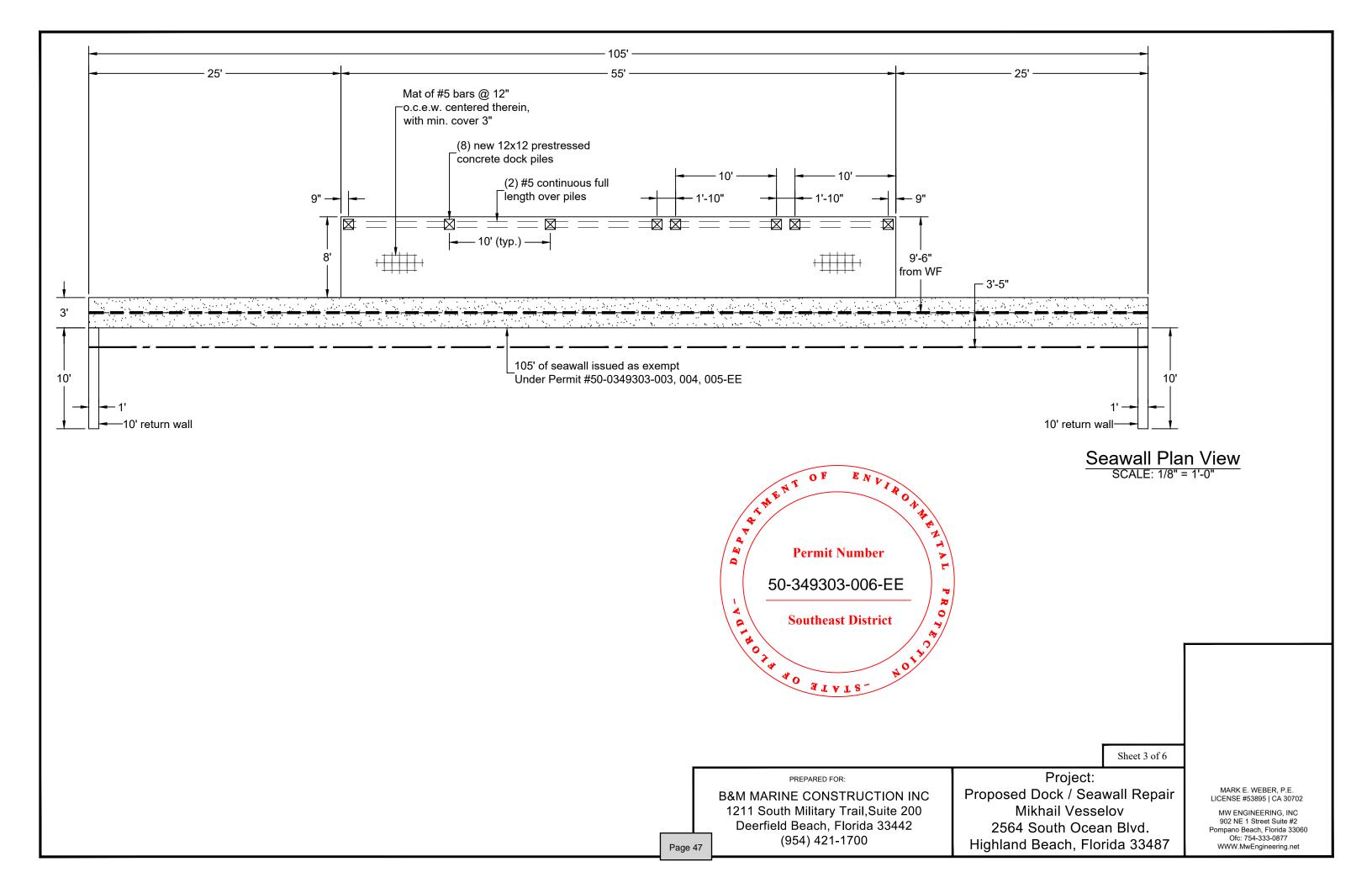
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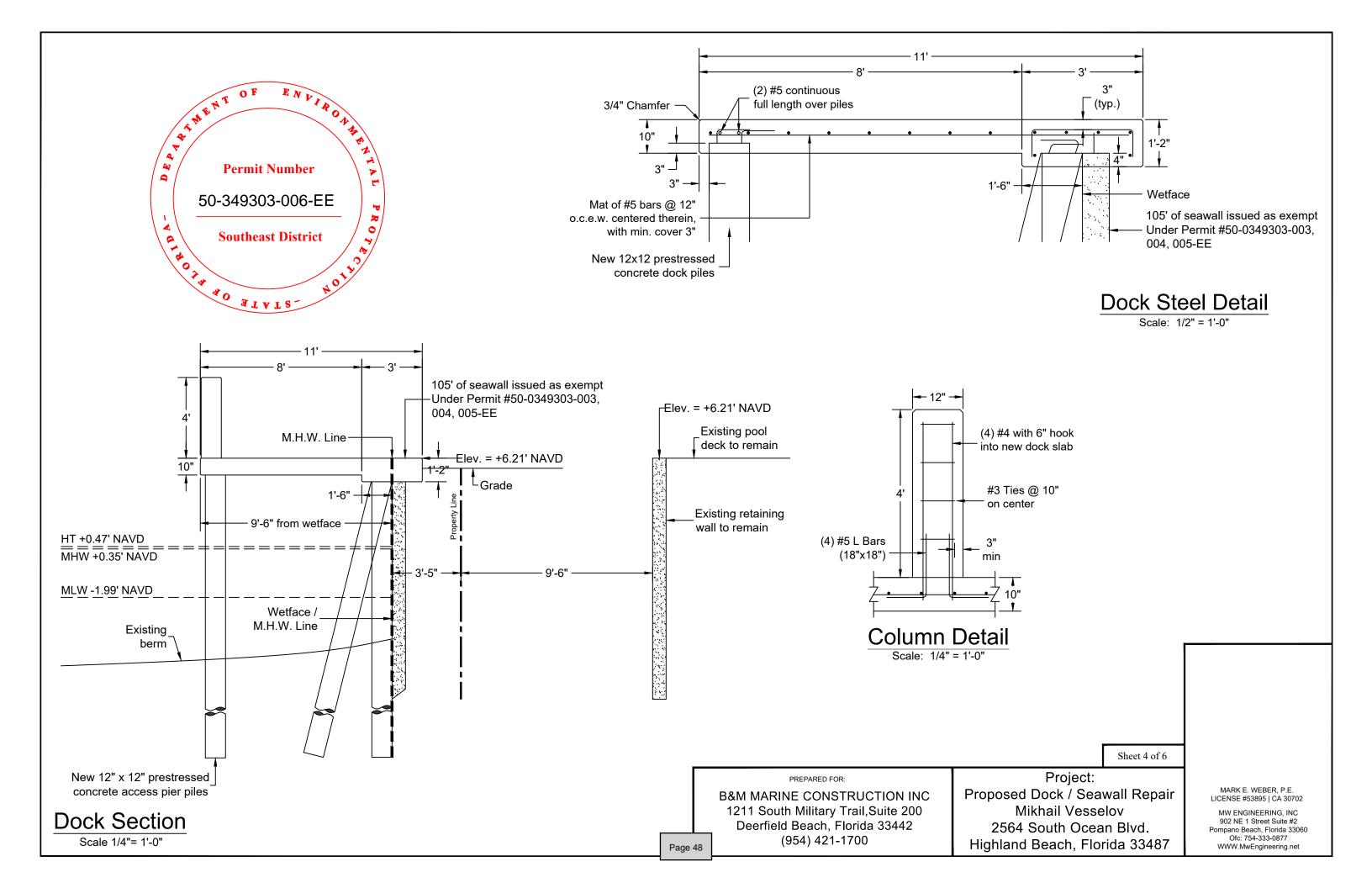
- (5) Dock, Pier, Boat Ramp and Other Boating-related Work –
- (b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers and recreational docking facilities, in accordance with section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:
- 1. The cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed the limitations in section 403.813(1)(b), F.S.;
 - 2. No structure is enclosed on more than three sides with walls and doors;
- 3. Structures are not used for residential habitation or commercial purposes, or storage of materials other than those associated with water dependent recreational use; and
- 4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.

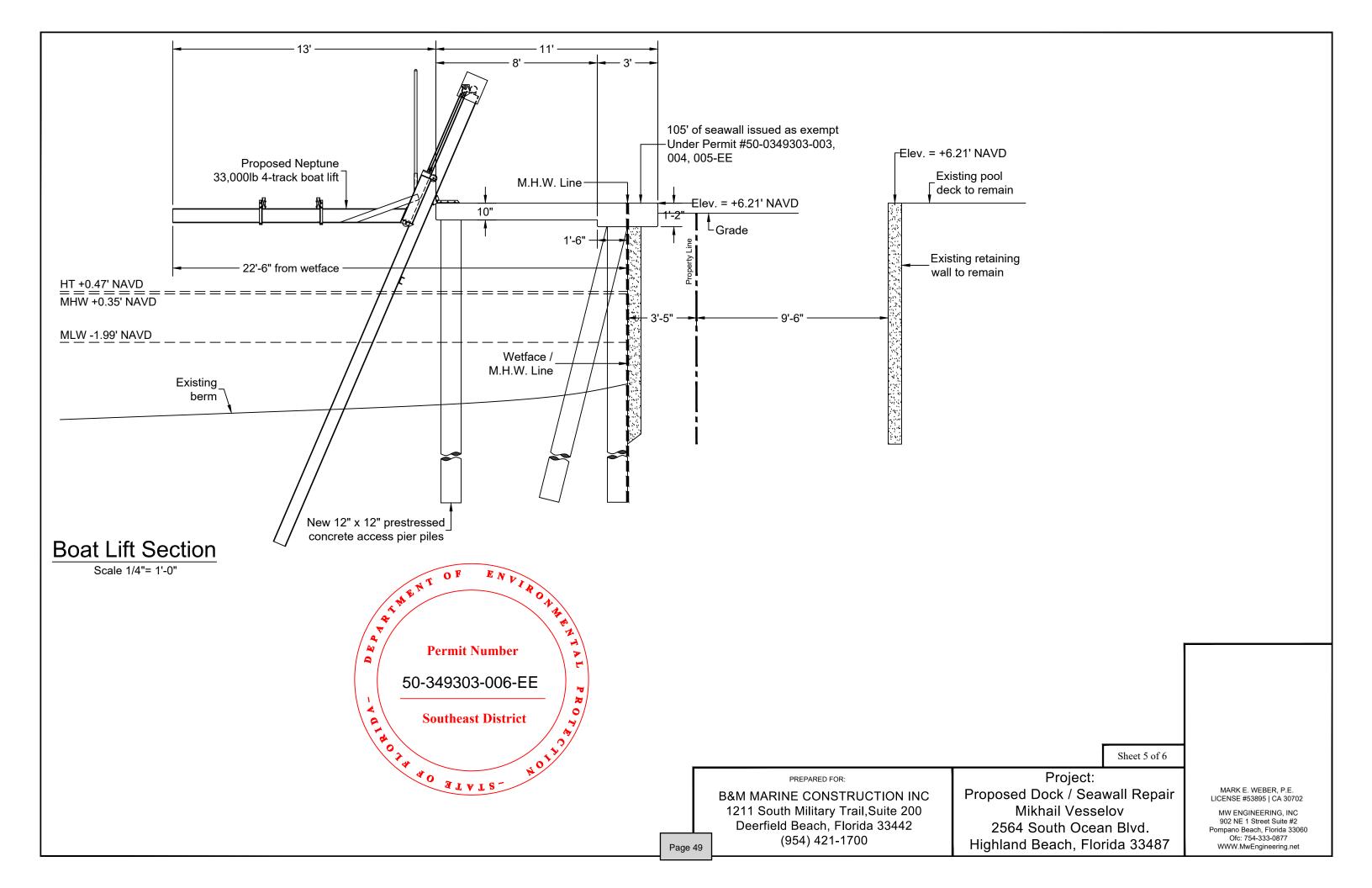
Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History—New 10-1-13, Amended 6-1-18.











GENERAL NOTES:

- 1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
- 2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
- 3. Do not scale drawings for dimensions.
- 4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
- 5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- 6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
- 7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- 8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- 9. Licensed Contractor to verify location of existing utilities prior to commencing work.
- 10. The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- 11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- 12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

- 1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
- 2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
- 3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
- 4. Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

- 1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- 3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- 4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- 5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- Concrete piles shall attain 6000 psi compressive strength in 28 days.
- 2. Concrete piles shall be reinforced with four $\frac{7}{16}$ Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- Concrete piles shall be 12"x12" square, minimum length of 20'.
- 4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.



Sheet 6 of 6

PREPARED FOR:

B&M MARINE CONSTRUCTION INC 1211 South Military Trail, Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700 Project:
Proposed Dock / Seawall Repair
Mikhail Vesselov
2564 South Ocean Blvd.
Highland Beach, Florida 33487

MARK E. WEBER, P.E. LICENSE #53895 | CA 30702

MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net

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FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office 3301 Gun Club Road, MSC 7210-1 West Palm Beach, FL 33406 561-681-6600 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Shawn Hamilton Secretary

June 2, 2023

Mikhail Vesselov 2564 South Ocean Boulevard Highland Beach FL, 33487

Sent via e-mail: jeff@uconstructionpartners.com

Re: File No.: 50-0349303-003,004,005-EE

File Name: Vesselov Seawall, Dock and Boatlift

Dear Mr. Vesselov:

On May 5, 2023, we received your request for verification of exemption to perform the following activities: 1) install 105 ln. ft. of new seawall 2) install 105 ln. ft. of seawall cap overpour, batter piles, and king piles 3) construct a 584 sq. ft. dock 4) install two new boat lifts. This project is located in the Intracoastal Waterway, Class III Waters, adjacent to 2564 South Ocean Blvd, Highland Beach (Section 28, Township 46 South, Range 43 East), in Palm Beach County (Latitude N 26°25'39.4583", Longitude W 80°3'50.7811").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal authorization of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity**. This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Jillian Kennedy at the letterhead address or at (561) 681-6648, $\underline{\text{Jillian.Kennedy@FloridaDEP.gov}}$.

Project Name: Vesselov Seawall, Dock and Boatlift

Page 2 of 6

1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Chapter 62-330.051(5)(b), (12)(c), and (12)(d), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review- NOT REQUIRED

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code, F.A.C.,

3. Federal Review – NOT APPROVED

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book.

Authority for review – an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

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Project Name: Vesselov Seawall, Dock and Boatlift

Page 3 of 6

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Project Name: Vesselov Seawall, Dock and Boatlift

Page 4 of 6

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Project Name: Vesselov Seawall, Dock and Boatlift

Page 5 of 6

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Norva Blandin, MSEM Permitting Program Administrator Southeast District

Enclosures:

Attachment A- Specific Exemption Rule Project drawings, 9 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP – Norva Blandin, Danielle Sattelberger, Jillian Kennedy Kathy Cartier - <u>kathyc@unlimitedps.net</u>

Additional mailings:

Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

June 2, 2023

Date

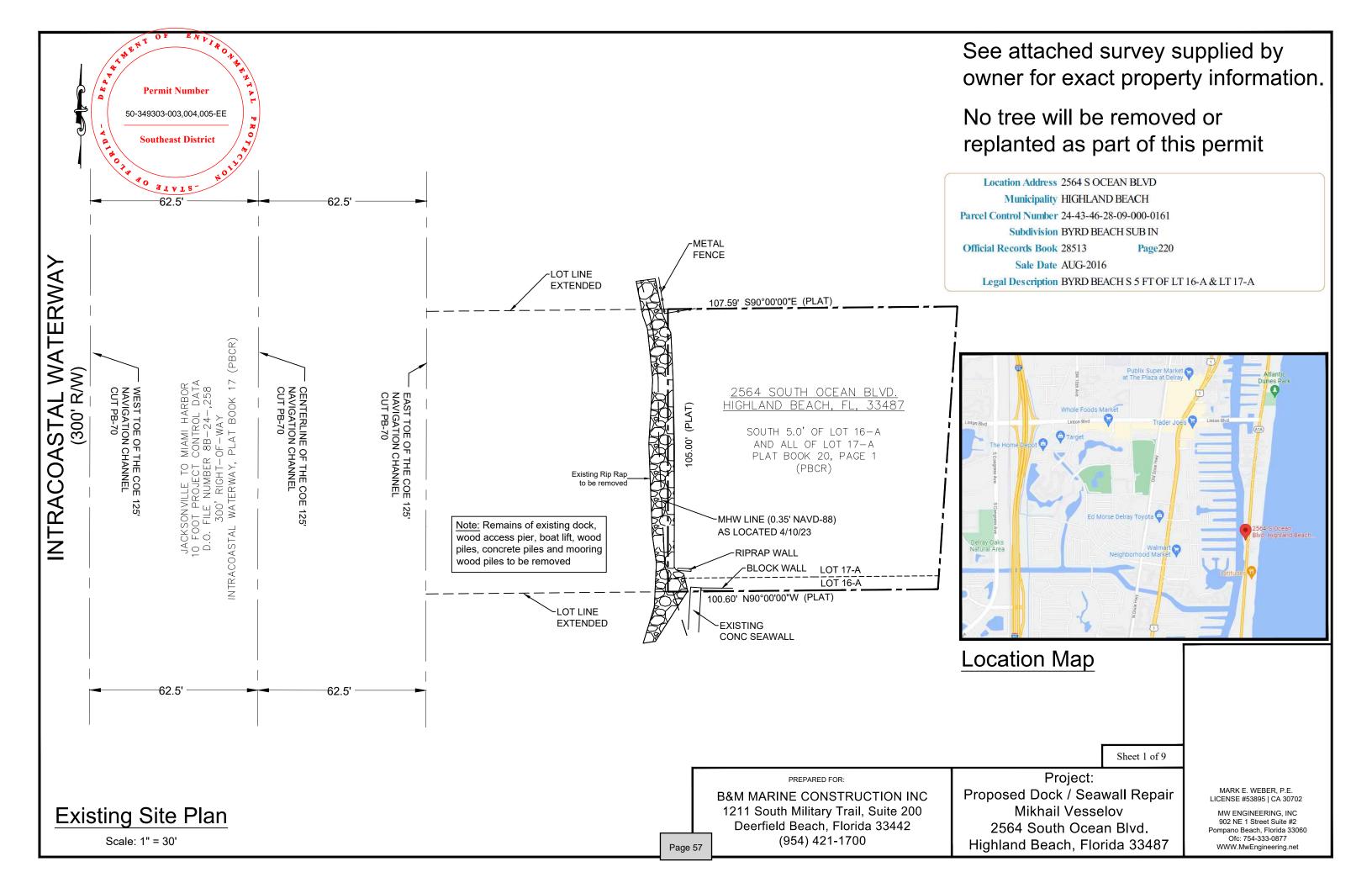
Attachment A

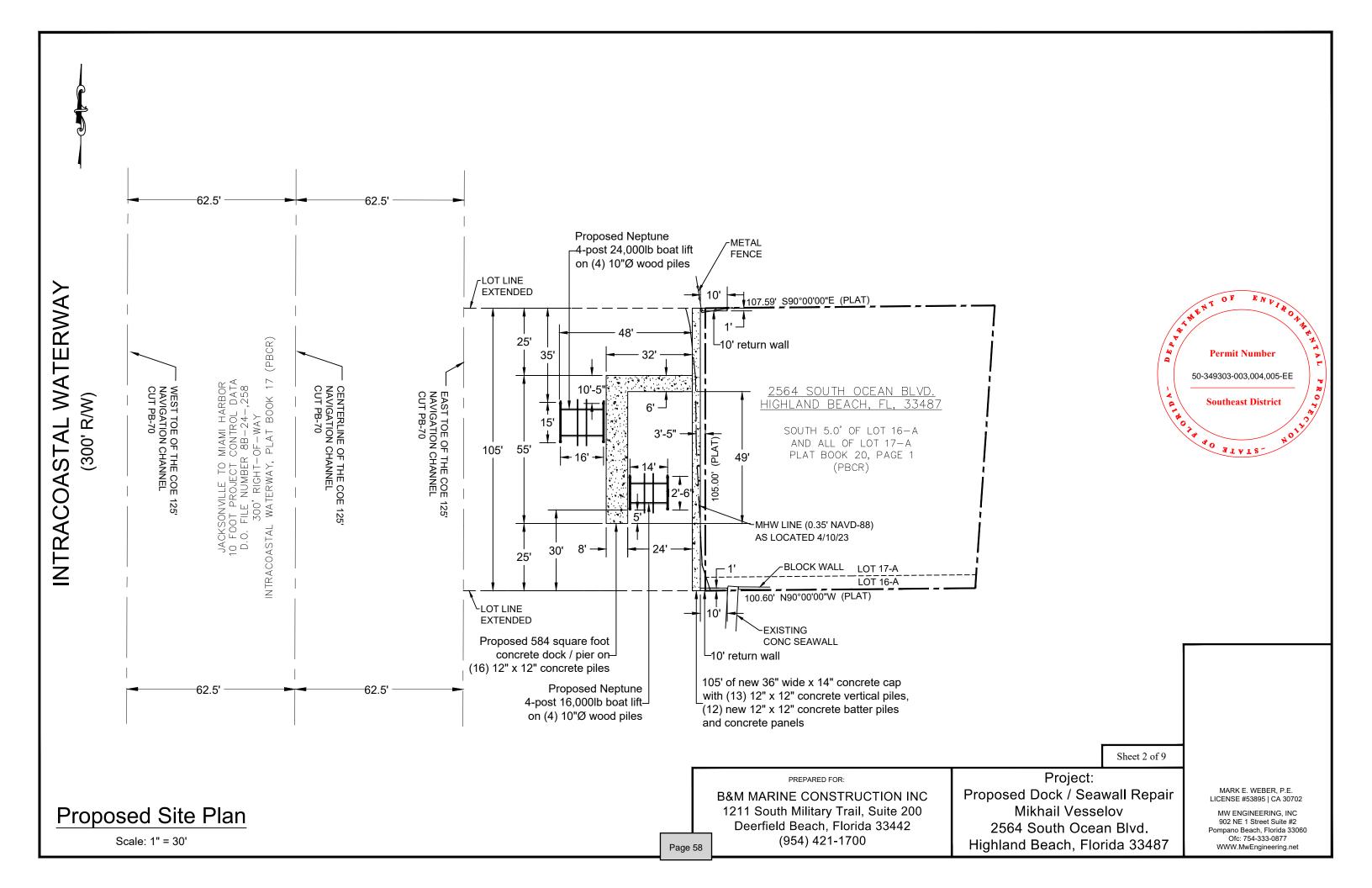
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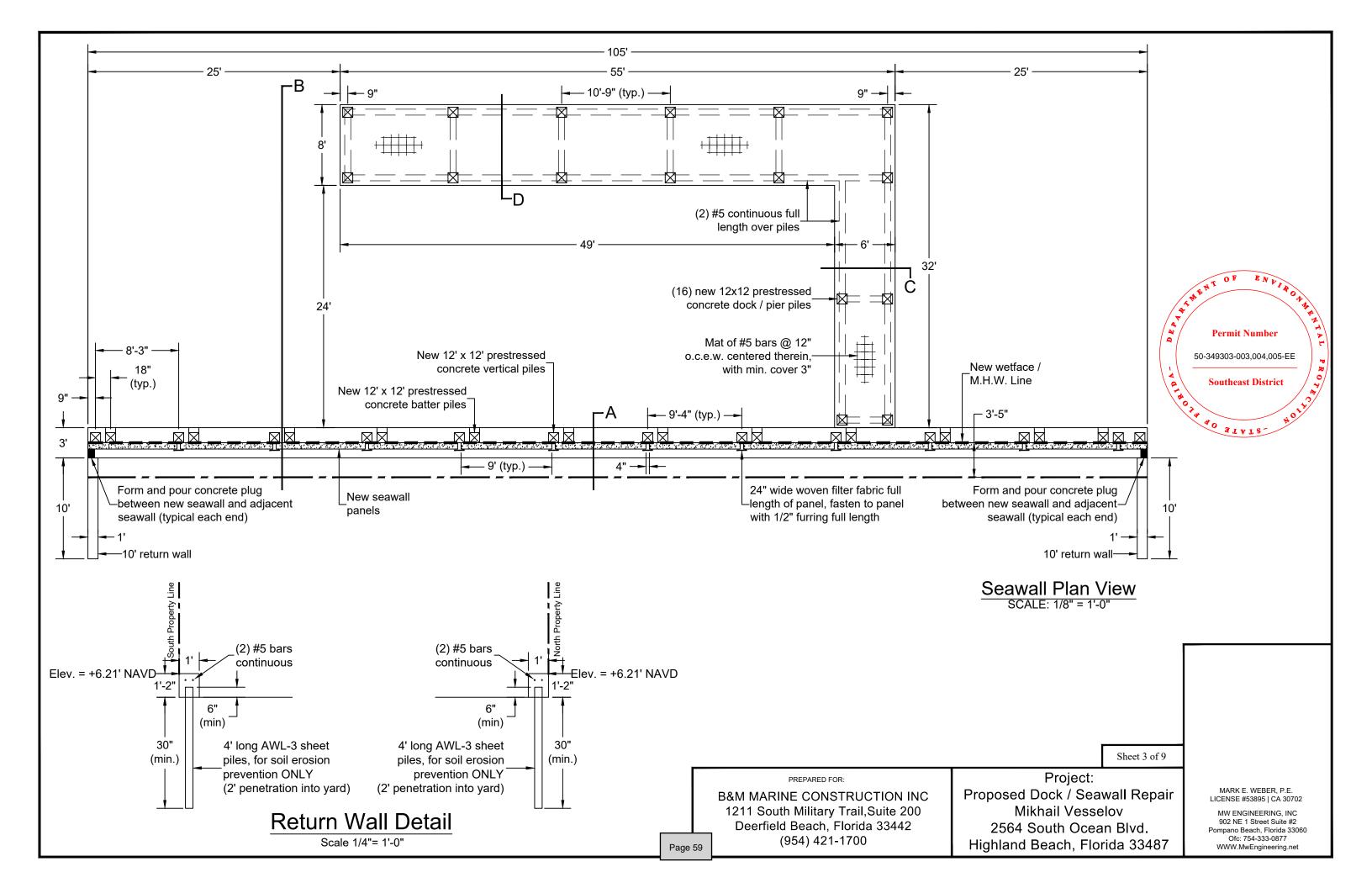
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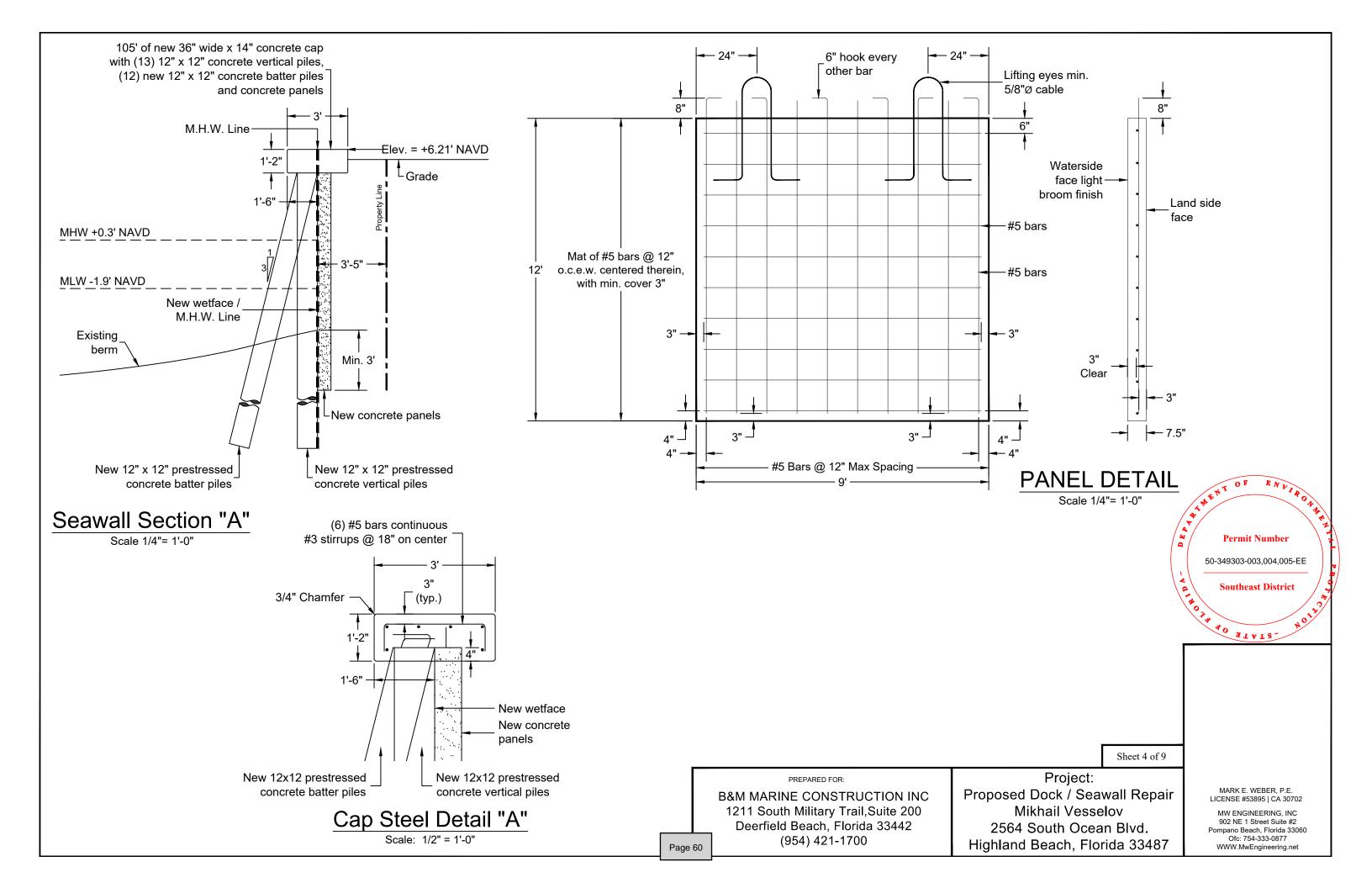
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- 4. Any dock and associated structure shall be the sole dock as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot.
- 12) Construction, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –
- (c) The construction of seawalls or riprap in wetlands or other surface waters between and adjoining existing seawalls or riprap at both ends in accordance with section 403.813(1)(o), F.S. For purposes of this exemption, riprap is subject to the same length and orientation limitations as a seawall.
- (d) Installation of batter piles, king piles, or a seawall cap, used exclusively to stabilize and repair seawalls, provided they do not impede navigation.

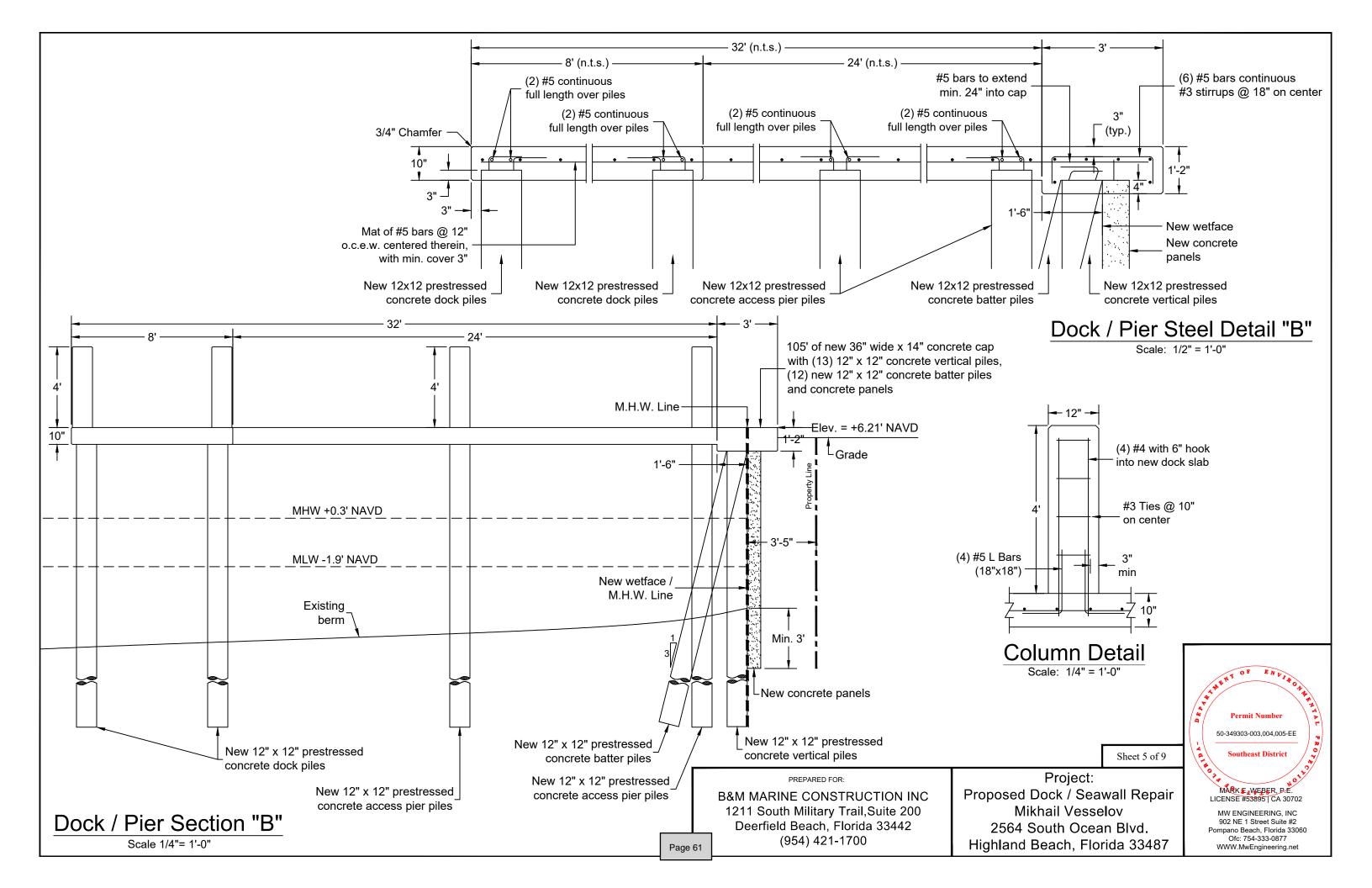
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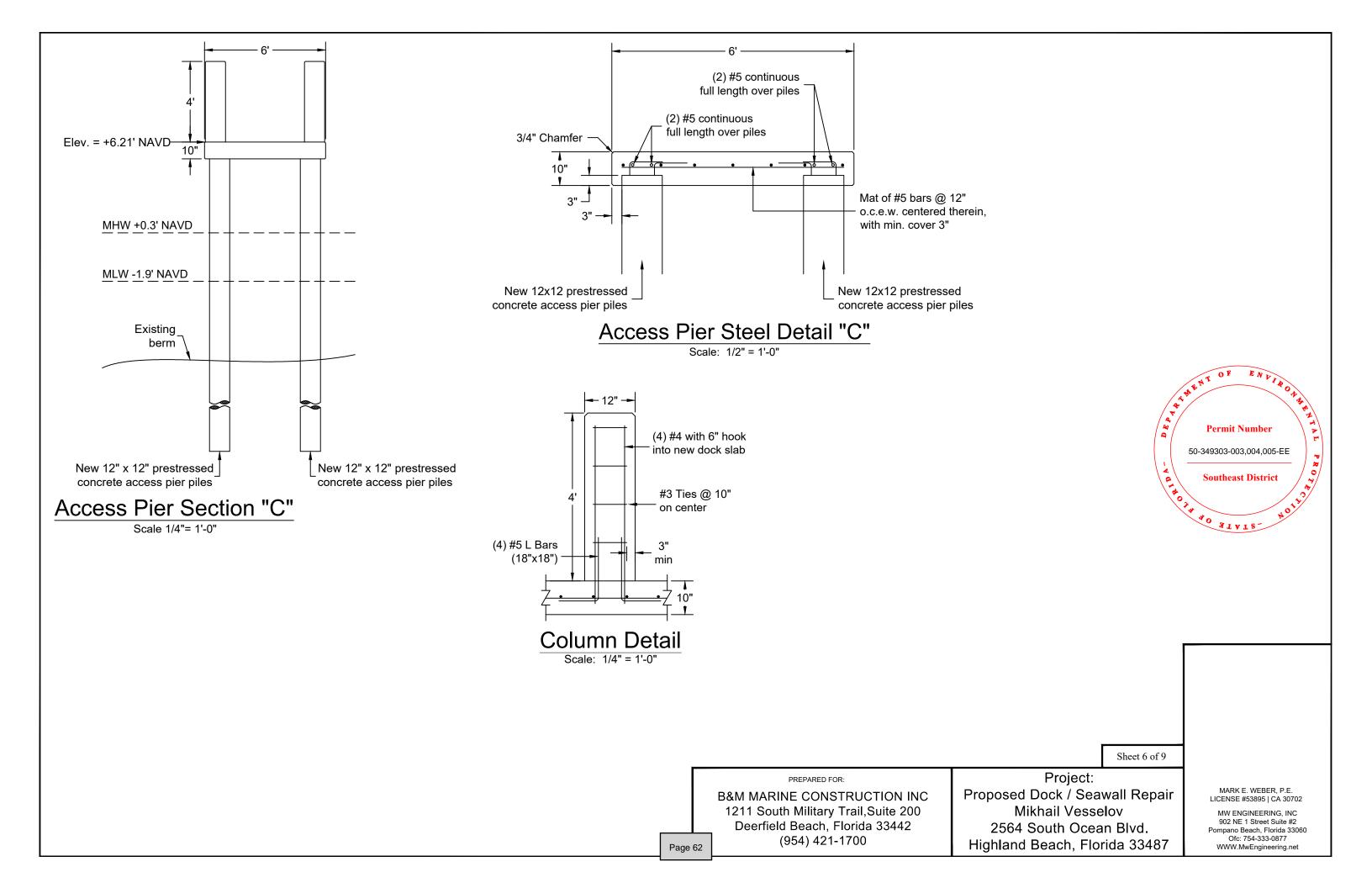


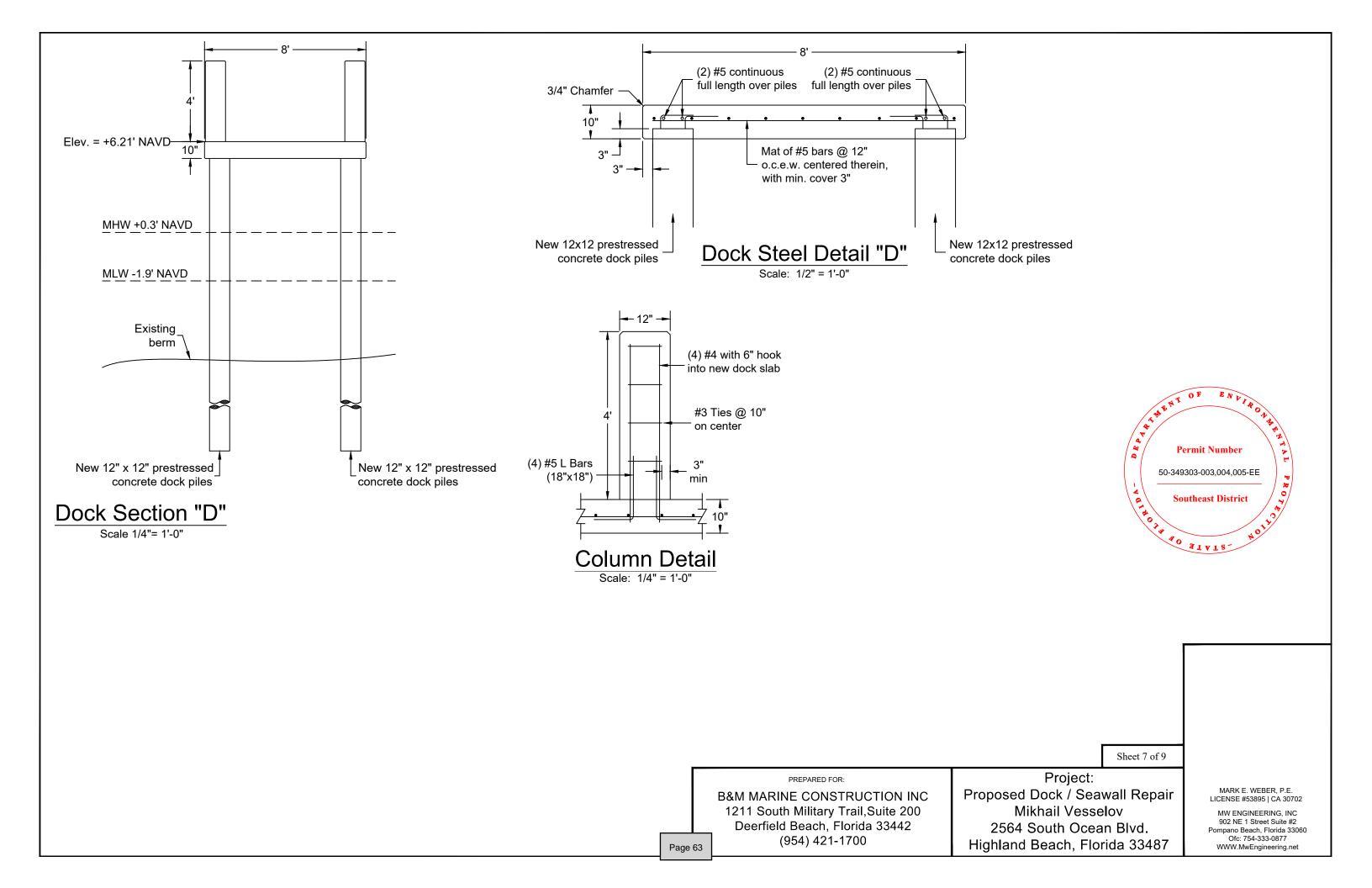


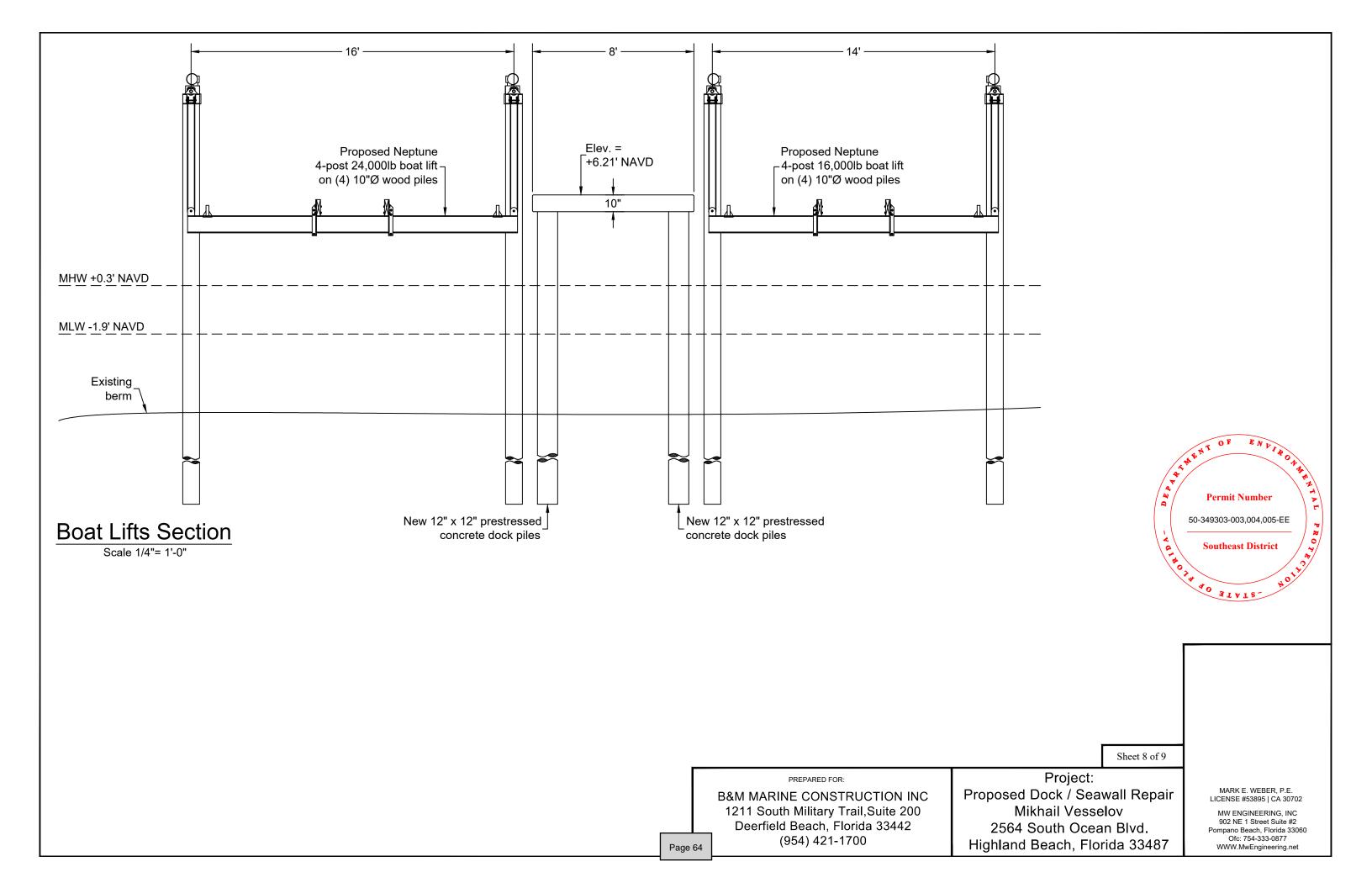












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- 3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
- 4. Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

- 1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- 3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- 4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- 5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- 1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
- 2. Concrete piles shall be reinforced with four $\frac{7}{16}$ Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- Concrete piles shall be 12"x12" square, minimum length of 20'.

4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

3 40 31×18-

Permit Number

50-349303-003,004,005-EE

Southeast District

Sheet 9 of 9

PREPARED FOR:

B&M MARINE CONSTRUCTION INC 1211 South Military Trail, Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700 Project:
Proposed Dock / Seawall Repair
Mikhail Vesselov
2564 South Ocean Blvd.
Highland Beach, Florida 33487

MARK E. WEBER, P.E. LICENSE #53895 | CA 30702

MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net

Kathy Cartier

From: Pempek, Jonathan C CIV USARMY CESAJ (USA) <Jonathan.C.Pempek@usace.army.mil>

Sent: Wednesday, May 21, 2025 11:19 AM

To: Bedsworth, Jessica F CIV USARMY CESAJ (USA); Kathy Cartier

Subject: RE: SAJ-2021-03211 (LP-JFB) - Mikhail Vesselov - 2564 S Ocean Blvd - Highland Beach

Kathy,

Jessica brought your project to my attention. Specific to this project please simply note these changes on a self-cert or kif required as-builts when the project is complete. Thank you for reaching out to us prior and we appreciate the continued coordination.

V/r

Jon

From: Bedsworth, Jessica F CIV USARMY CESAJ (USA) <Jessica.F.Bedsworth@usace.army.mil>

Sent: Wednesday, May 21, 2025 11:15 AM

To: Pempek, Jonathan C CIV USARMY CESAJ (USA) <Jonathan.C.Pempek@usace.army.mil> **Subject:** FW: SAJ-2021-03211 (LP-JFB) - Mikhail Vesselov - 2564 S Ocean Blvd - Highland Beach

Jon,

The applicant is proposing to make some small changes to the dock that we recently authorized. They will reduce the size of the dock from 8 feet wide to 5 feet wide and raise it from 6.21 NAVD to 7 NAVD. Can they just show these changes on the as-builts?

Thank you.

Jessica Bedsworth
Project Manager
U.S. Army Corps of Engineers
4400 PGA Boulevard, Suite 500
Palm Beach Gardens, Florida 33410
Phone Number: 561-545-3713

Email: Jessica.F.Bedsworth@usace.army.mil



From: Kathy Cartier < <u>kathyc@unlimitedps.net</u>>

Sent: Tuesday, May 20, 2025 2:42 PM

To: Bedsworth, Jessica F CIV USARMY CESAJ (USA) < lessica.F.Bedsworth@usace.army.mil>

Subject: [Non-DoD Source] SAJ-2021-03211 (LP-JFB) - Mikhail Vesselov - 2564 S Ocean Blvd - Highland Beach

Good afternoon Jessica,

You recently assisted in our processing of the referenced and attached permit. Minor changes were made to the plans during the building permit review process and the city has asked for confirmation from the ACOE that the project remains covered. Please see attached plans

which show the proposed dock width reduced to 5 feet and the elevation raised to 7 feet NAVD. Please confirm by reply email that the permit remains valid.

Thank you,



Kathy Cartier

Unlimited Permit Services, Inc 902 NE 1 Street, Suite #2 Pompano Beach, Florida 33060 Office (954) 532-0129 ext. 3 kathyc@unlimitedps.net



DEPARTMENT OF THE ARMY

U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

March 14, 2025

Regulatory Division South Permits Branch Palm Beach Gardens Section SAJ-2021-03211 (LP-JFB)

Mikhail Vesselov 2564 S Ocean Blvd Highland Beach, FL 33487 Sent via email: jeff@uconstructionpartners.com

Dear Mikhail Vesselov:

This is in reference to your request for a Department of the Army (DA) permit to perform work in or affecting waters of the United States. If you determine the permit provided is acceptable in its entirety and you have chosen to proceed with the authorized activity, then upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. § 1344), you are authorized under a Letter of Permission to remove existing riprap and dock, and install a new seawall and a dock with a boatlift for a single-family residential property. The proposed work would result in impacts to 12.6 square feet of tidal wetlands and 15 square feet of white mangroves and 206 feet of red mangroves. Specifically, you are authorized to conduct the following activities in the Intracoastal Waterway at 2564 S Ocean Boulevard, Section 28, Township 46 South, Range 43 East, Highland Beach, Palm Beach County, Florida:

- 1. Removal of 105 linear feet of existing riprap and the remnants of the existing dock.
- 2. Installation of a 105 linear foot seawall at the mean high-water line, resulting in the filling of 52.5 square feet of tidal wetlands.
- Installation of an 8 foot by 55 foot (440 square foot) marginal dock and boatlift.

Geographic Position: Latitude: 26.427619 North Longitude: -80.064325 West

The project must be completed in accordance with the enclosed construction drawings, and the general and special conditions which are incorporated in, and made a part of, the permit.

Should any other agency require and/or approve changes to the work authorized or obligated by this permit, it is the responsibility of the Permittee to submit a modification request to the Palm Beach Gardens Permits Section. The Corps will evaluate the request and determine whether it is appropriate to modify the terms and conditions of the permit. The Permittee must obtain written approval of the requested modifications from the Corps prior to initiation of those changes.

General Conditions:

- 1. The time limit for completing the work authorized ends on <u>March 14, 2030</u>. If the work authorized is not completed on or before that date, authorization, if not previously revoked or specifically extended, shall cease and be null and void. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort of if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization (Attachment).
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions (Attachment).
- 6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- Reporting Address: The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
 - b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, Florida 32232-0019.

The Permittee shall reference this permit number, SAJ-2021-03211, on all submittals.

- 2. Commencement Notification: Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attachment).
- 3. As-Built Certification with X-Y Coordinates: Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and complete the enclosed "As-Built Certification by Professional Engineer or Surveyor" form, (Attachment) to the Corps. The drawings shall be signed and sealed by a registered professional engineer or a professional land surveyor confirming the actual location of all authorized work/structures with respect to the Federal channel and/or within the Federal easement and include the following:
 - a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawings shall include the X & Y State Plane coordination points of the most waterward point of the structure. The drawings shall include the dimensions of the structure, location of mean high water line (MHWL), depth of water (at mean low water) at the waterward end of the structure, and the distance from the waterward end of the structure to the near design edge of the Federal channel.
 - b. List of any deviations between the work authorized by this permit and the work as constructed. In the event the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this

permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the Corps.

- c. The Department of the Army Permit number.
- d. Within 60 days of completion of the work authorized by this permit, the Permittee shall provide a courtesy copy of the signed and sealed As-Built drawings to the Corps, Engineering Division. Submittals shall be sent either electronically by email at ENPermits.CESAJ@usace.army.mil or by standard mail at Post Office Box 4970, Jacksonville Florida 32232-0019.
- 4. Notice of Permit: The Permittee shall complete and record the "Notice of Department of the Army Permit" form (Attachment) with the Clerk of the County Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. No later than 90 days after the effective date of this permit, the Permittee shall provide a copy of the recorded Notice of Permit form to the Corps, clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded in the official records and the date of recording.
- **5. Federal Channel Setback:** The most waterward edge of the authorized project shall be constructed no closer than 63.2 feet from the near design edge of the federal channel as shown in the attached drawings.
- 6. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 7. Manatee Conditions: The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work 2011" (Attachment 4). The most recent version of the Manatee Conditions must be utilized.

- **8. Piling Installation:** No more than 10 piles can be installed per day.
- 9. Turbidity Barriers: Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained daily until the authorized work has been completed and turbidity within the construction area has returned to ambient levels. Turbidity barriers shall be removed upon stabilization of the work area.

10. Cultural Resources/Historic Properties:

- a. No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.
- b. If, during permitted activities, items that may have historic or archaeological origin are observed the Permittee shall immediately cease all activities adjacent to the discovery that may result in the destruction of these resources and shall prevent his/her employees from further removing, or otherwise damaging, such resources. The applicant shall notify both the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333 and the Corps, of the observations within the same business day (8 hours). Examples of submerged historical, archaeological or cultural resources include shipwrecks, shipwreck debris fields (such as steam engine parts, or wood planks and beams), anchors, ballast rock, concreted iron objects, concentrations of coal, prehistoric watercraft (such as log "dugouts"), and other evidence of human activity. The materials may be deeply buried in sediment, resting in shallow sediments or above them, or protruding into water. The Corps shall coordinate with the Florida State Historic Preservation Officer (SHPO) to assess the significance of the discovery and devise appropriate actions. Project activities shall not resume without verbal and/or written authorization from the Corps.
- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition and, if deemed necessary by the SHPO or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity

- shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
- d. In the unlikely event that unmarked human remains are identified on non-federal lands; they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archaeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the SHPO and from the Corps.
- 11. Inadvertent Discoveries: If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
- 12. Consent to Easement: A portion of the authorized work may be located within the Federal right-of-way and therefore, may require a Department of the Army Consent to Easement. The Permittee shall complete the "Application for Consent to Cross U.S. Government Easement" (Attachment) and submit to the Corps Real Estate Division SAJ-RE-Consent@usace.army.mil or Post Office Box 4970, Jacksonville, Florida 32232-0019 or by telephone at 904-570-4514. The application should include a boundary survey map along with the authorized construction plans and specifications for the project. Prior to commencement of construction, the Permittee shall provide a copy of the Corps approved Consent to Easement, or correspondence from the Real Estate Division indicating that a Consent to Easement is not required, to the address identified in the Reporting Address Special Condition.

- **13. Fill Material:** The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance in toxic amounts, in accordance with Section 307 of the Clean Water Act.
- **14. Protected Species Construction Conditions:** The Permittee shall comply with National Marine Fisheries Service's "Protected Species Construction Conditions, NOAA Fisheries Southeast Regional Office" dated May 2021.
- **15. Vessel Strike Avoidance Measures:** The Permittee shall comply with the "Vessel Strike Avoidance Measures and Reporting for Mariners," revised May 2021, for marine turtles and marine mammals.
- **16. Daylight Hours**: All work will occur during daylight hours.
- **17.Supporting Equipment BMPs**: All supporting equipment (barges and tow boats) will be shallow draft and will maintain a minimum of 1-foot (ft) of clearance above the existing bottom. Barges will be secured by spudding or mooring only.
- **18. Mitigation Bank Credit Purchase:** Prior to commencement of work, the Permittee shall provide verification to the Corps that 0.01 saltwater forested federal mitigation bank credits have been purchased from the FPL Everglades Phase II Mitigation Bank. The required verification shall reference this project's permit number SAJ-2021-03211 (LOP–JFB).

Instructions for Objecting to Permit Terms and Conditions: This letter is an initial proffered permit for your proposed project/permit application. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A of the RFA form and submit the completed form to the Palm Beach Gardens Permits Section at the address listed at the bottom of this letter. For an RFA to be accepted by the Corps, the Corps must determine that it is complete and that it has been received within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received by the Palm Beach Gardens Permits Section by May 13, 2025.

Should you have any questions regarding this letter, please contact the project manager, Jessica Bedsworth, in writing at the Palm Beach Gardens Permits Section at 4400 PGA Boulevard Suite 500, Palm Beach Gardens, Florida 33410, by telephone at 561-545-3713, or by email at Jessica.F.Bedsworth@usace.army.mil.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit https://regulatory.ops.usace.army.mil/customer-service-survey/ and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Alisa Zarbo for: Brandon L. Bowman

Colonel, U.S. Army
District Commander

Enclosures
DA Permit Enclosures

CC:

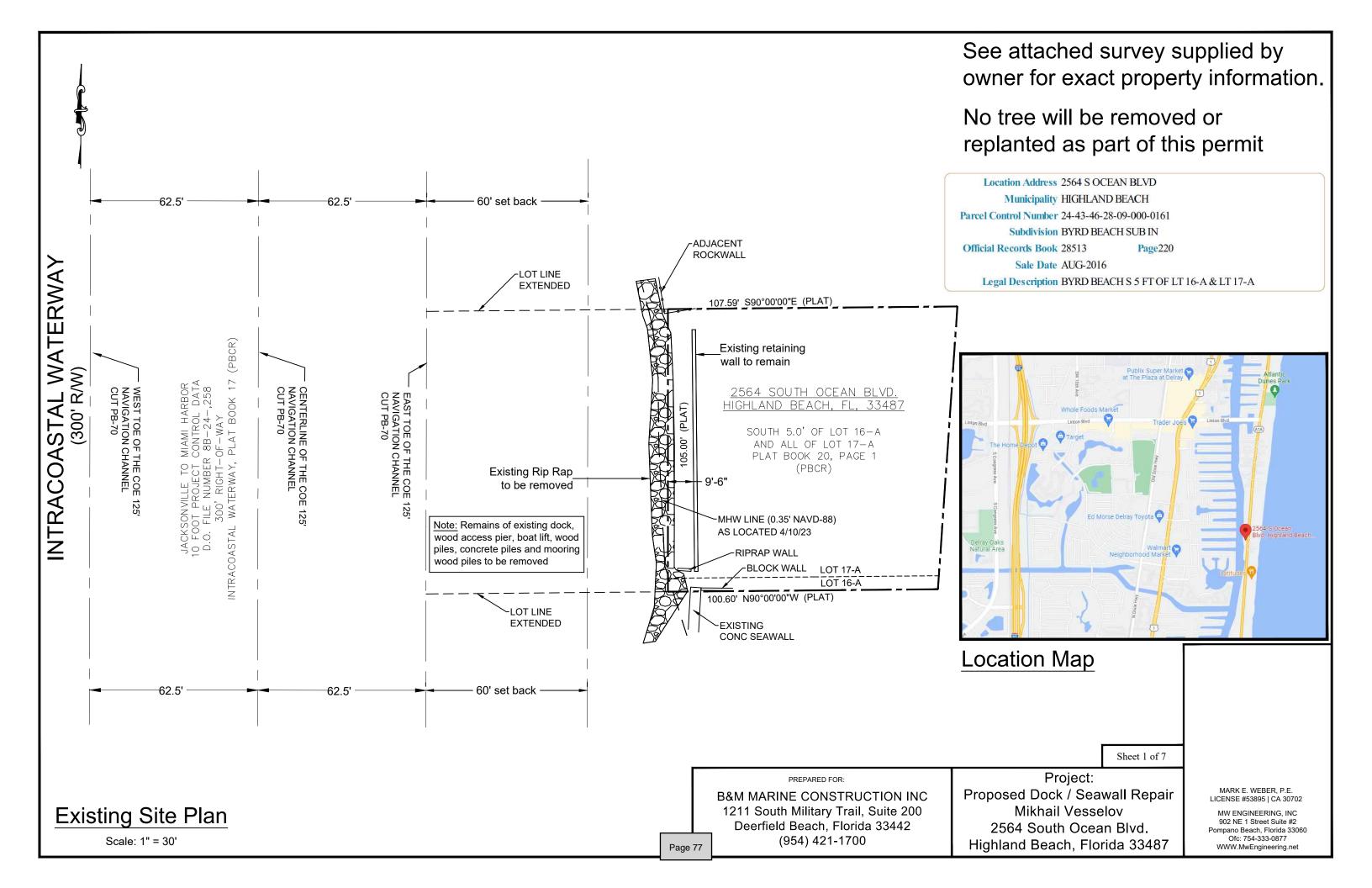
Kathy Cartier, Unlimited Permits Services, Inc. kathyc@unlimitedps.net

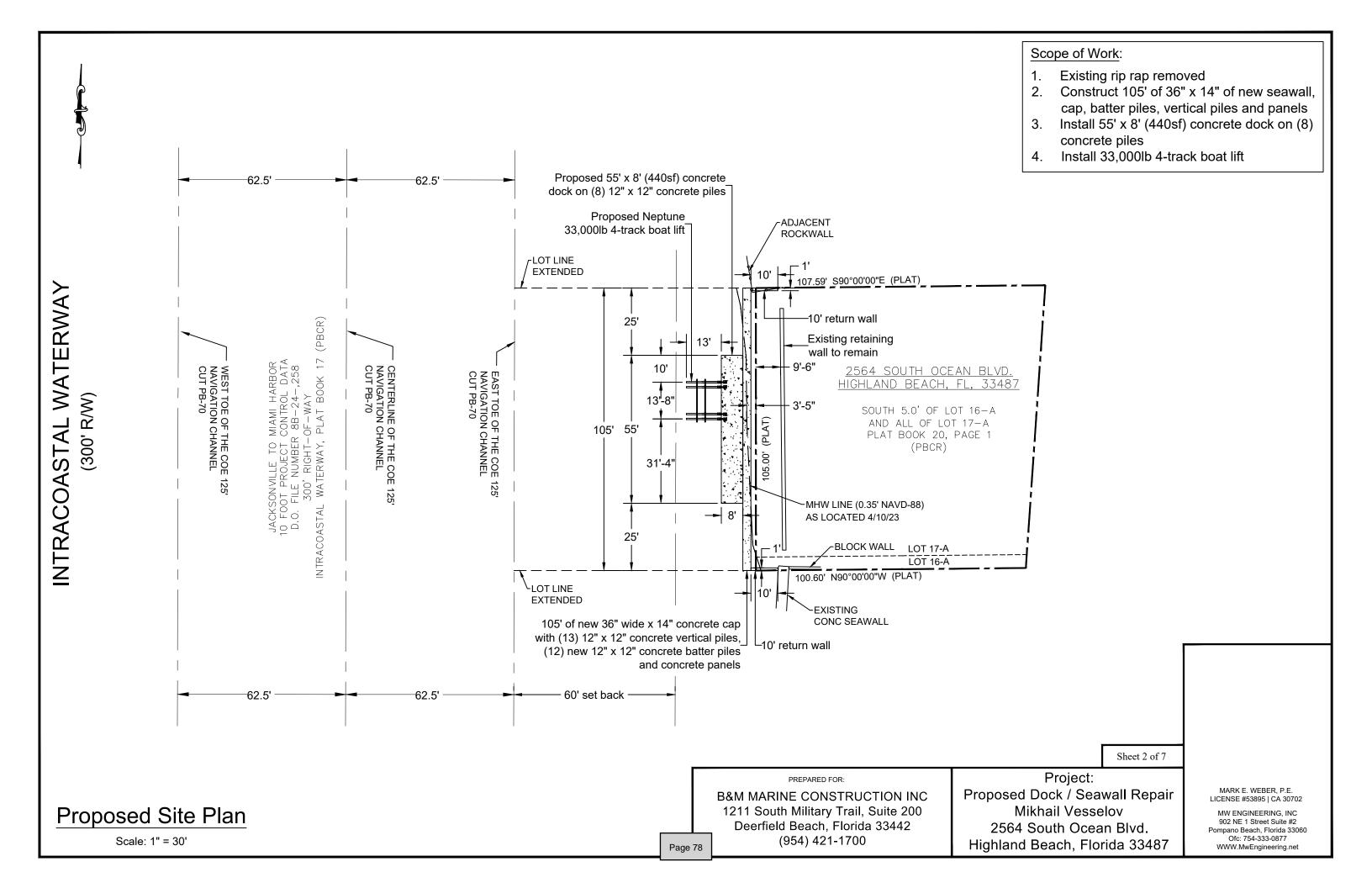
CESAJ-RE-M (Requires a Consent-to-Easement memo) CESAJ-RD-PE (w/ enclosures)

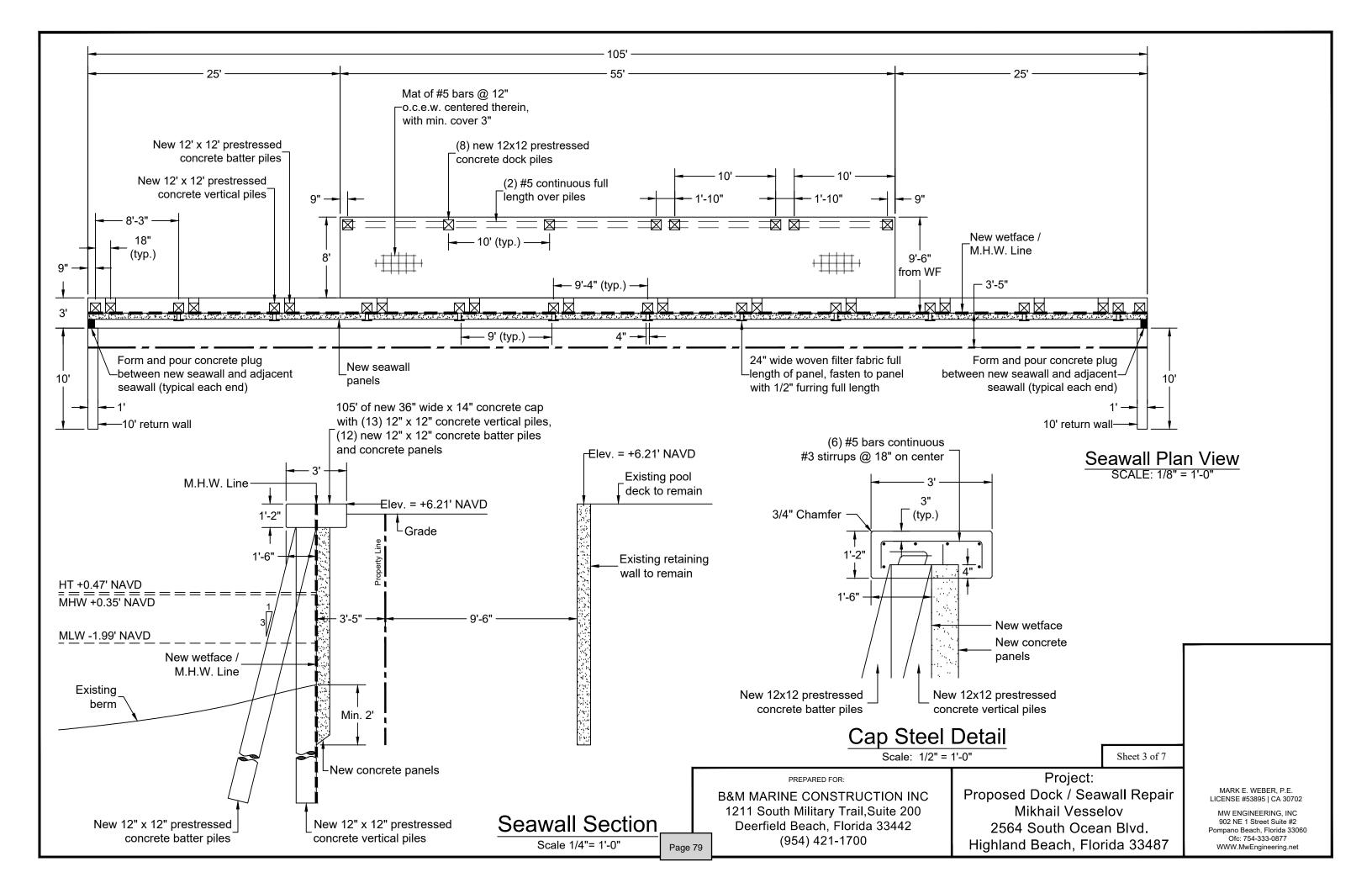
REQUEST PERMIT TRANSFER: PERMIT NUMBER: SAJ-2021-03211 (LP-JFB)

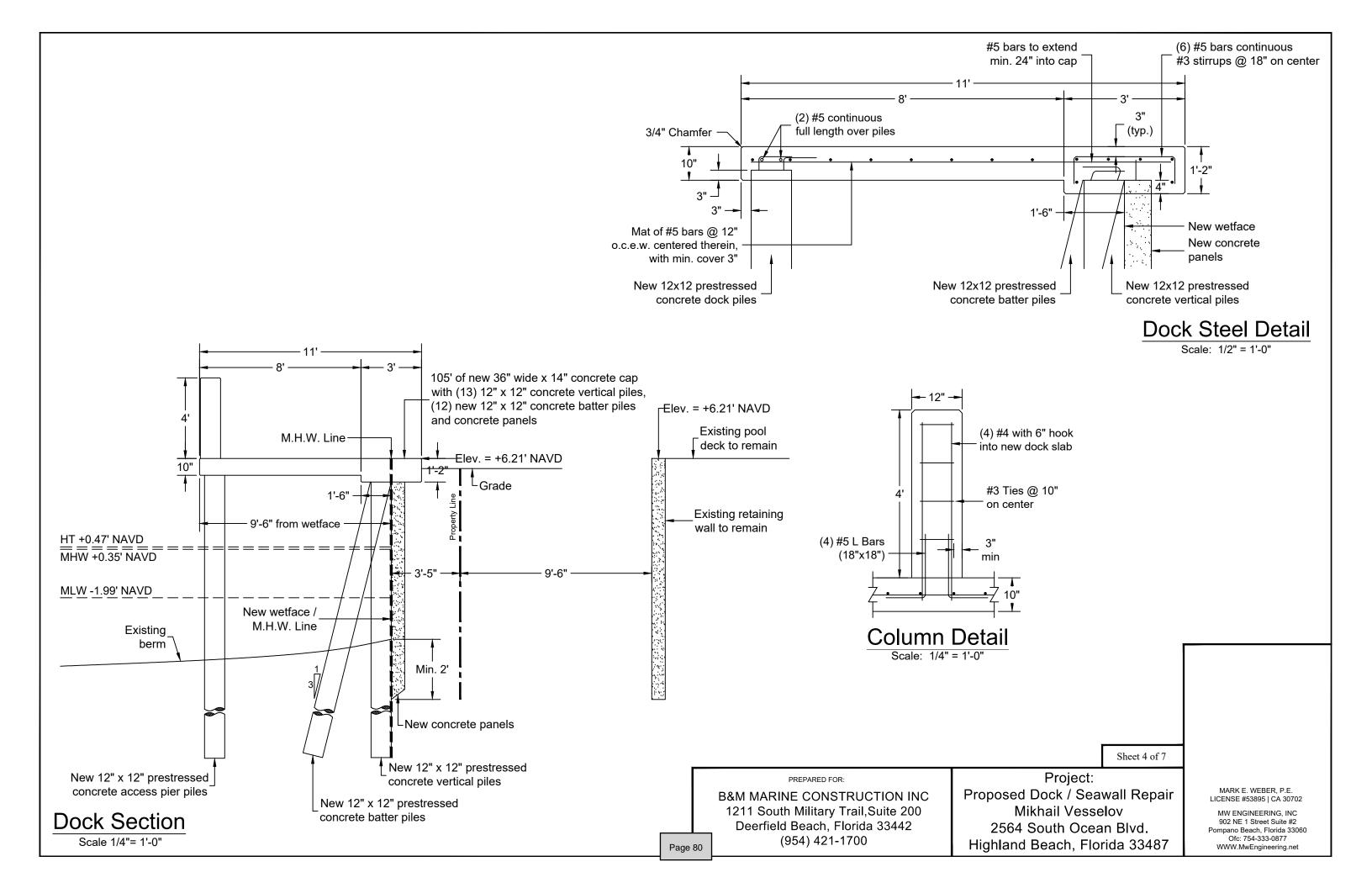
When the structures or work verified by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, the present permittee and the transferee should sign and date below. This document must then be provided to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida 32232-0019.

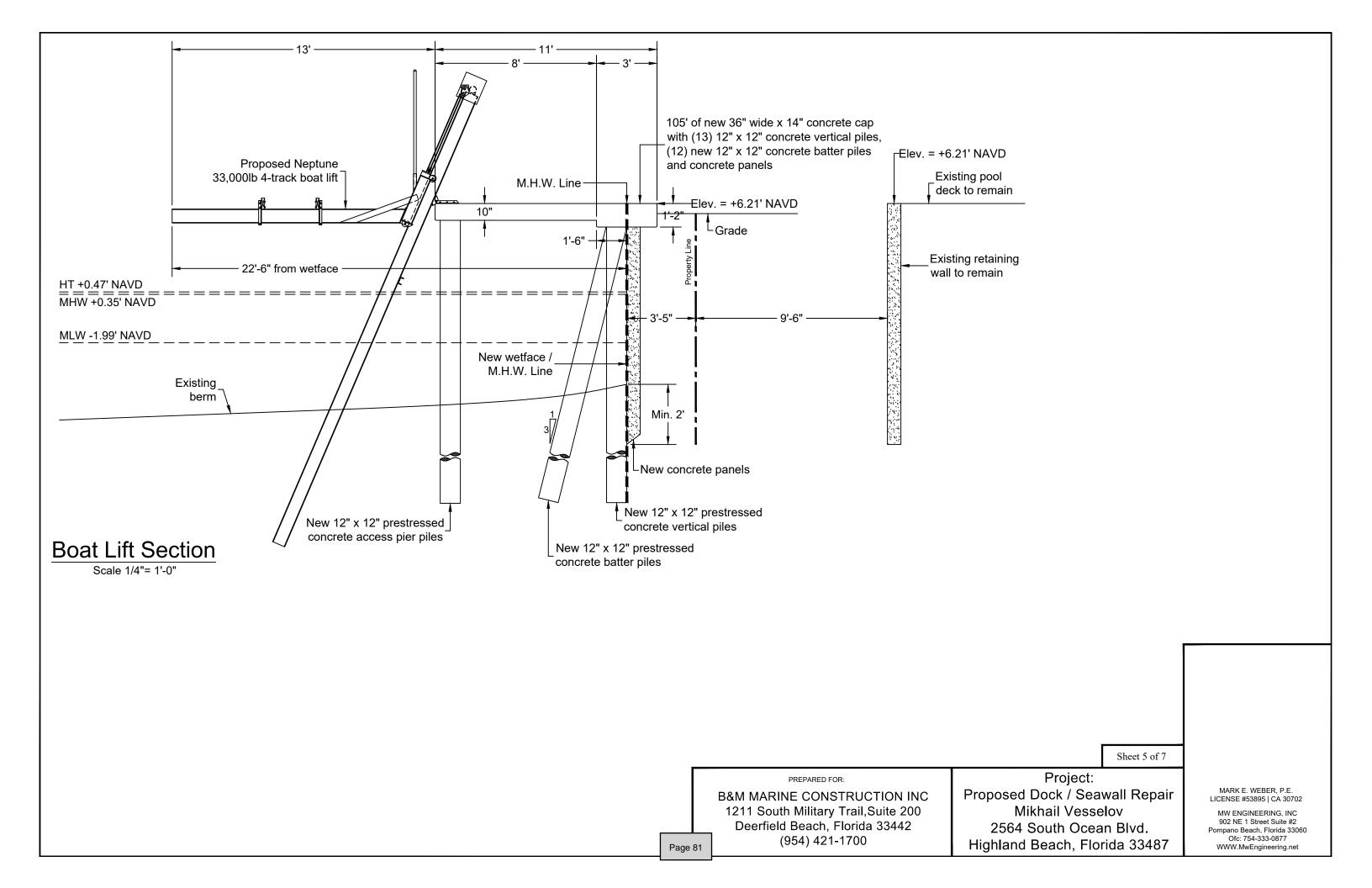
(TRANSFEREE SIGNATURE)	(DATE)
(Name - Printed)	Lot/Block of site
(Street Address)	<u> </u>
(Citv. State. and Zip Code)	

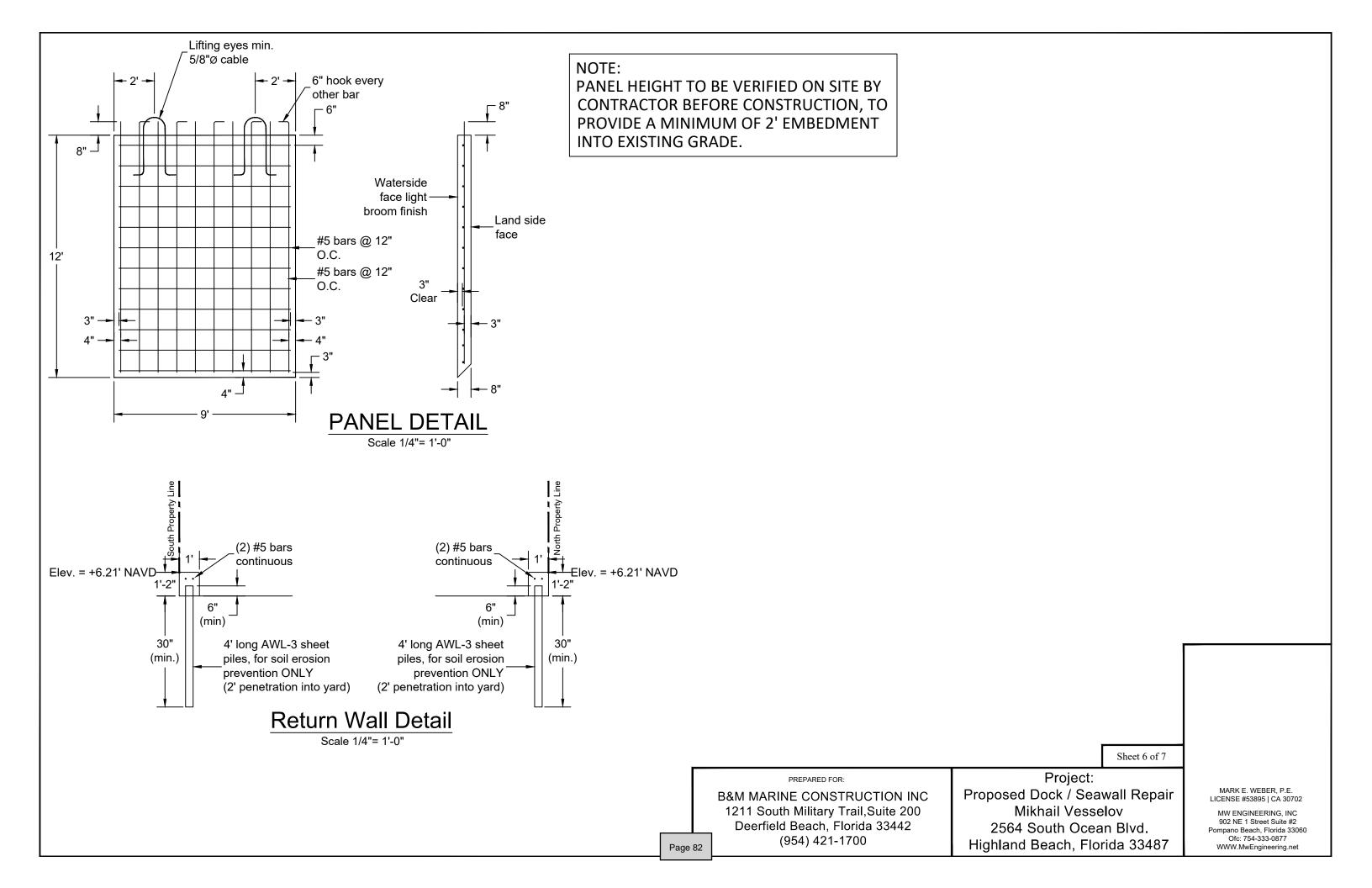












GENERAL NOTES:

- 1. Construction to follow the Florida Building Code 7th Edition (2020) and amendments as applicable and all Local, State and Federal Laws.
- Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts
 or omissions between existing conditions or the various elements of the working drawing shall be brought to
 the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all
 subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
- 3. Do not scale drawings for dimensions.
- 4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
- 5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- 6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
- 7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- 8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- 9. Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- 11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- 12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

- 1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
- 2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
- 3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
- 4. Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

- 1. Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- 3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- 4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- 1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
- 2. Concrete piles shall be reinforced with four $\frac{7}{16}$ Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- 3. Concrete piles shall be 12"x12" square, minimum length of 20'.
- Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

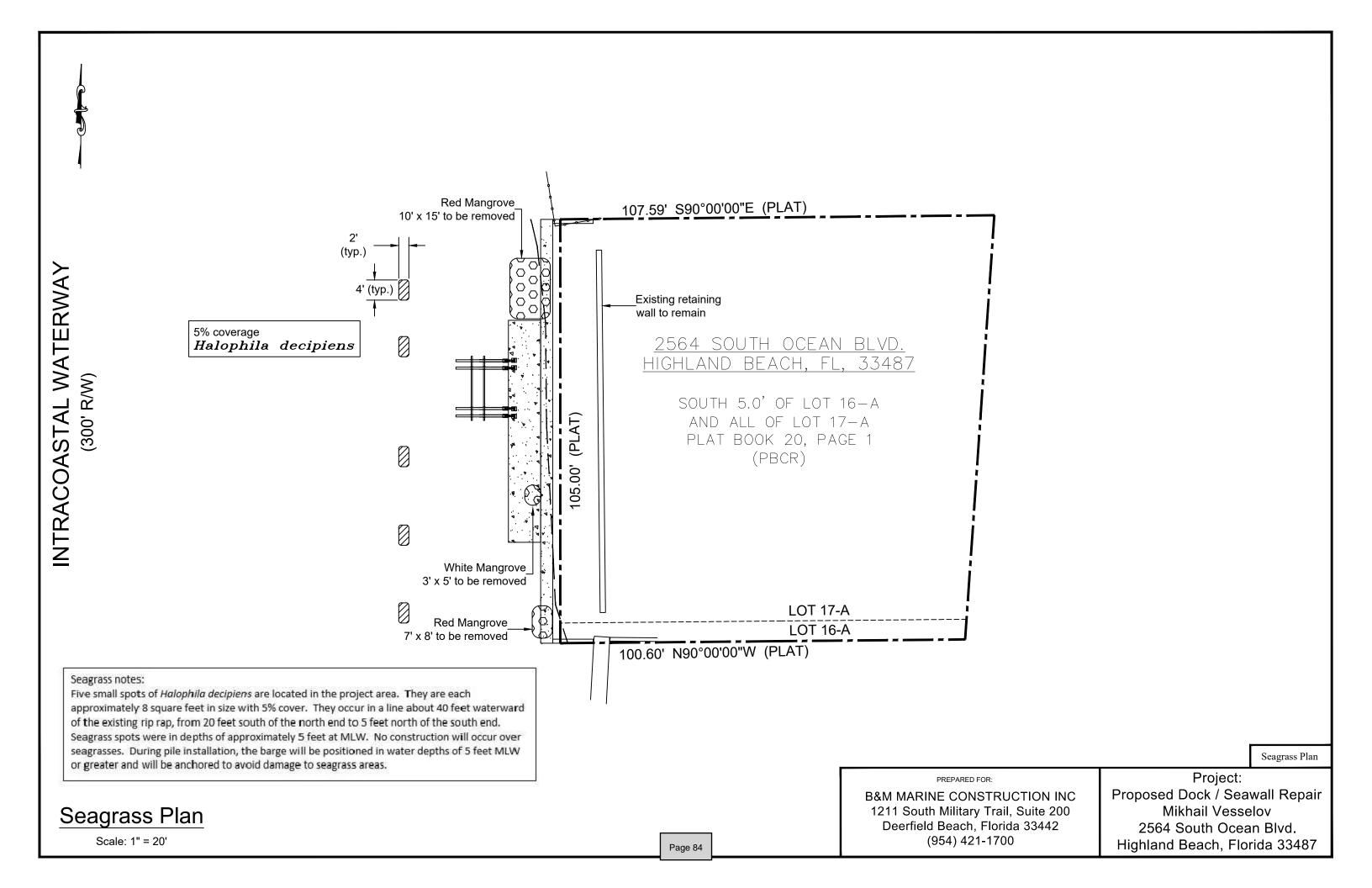
Sheet 7 of 7

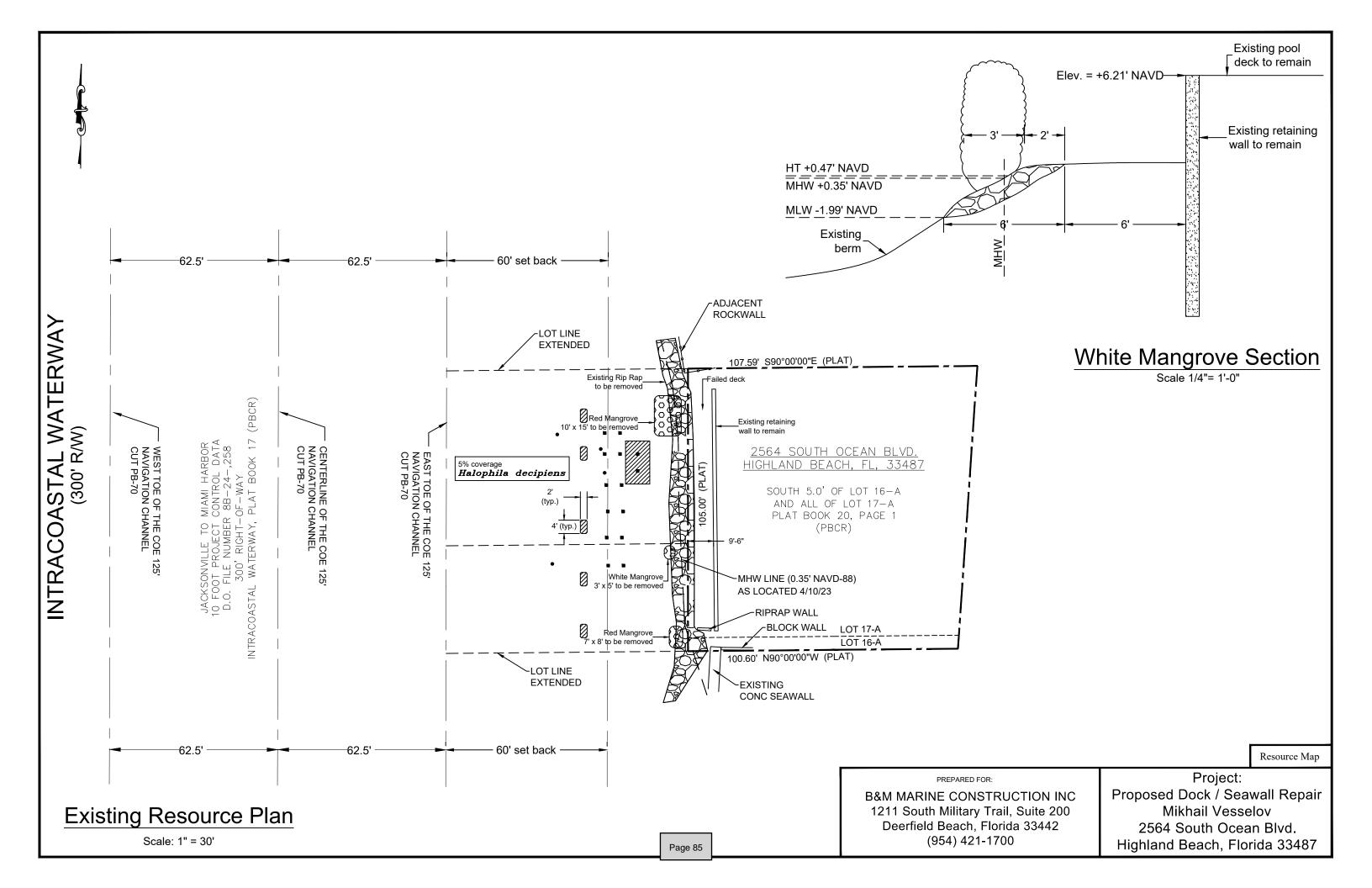
PREPARED FOR:

B&M MARINE CONSTRUCTION INC 1211 South Military Trail, Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700 Project:
Proposed Dock / Seawall Repair
Mikhail Vesselov
2564 South Ocean Blvd.
Highland Beach, Florida 33487

MARK E. WEBER, P.E. LICENSE #53895 | CA 30702

MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MWEngineering.net





AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. For electronic mail saj-rd-enforcement@usace.army.mil (not to exceed 15 MB).

Department of the Army Permit Numb	er: SAJ (-)
2. Permittee Information:		
Name:		
Address:		
3. Project Site Identification (physical loc	ation/address):	
4. As-Built Certification: I hereby certify by Special Conditions to the permit, has the Army permit with any deviations note observation, scheduled, and conducted by supervision. I have enclosed one set of a	peen accomplished in accordance of the delow. This determination is by me or by a project represent	ance with the Department of s based upon on-site Itative under my direct
Signature of Engineer	Name (<i>Please type</i>)	
(FL, PR, or VI) Reg. Number	Company Name	
City	State	ZIP
(Affix Seal)		
Date	Telephone Number	

Date Work Started:	Date Work Completed:	
Identify any deviations from the appadditional pages if necessary):	proved permit drawings and/or special conditions (attach	

Prepared by:		
Permittee:	 	
Address:	 	
Phone:	 	

NOTICE OF DEPARTMENT OF THE ARMY PERMIT

TAKE NOTICE the	United State	es Army	Corps of Engineers	(Corps) has	issued a permit
or verification SAJ-	-	to	(Permittee) on	,	, authorizing
work in navigable w	aters of the	United	States in accordance	with Section	n 10 of the
Rivers and Harbors	Act of 1899	(33 US	SC 403) on a parcel of	f land known	as Folio/Parcel
ID:					located at
address, in Section	, Tow	/nship	south or north,	Range	east or west,
City, county name C	County, Flori	ida.		_	

Within 30 days of any transfer of interest or control of said property, the Permittee must notify the Corps in writing of the property transfer by submitting the completed permit transfer page included with the issued permit or verification. Notification of the transfer does not by itself constitute a permit transfer. Therefore, purchasers of that portion of the premises containing the area authorized to be filled (or any portion thereof) are notified that it is unlawful for any person to construct, alter, operate, maintain, remove or abandon any works, including dredging or filling, or any other work within, over, or under waters of the United States (including wetlands) without first having obtained a permit from the Corps in the purchaser's name.

Conditions of the Permit/Verification: The permit or verification is subject to General Conditions and Special Conditions which may affect the use of the work authorized in name of waterbody. Accordingly, interested parties should closely examine the entire permit or verification, all associated applications, and any subsequent modifications.

To obtain a copy of the authorization in its entirety submit a written request to: U.S. Army Corps of Engineers
Regulatory Division - Special Projects & Enforcement Branch
Post Office Box 4970
Jacksonville, Florida 32232-0019

Questions regarding compliance with these conditions should be directed to: U.S. Army Corps of Engineers Enforcement Section Post Office Box 4970 Jacksonville, Florida 32232-0019

Conflict Between Notice and Permit

This Notice of Authorization is not a complete summary of the issued permit or verification. Provisions in this Notice of Permit shall not be used in interpreting the permit or verification provisions. In the event of conflict between this Notice of Permit and the permit or verification, the permit or verification shall control.

This Notice is Not an Encumbrance

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

This Notice may not be released couritten consent of the Corps.	or removed from the public records without the prior
This Notice of Authorization is exe	cuted on this day of
in the Public Records of Co	This document is being submitted for recordation bunty, Florida as part of the requirement imposed by issued by Corps.
	Permittee:
	Address:
	Phone:
STATE OF FLORIDA COUNTY OF	
The foregoing instrument was ack, 20, b me or has produced	nowledged before me thisday of y, who is personally known to as identification.
(seal)	Notary Public
·	Print
My Commission Expires	

APPLICATION FOR CONSENT TO CROSS U.S. GOVERNMENT EASEMENT

•	rtment of the Army Consent to Easement to nd repair a (state type of structure)
in the United States of America as sho map with legal description/construction	er, under, across, in, or upon the Easement vested own on the attached [include boundary survey n plans and specifications of project], and situated ange East, County of, Florida.
Names and Mailing Addresses of Rec	cord Owners:
Physical Address (location of project v	vork):
Email Address	
constructed or situated in a manner last to change in status, condition, or place Unauthorized structures include, but a buildings, swimming pools, patios, out and gas wells, boat ramps and seawal as defined in CFR Title 36, Section 32 to possible removal and enforcement a The undersigned agrees that construct application shall not begin until the Coherein applied for, shall have been grant and construction of the construc	structures affixed to the land or otherwise sting or meant to last indefinitely and not expected are not permitted within the U.S. Easement. The not limited to, residential and commercial buildings, fences, gazebos, satellite dishes, oil lill enclosures of docking areas or other structures 17.20. Noncompliance may subject the Applicant action. Stion of the facility or structure involved in this ensent to Cross U.S. Government Easement, anted and appropriate rights shall have been encumbrances of the underlying fee in the land
Property Owner(s) Name (Print)	Proporty Owner(s) Name (Print)
Froperty Owner(s) Name (Finit)	Property Owner(s) Name (Print)
(Signature)	(Signature)
DATE:	
RETURN TO: US Army Corps of Eng ATTN: Real Estate Divi P.O. Box 4970 Jacksonville, FL 32232	ision

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



1-888-404-FWCC(3922)

cell *FWC or #FWC



PROTECTED SPECIES CONSTRUCTION CONDITIONS, NOAA FISHERIES SOUTHEAST REGIONAL OFFICE

The action agency and any permittee shall comply with the following construction conditions for protected species under the jurisdiction of NOAA Fisheries Southeast Regional Office (SERO) Protected Resources Division (PRD):¹

Protected Species Sightings—The action agency and any permittee shall ensure that all personnel associated with the project are instructed about the potential presence of species protected under the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing listed species and all marine mammals. To determine which protected species and critical habitat may be found in the transit area, please review the relevant marine mammal and ESA-listed species at Find A Species (https://www.fisheries.noaa.gov/find-species) and the consultation documents that have been completed for the project.

- 1. **Equipment**—Turbidity curtains, if used, shall be made of material in which protected species cannot become entangled and be regularly monitored to avoid protected species entrapment. All turbidity curtains and other in-water equipment shall be properly secured with materials that reduce the risk of protected species entanglement and entrapment.
 - a. In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) shall be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, shall be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line shall be allowed in the water. All anchoring shall be in areas free from hardbottom and seagrass.
 - b. Turbidity curtains and other in-water equipment shall be placed in a manner that does not entrap protected species within the project area and minimizes the extent and duration of their exclusion from the project area.
 - c. Turbidity barriers shall be positioned in a way that minimizes the extent and duration of protected species exclusion from important habitat (e.g. critical habitat, hardbottom, seagrass) in the project area.
- 2. **Operations**—For construction work that is generally stationary (e.g., barge-mounted equipment dredging a berth or section of river, or shore-based equipment extending into the water):
 - a. Operations of moving equipment shall cease if a protected species is observed within 150 feet of operations.

¹ Manatees are managed under the jurisdiction of the U.S. Fish and Wildlife Service.

- b. Activities shall not resume until the protected species has departed the project area of its own volition (e.g., species was observed departing or 20 minutes have passed since the animal was last seen in the area).
- 3. **Vessels**—For projects requiring vessels, the action agency, and any permittee shall ensure conditions in the Vessel Strike Avoidance Measures are implemented as part of the project/permit issuance (https://www.fisheries.noaa.gov/southeast/consultations/regulations-policies-and-guidance).
- 4. **Consultation Reporting Requirements**—Any interaction with a protected species shall be reported immediately to NOAA Fisheries SERO PRD and the local authorized stranding/rescue organization.

To report to NOAA Fisheries SERO PRD, send an email to takereport.nmfsser@noaa.gov. Please include the species involved, the circumstances of the interaction, the fate and disposition of the species involved, photos (if available), and contact information for the person who can provide additional details if requested. Please include the project's Environmental Consultation Organizer (ECO) number and project title in the subject line of email reports.

To report the interaction to the local stranding/rescue organization, please see the following website for the most up to date information for reporting sick, injured, or dead protected species:

Reporting Violations—To report an ESA or MMPA violation, call the NOAA Fisheries Enforcement Hotline. This hotline is available 24 hours a day, 7 days week for anyone in the United States.

NOAA Fisheries Enforcement Hotline (800) 853-1964

5. **Additional Conditions**—Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the project consultation and must also be complied with.

For additional information, please contact NOAA Fisheries SERO PRD at:

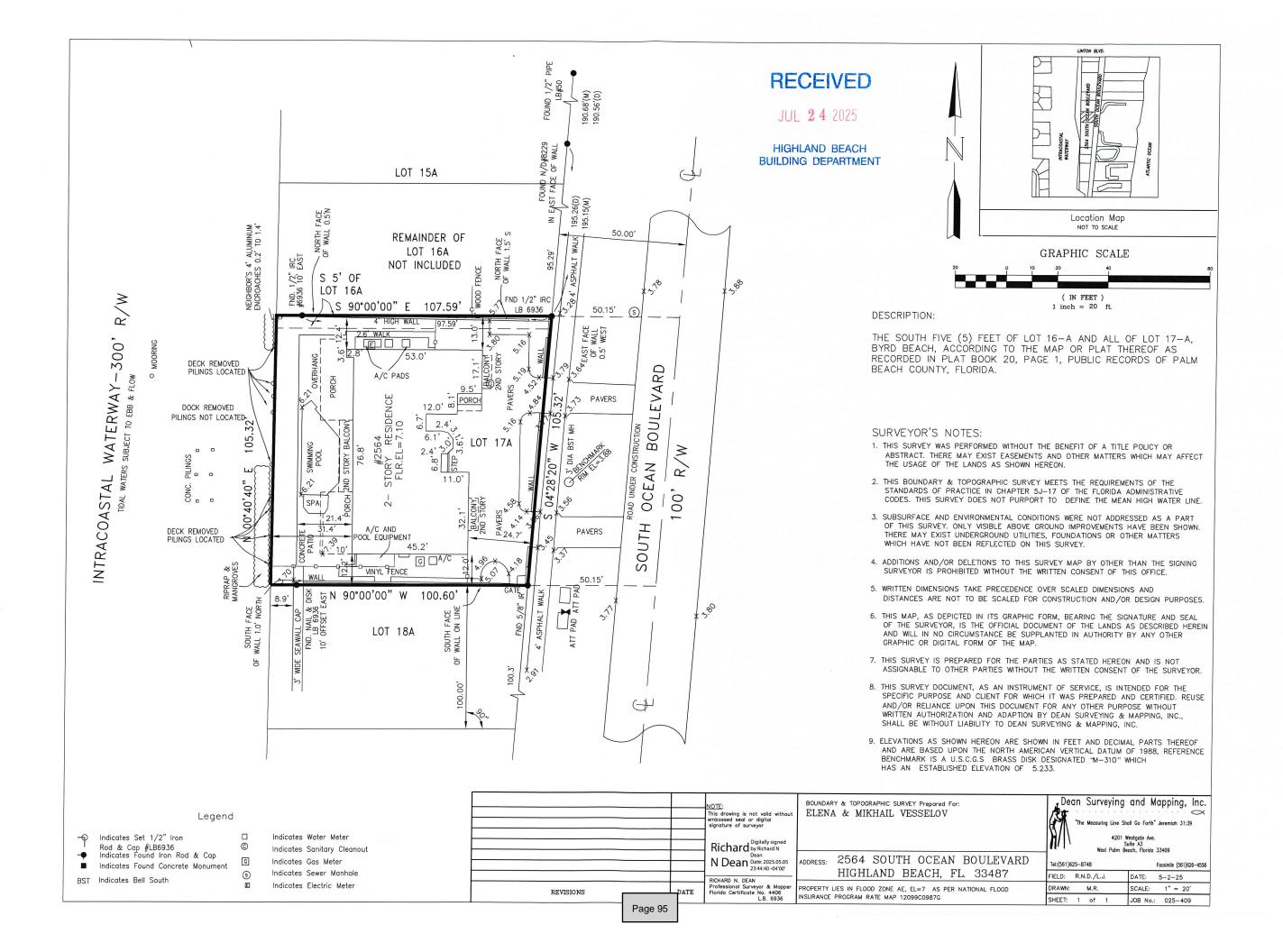
NOAA Fisheries Service Southeast Regional Office 263 13th Avenue South St. Petersburg, Florida 33701

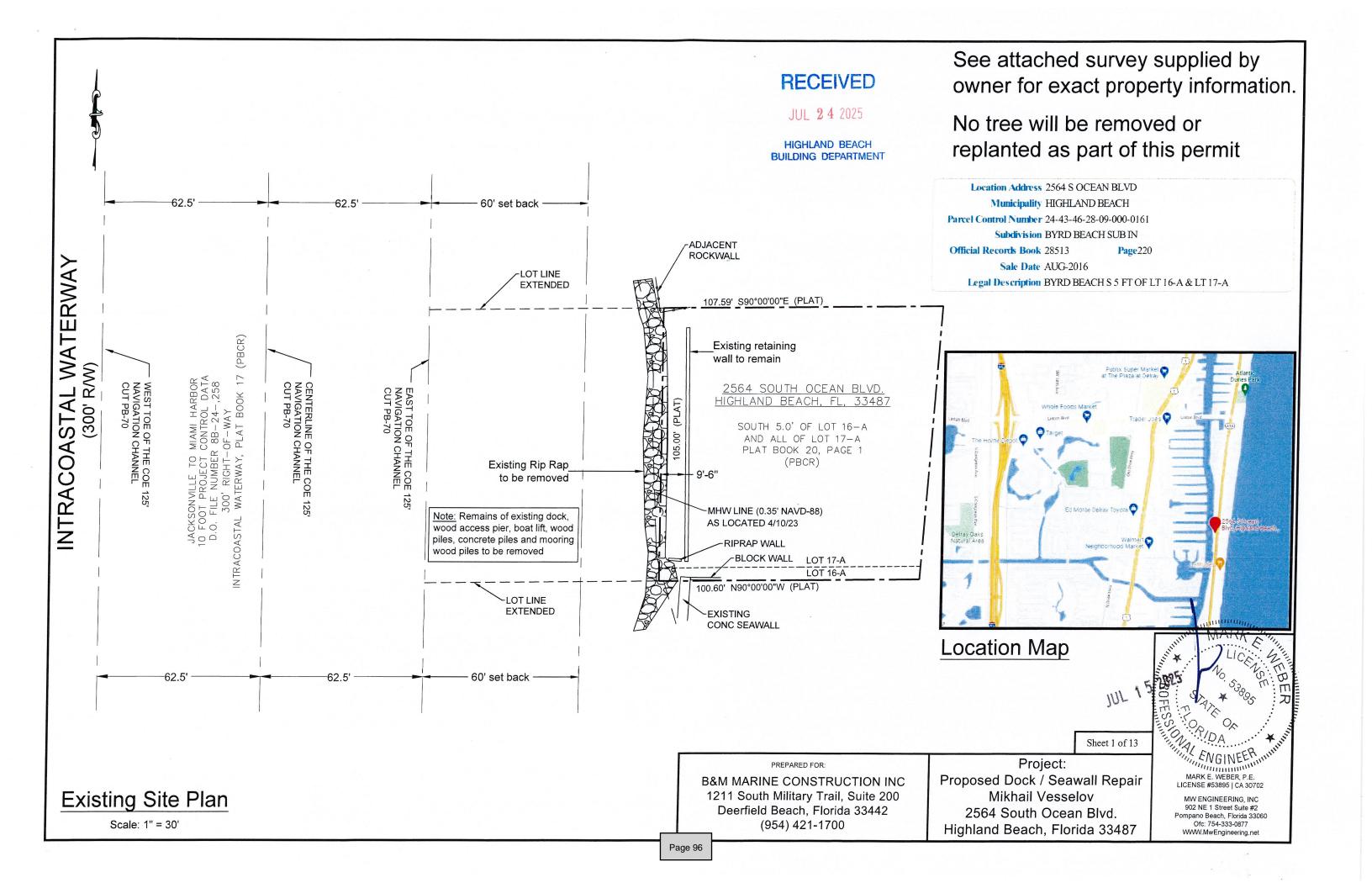
Tel: (727) 824-5312

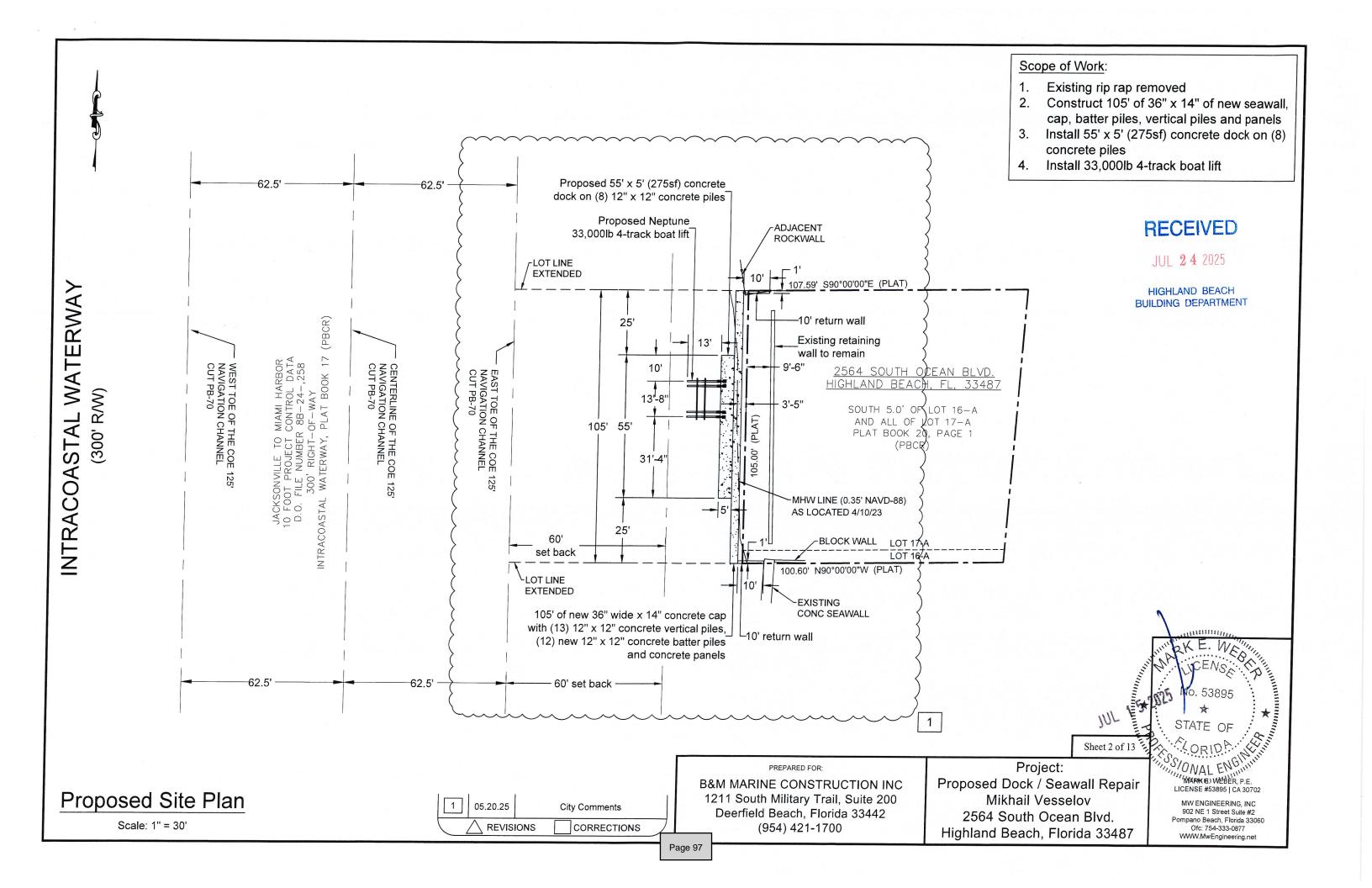
Visit us on the web at Protected Marine Life in the Southeast

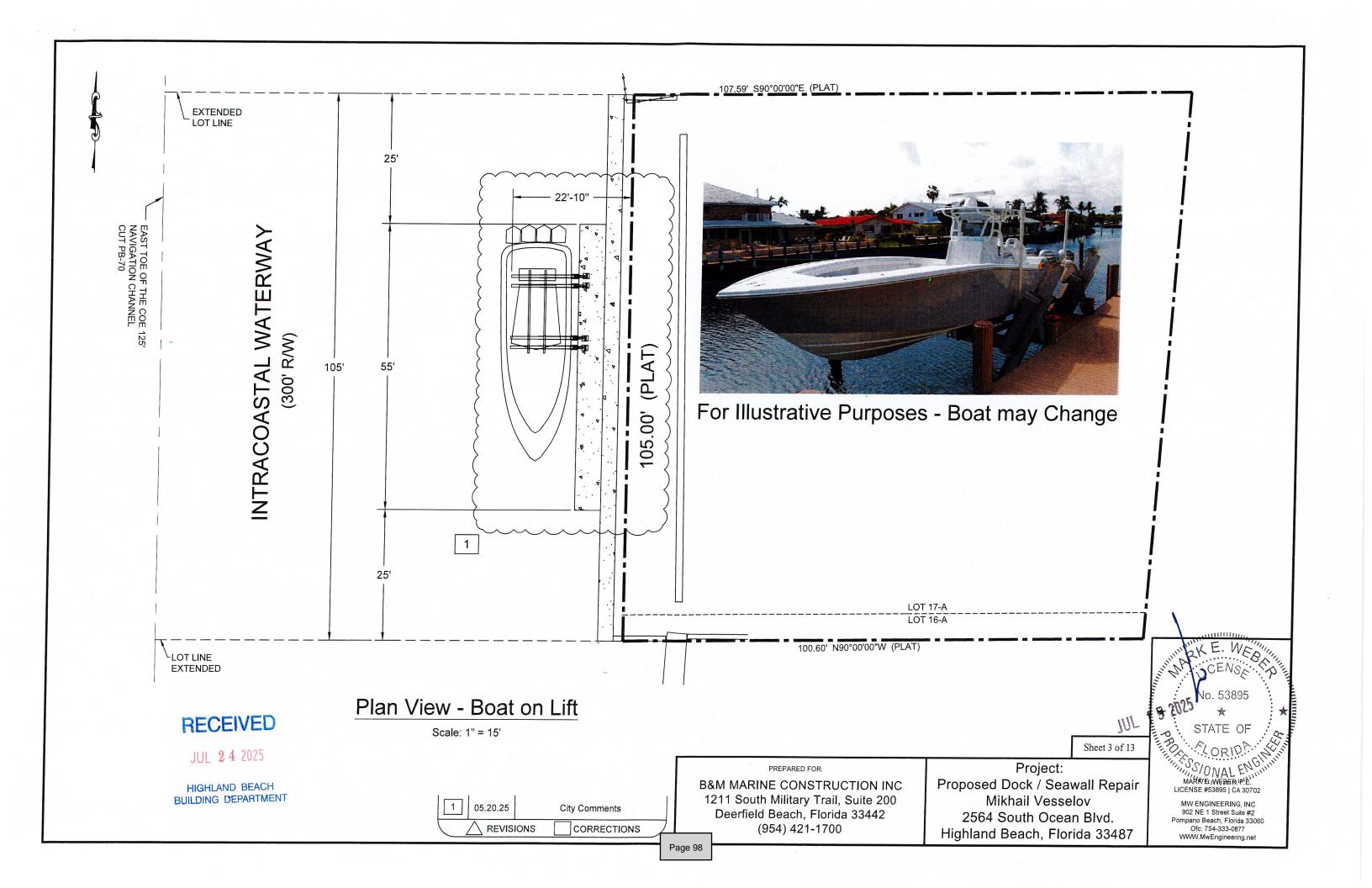
(https://www.fisheries.noaa.gov/region/southeast#protected-marine-life)

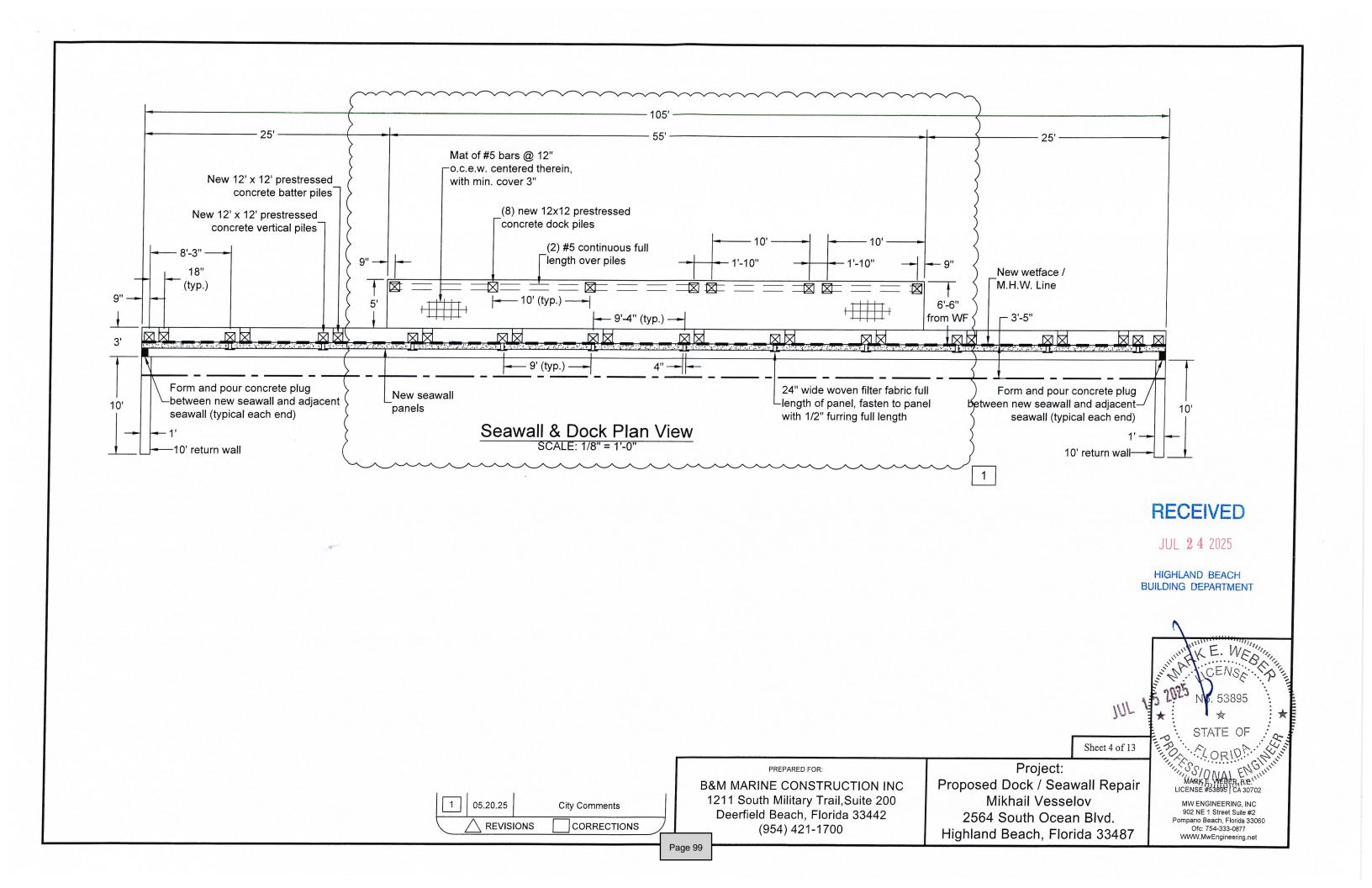
Revised: May 2021

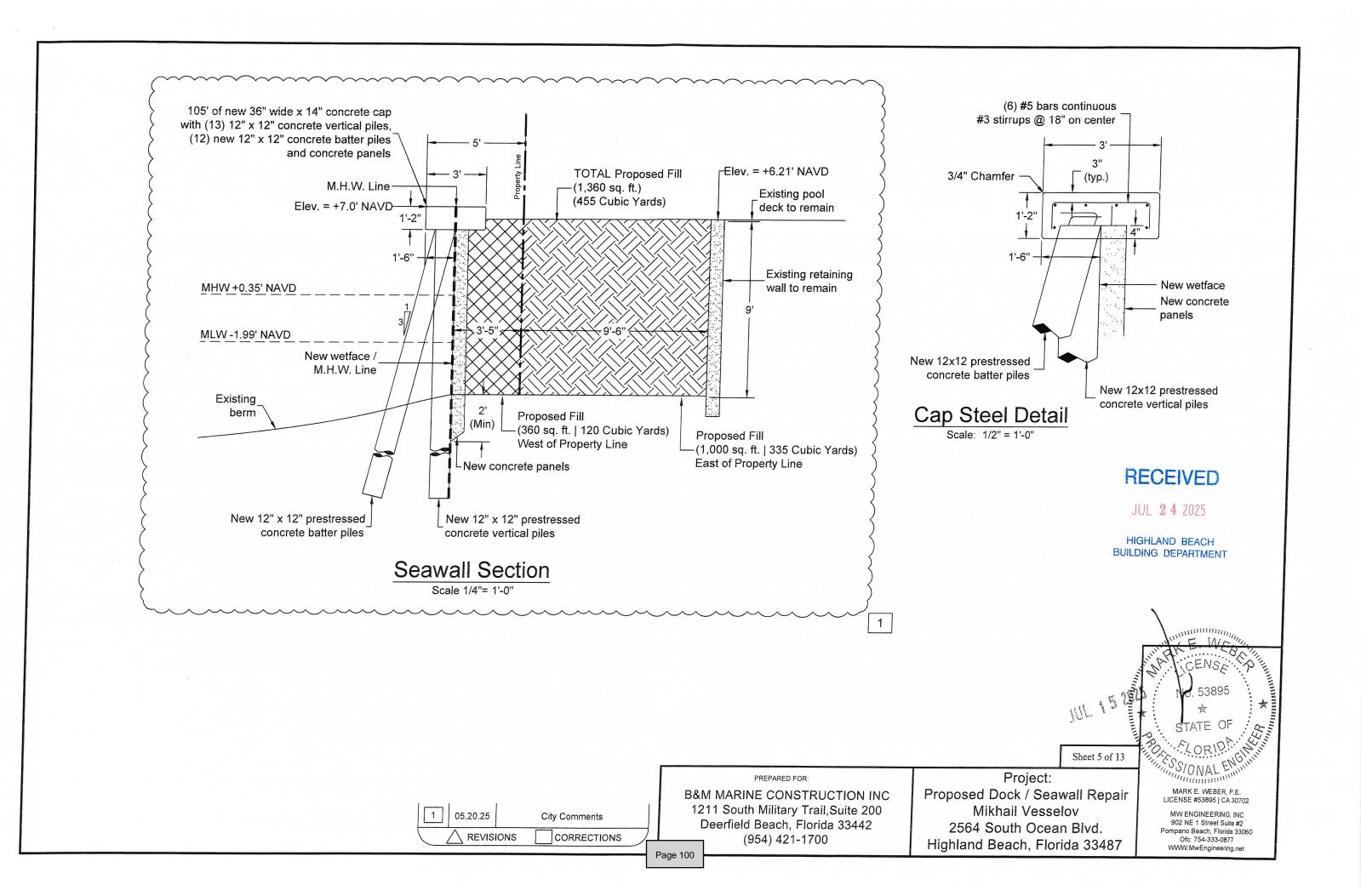


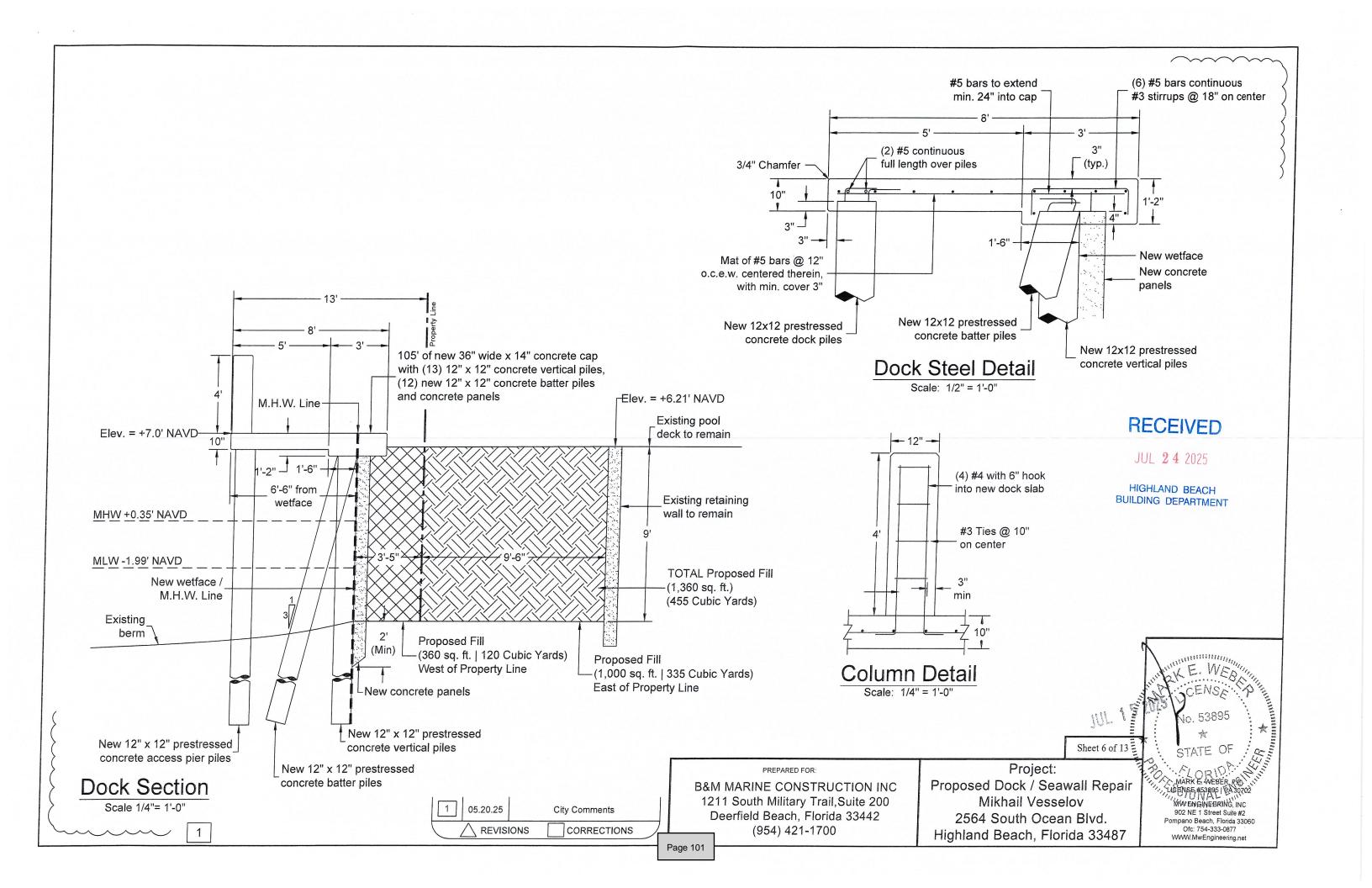


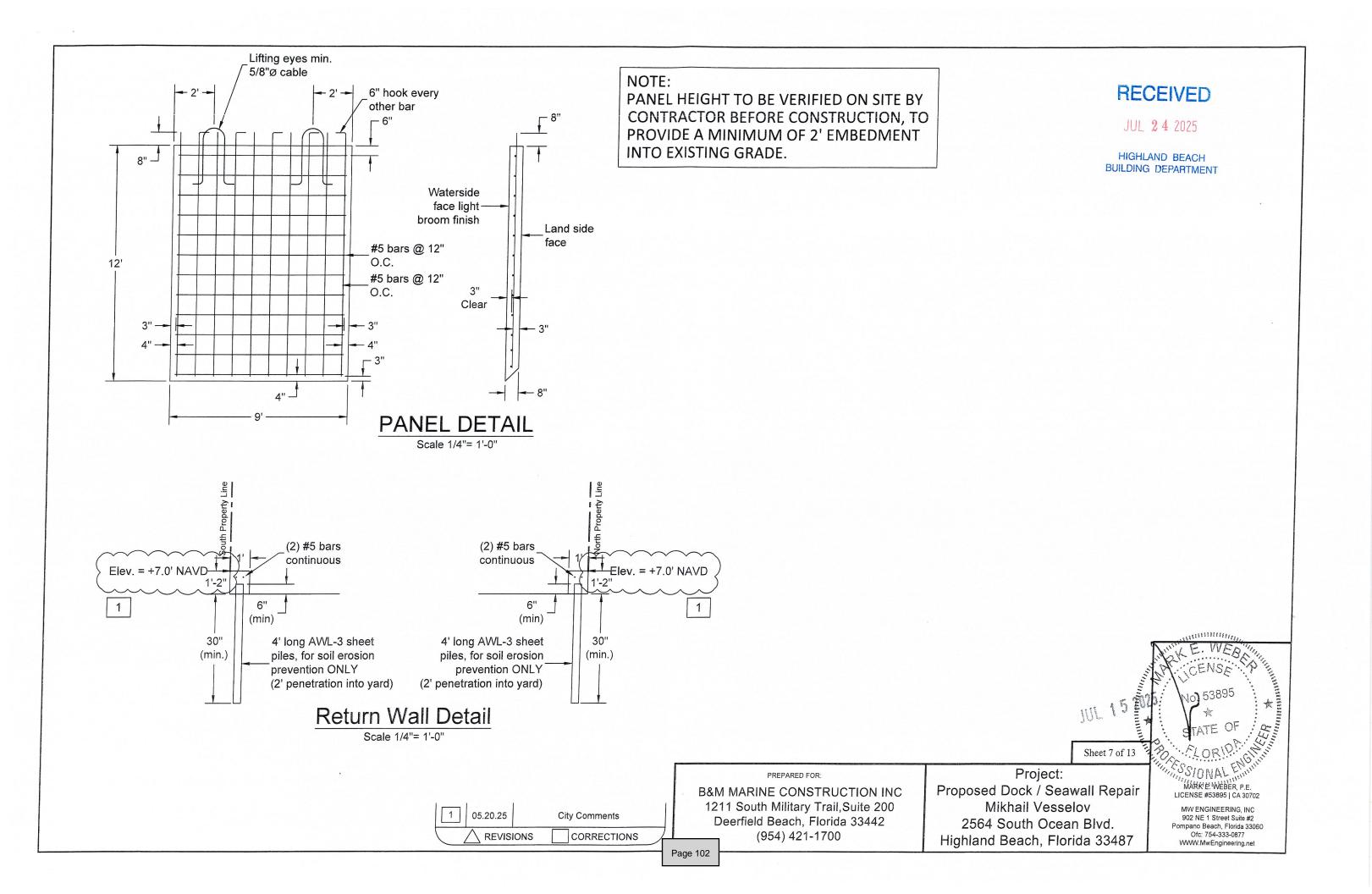


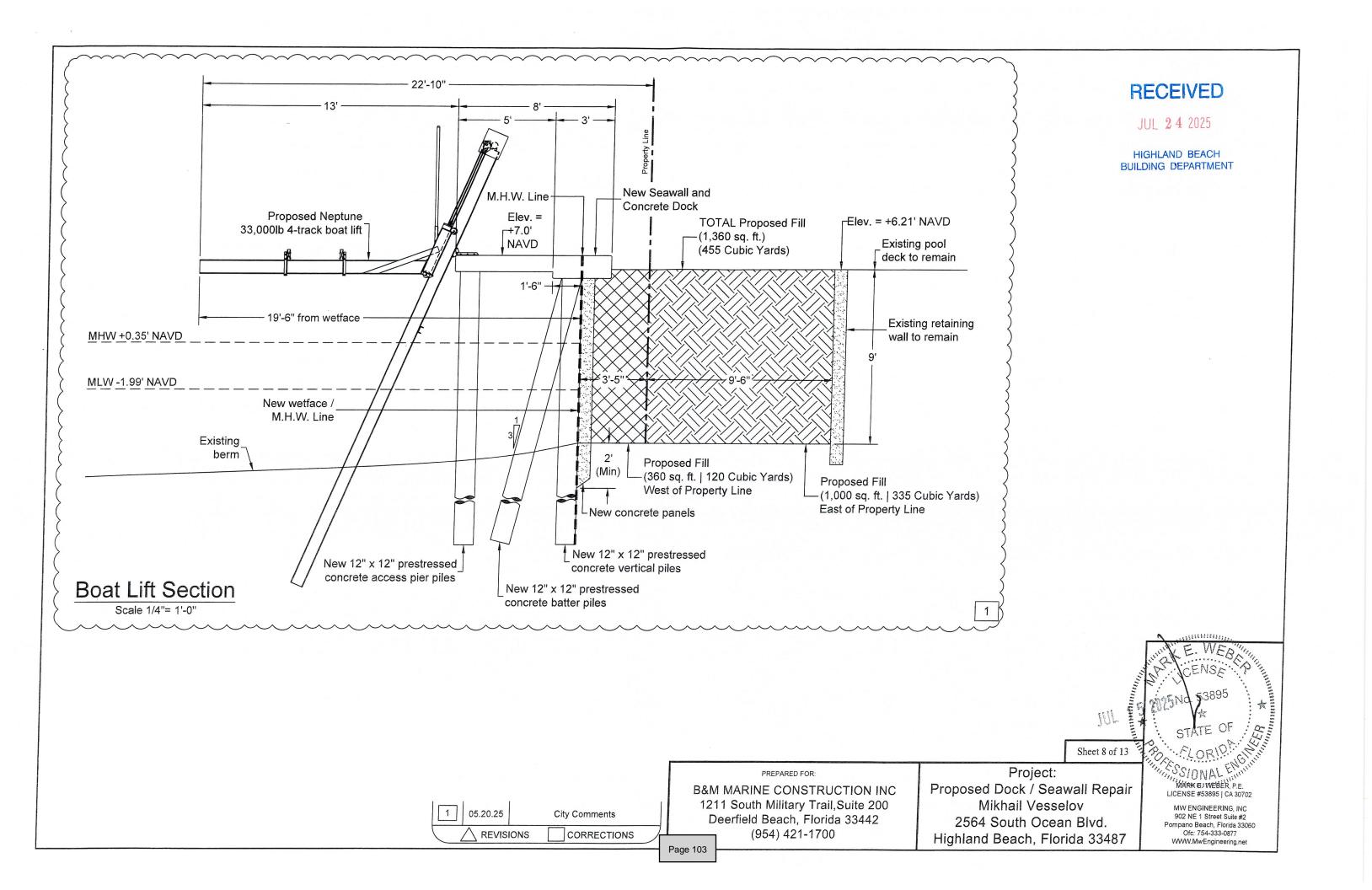












BOAT KEEL NOTE:

Boat Keel to be a maximum of one foot above the minimum seawall elevation when lifted.

Boat lift means the bottom of the keel of any boat shall not be hoisted greater than one foot above the minimum seawall elevation.

In no case shall the lift be higher than the superstructure of the boat when lifted.

NOTE:

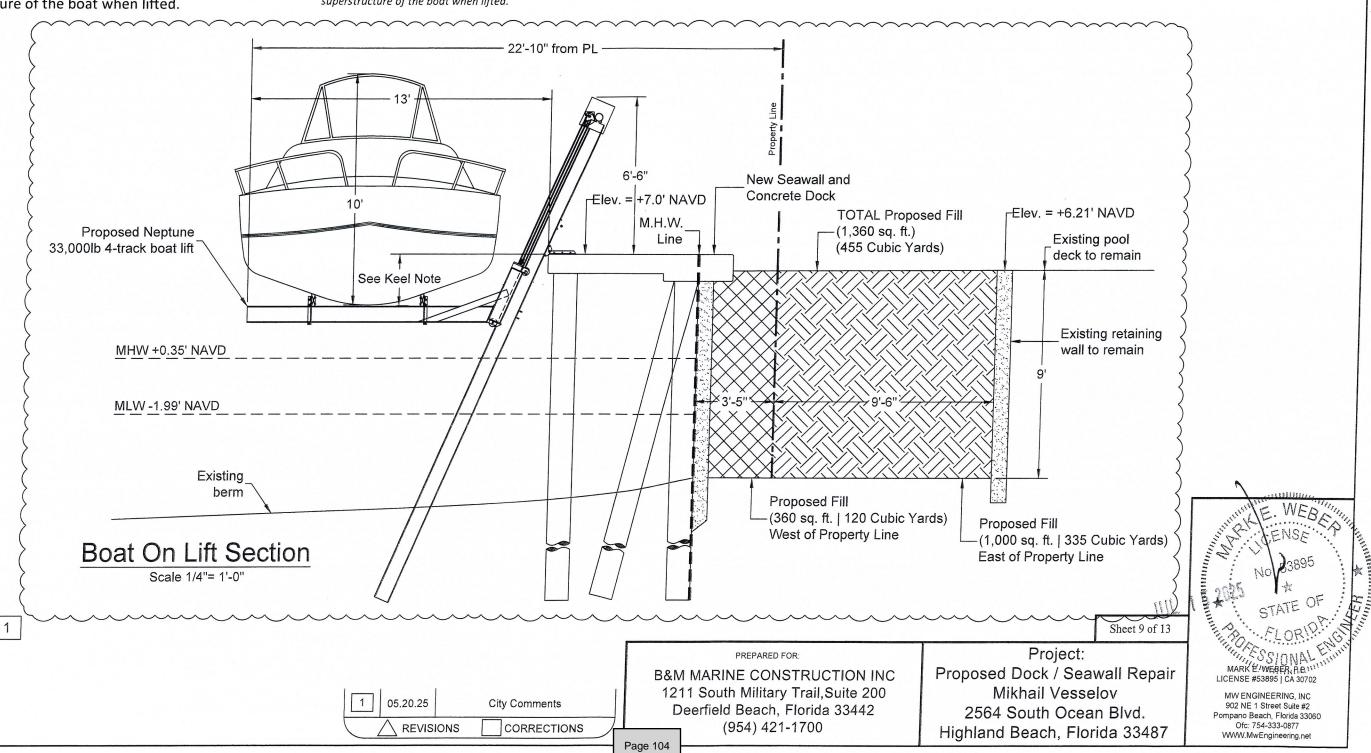
Height of superstructure of boat when lifted shall be complaint with boatlift definition is Sec. 30-131 - Definitions of terms.

Boat lifts means the bottom of the keel of any boat shall not be hoisted greater than one foot above the minimum seawall elevation. In no case shall the lift be higher than the superstructure of the boat when lifted.

RECEIVED

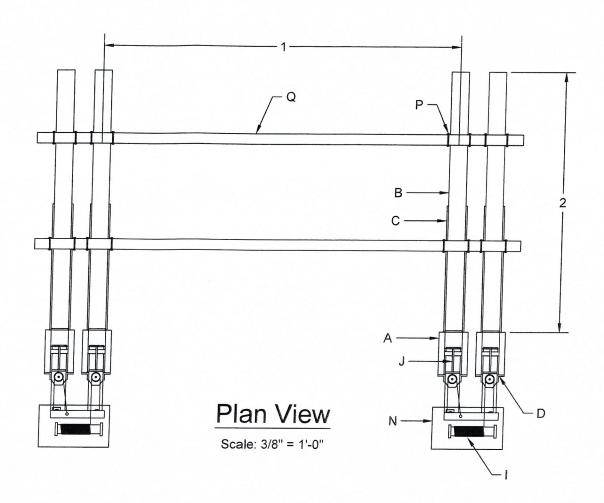
JUL 2 4 2025

HIGHLAND BEACH BUILDING DEPARTMENT



		Components
	Lift Capacity (In Pounds)	33,000
Α	Carriage Boom (2 Required per Lift Arm)	AS C 12"x7.4x60"
В	Cradle Arm	AA I 12"x11.7
С	Gusset Plate (2 Required per Lift Arm)	½"x6" Flat Bar
D	Upper Carriage Angle (2 Required per Lift Arm)	³ / ₈ "x3"x4" Angle
Ε	Lower Carriage Angle (2 Required per Lift Arm)	³ ੂ"x4"x6" Angle
F	Pulley Plate (2 Required per Lift Arm)	½"x8" Flat Bar
G	Upper Guide Wheel (4 Required per Lift Arm)	6" Diameter
Н	Lower Guide Wheel (1 Required per Lift Arm)	6" Diameter
1	Cable Size (Stainless Steel)	7/16" Diameter 7x19 SS 304
J	Guide Track	AA I 12"x11.7
K	Guide Track To Guide Track Brace	AA CS 6"x2.8
L	Attachment Bracket	(1) $\frac{3}{8}$ "x3"x3" Angle and (1) $\frac{3}{8}$ "x3"x4" Angle Welded Together with Welded $\frac{1}{2}$ " Thick Inner Plate
M	Track Mount Connector (2 Required per Lift Arm)	½"x3"x6" Angle & ¾" Bolts
Ν	Motor Size (Horse Power/Voltage)	Aluminum Housing
0	Guide Post Socket	3" Diameter Schedule 80 Pipe
Р	Bunk Bracket Support (2 Each Side of Lift Arm)	¹ / ₄ "x2"x2"
Q	Bunk Boards**	3"x12" Pressure Treated Southern Yellow Pine #1

^{**} Placement of bunk boards depends on beam of boat



PREPARED FOR: **B&M MARINE CONSTRUCTION INC**

1211 South Military Trail, Suite 200

Deerfield Beach, Florida 33442

(954) 421-1700

D	imen	sions
	Capacity Pounds)	33,000
	1	10'
	2	12.5'
	3	-
ark	4	6'
on M	5**	1'-6"
Dimension Mark	6	-
Ξ	7	-
	8	70"
	9	38"

** Placement of bunk boards depends on beam of boat

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JUL 2 4 2025

HIGHLAND BEACH
BUILDING DEPARTMENT

Sheet 10 of 13 Project:

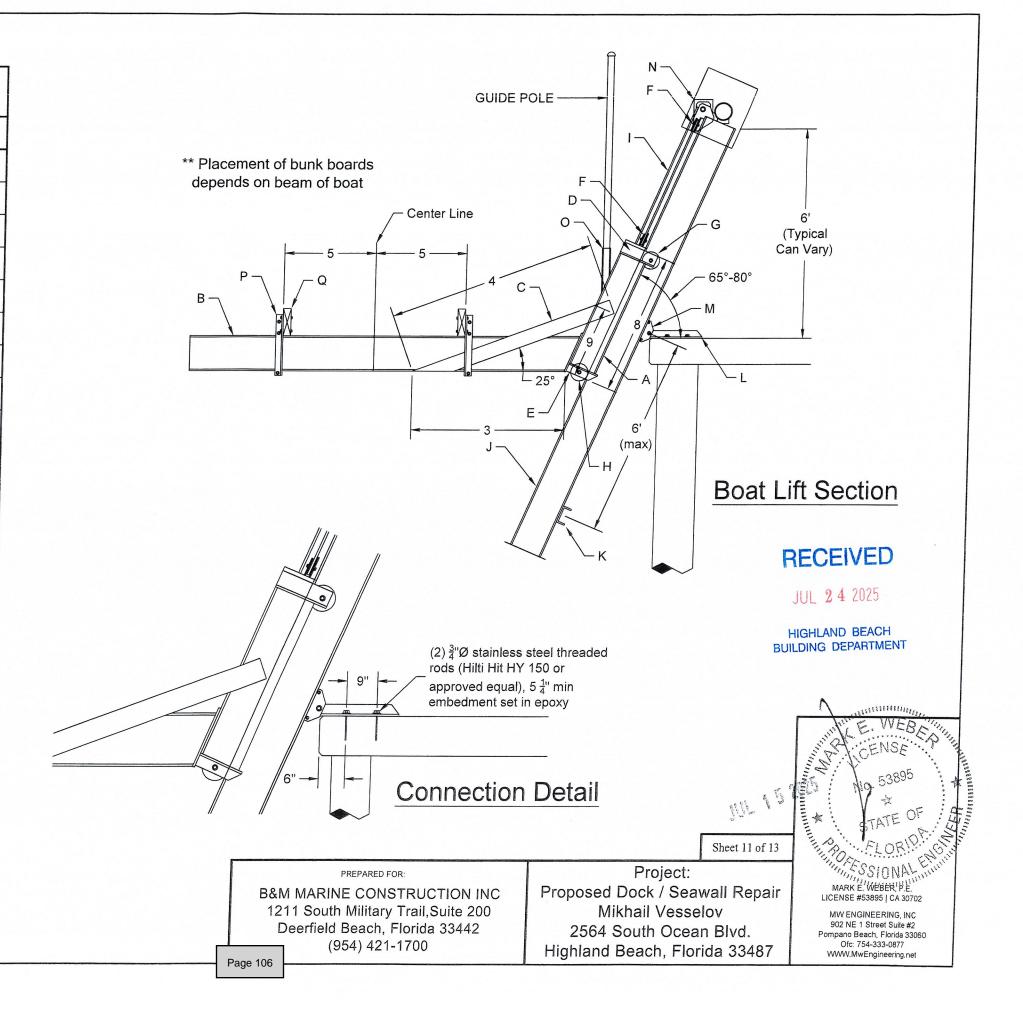
Proposed Dock / Seawall Repair Mikhail Vesselov 2564 South Ocean Blvd. Highland Beach, Florida 33487

MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net

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		Components
	Lift Capacity (In Pounds)	33,000
Α	Carriage Boom (2 Required per Lift Arm)	AS C 12"x7.4x60"
В	Cradle Arm	AA I 12"x11.7
С	Gusset Plate (2 Required per Lift Arm)	½"x6" Flat Bar
D	Upper Carriage Angle (2 Required per Lift Arm)	₈ "x3"x4" Angle
Е	Lower Carriage Angle (2 Required per Lift Arm)	³ ਵ"x4"x6" Angle
F	Pulley Plate (2 Required per Lift Arm)	½"x8" Flat Bar
G	Upper Guide Wheel (4 Required per Lift Arm)	6" Diameter
Н	Lower Guide Wheel (1 Required per Lift Arm)	6" Diameter
	Cable Size (Stainless Steel)	7/16" Diameter 7x19 SS 304
J	Guide Track	AA I 12"x11.7
K	Guide Track To Guide Track Brace	AA CS 6"x2.8
L	Attachment Bracket	(1) $\frac{3}{8}$ "x3"x3" Angle and (1) $\frac{3}{8}$ "x3"x4" Angle Welded Together with Welded $\frac{1}{2}$ " Thick Inner Plate
М	Track Mount Connector (2 Required per Lift Arm)	½"x3"x6" Angle & ¾" Bolts
N	Motor Size (Horse Power/Voltage)	Aluminum Housing
0	Guide Post Socket	3" Diameter Schedule 80 Pipe
Р	Bunk Bracket Support (2 Each Side of Lift Arm)	¹ / ₄ "x2"x2"
Q	Bunk Boards**	3"x12" Pressure Treated Southern Yellow Pine #1

^{**} Placement of bunk boards depends on beam of boat



Boat Lift Notes:

- Design in accordance with Florida Building Code, 8th Edition (2023).
- This lifting structure has been designed to withstand wind loads associated with speeds of V (ult) = 180 MPH, (3 Second Gust) Exposure 'D' without a boat on the lift per ASCE 7-22 using above ground sign/wall method. The lifting structure including boat has been designed to withstand wind speeds of V (sustained) = 73 MPH, remove boat when winds approach this speed or for any named storm event. Boat shall not be stored on lift during high wind events.
- Do not scale drawings for dimensions. Licensed Contractor to verify location of existing utilities prior to commencing work. The Licensed contractor shall install and remove all shoring and bracing as required for the proper installation of the work. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- Aluminum: Material 6061 T6 Aluminum, all welds are minimum full fillet weld using 5556 filler 14 full fillet weld using 5556 filler alloy, all welding must conform to AISC steel construction manual currently adopted edition as inspected and verified by others. The contractor is responsible for insulating aluminum members from dissimilar metals to prevent electrolysis. Aluminum members in contact with concrete and wood shall be protected by "Koppers Bituminous Paint" or Polyethylene Tape UHMW (ultra-high molecular weight). 11.7 mils (0.30 mm) min. total thickness in accordance with current Florida Building Code.
- All anchors to be Hilti Brand or Approved Equal. All bolts shall be hot dipped galvanized or stainless steel & meet the requirements of ASTM A304 with hardened washers and hex nuts. Washers shall be used between wood & bolt head & between wood & nut. Where generic fasteners are labeled, capacities shall be equal to or greater than Hilti Kwik Bolt II or Red Head thru bolts SAE Grade 5 or better. Embedment depths specified herein are depths into solid substrate and do not included thickness of other finishes.
- MW Engineering Inc. has no control of the manufacturing, performance, or installation of this product. These generic plans were engineered in accordance with accepted engineering practices and data provided by the manufacturer. Use of this specification by contractor and permit holder Et al. indemnifies and saves harmless the engineer for all costs and damages from material fabrication, system erection, and construction practices beyond that which is called for by codes and from deviations from this design. Intellectual property of MW Engineering, Inc. All rights reserved. No part of this publication may be reproduced without prior written authorization.
- Piles shall be driven to minimum allowable bearing capacity of 10 tons minimum 8-foot or refusal and sufficiently penetrated sand or rock strata in pre-drilled or punched holes to support lift capacity, weight and loads. Each pile to carry commensurate load (Factor of Safety of 2). Sub-surface conditions can vary greatly.
- The contractor of record shall verify pile type, installation, and driving in compliance with FBC 8th ED (2023). Wood piles shall be a minimum diameter of 8", Miami Dade County requires minimum diameter of 12", 2.5 lb. ACQ treated in accordance with Florida Building Code. Concrete piles shall be 12" x 12" square, attain 6000 psi compressive strength in 28 days and shall be reinforced with four - 7 /16" diameter lo-lax strands, 270 kips, and 5 ga. spiral ties.
- Pilings described herein are considered to be part of the host structure and are not part of this certification. The pilings and existing host structure, if any, must be capable of supporting the loaded system as verified by the permit holder and contractor of record. No warranty, either express or implied is contained herein.

RECEIVED

JUL 2 4 2025

HIGHLAND BEACH BUILDING DEPARTMENT

B&M MARINE CONSTRUCTION INC 1211 South Military Trail. Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700

PREPARED FOR:

Project: Proposed Dock / Seawall Repair

Mikhail Vesselov 2564 South Ocean Blvd. Highland Beach, Florida 33487

Sheet 12 of 13 MW ENGINEERING, INC 902 NE 1 Street Suite #2

Pompano Beach, Florida 33060

Ofc: 754-333-0877

WWW.MwEngineering.ne

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GENERAL NOTES:

- 1. Construction to follow the Florida Building Code 8th Edition (2023) and amendments as applicable and all Local, State and Federal Laws.
- 2. Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their work.
- 3. Do not scale drawings for dimensions.
- 4. Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
- 5. All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- 6. All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
- 7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- 8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- 9. Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper execution of the work.
- 11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- 12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

PILE DRIVING:

- 1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
- 2. Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
- 3. Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
- 4. Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- 5. Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE NOTES:

- 1. Concrete shall conform to ACI 318-19 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- 3. Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- 4. Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- 5. Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- 6. Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.

PILE NOTES:

- 1. Concrete piles shall attain 6000 psi compressive strength in 28 days.
- 2. Concrete piles shall be reinforced with four $\frac{7}{16}$ " Ø Io-lax strands, 270 kips, and 5 ga. spiral ties.
- 3. Concrete piles shall be 12"x12" square, minimum length of 20'.
- 4. Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel or drill and epoxy (2) #5 8"x12" hook bars 6" into pile.

RECFIVED

JUL 2 4 2025

HIGHLAND BEACH BUILDING DEPARTMENT

Sheet 13 of 13

PREPARED FOR:

B&M MARINE CONSTRUCTION INC 1211 South Military Trail, Suite 200 Deerfield Beach, Florida 33442 (954) 421-1700 Project:
Proposed Dock / Seawall Repair
Mikhail Vesselov
2564 South Ocean Blvd.
Highland Beach, Florida 33487

MARK E. WEBER, P.E. LICENSE #53895 | CA 30702 MW ENGINEERING, INC

902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net

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File Attachments for Item:

C. Resolution No. 2025-021

A Resolution of the Town Commission of the Town of Highland Beach, Florida, authorizing the Town Manager to finalize and execute the recognition acknowledgement petition related to the Highland Beach Professional Firefighters, Local #5504 Union; providing for conflicts; and providing for an effective date.



RESOLUTION NO. 2025-021

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AUTHORIZING THE TOWN MANAGER TO FINALIZE AND EXECUTE THE RECOGNITION-ACKNOWLEDGEMENT PETITION RELATING TO THE HIGHLAND BEACH PROFESSIONAL FIREFIGHTERS, LOCAL #5504 UNION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Highland Beach Professional Firefighters, Local #5504 ("Local #5504") is an employee organization with a current registration granted by the Florida Public Employees Relations Commission on April 7, 2025; and

WHEREAS, the Town is a public employer as contemplated by Florida Statute Section 447.203(2) (2024); and

WHEREAS, Florida Statute Section 447.307(1)(a) provides that a public employer may recognize an employee organization as the collective bargaining representative of employees in the designated unit if satisfied as to the majority status of the employee organization and the appropriateness of the proposed unit; and

WHEREAS, the Town Commission is satisfied as to the majority status of Local #5504; and

WHEREAS, the Town Commission is satisfied as to the appropriateness of the proposed unit to avoid over-fragmentation notwithstanding the supervisory duties of the Captain position; and

WHEREAS, the Town Commission determines that authorizing the Town Manager to execute the Recognition-Acknowledgement Petition submitted by Local #5504 is in the best interest of the Town and serves a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Town Commission of the Town of Highland Beach, Florida, that:

SECTION 1. The foregoing recitals are ratified as true and correct and are hereby incorporated herein.

SECTION 2. The Town Commission hereby authorizes the Town Manager to finalize the Recognition-Acknowledgement Petition submitted by Local #5504, attached as Exhibit A, and execute same.

SECTION 3. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed to the extent of such conflict.

SECTION 4. The Resolution shall take effect immediately upon adoption.

DONE AND ADOPTED by the Town Commission of the Town of Highland Beach, Florida, this 2^{nd} day of September, 2025.

	Natasha Moore, Mayor
ATTEST:	REVIEWED FOR LEGAL SUFFICIENCY:
Lanelda Gaskins, MMC Town Clerk	Leonard Rubin, Town Attorney Town of Highland Beach

VOTES:

YES NO

Mayor Natasha Moore Vice Mayor David Stern Commissioner Donald Peters Commissioner Judith M. Goldberg Commissioner Jason Chudnofsky

Exhibit A - Resolution No. 2025-021

STATE OF FLORIDA PUBLIC EMPLOYEES RELATIONS COMMISSION

4708 Capital Circle N.W., Suite 300 Tallahassee, Florida 32303 (850) 488-8641

RECOGNITION-ACKNOWLEDGEMENT PETITION

Check this box if petition seeks to add classifications to an existing bargaining unit represented by the petitioning union ("opt-in"). Certification No				
is the uti	ISTRUCTIONS: This form must be completed by bo needed for any question, attach additional sheets and re petitioning union must file the fully executed petition ilize the Commission's secure web-based portal, called eir case. Information on how to sign up and use ePER	number the items and including all attement of the control of the	is they appear in this form. Upon completion, achments, with the Commission. Parties may adocuments electronically and view filings in	
1.	NAME OF PETITIONING UNION: Highland Beach Professional Firefighters, Local #5504			
Address: PO Box 272				
	Delray Beach	FL	33483	
	City	State	Zip Code	
2.	UNION'S REPESENTATIVE: Mark W. Floyd			
	Title: Counsel for Local #5504	Email Address:	mfloyd@mierzwalaw.com	
	Phone No. <u>561-966-1200</u>	Fax No.	561-966-1231	
Address: Mierzwa & Floyd, P.A., 3900 Woodlake Boulevard, Ste. 212				
	Lake Worth	FL	33463	
	City	State	Zip Code	
3.	PERC REGISTRATION NUMBER: OR- 2024-00	061	Expiration Date: 04-07-2026	
4.	NAME OF PUBLIC EMPLOYER: Town of Highland Beach			
	Address: 3614 S. Ocean Blvd.			
	Highland Beach	FL	33487	
	City	State	Zip Code	
5. EMPLOYER'S REPRESENTATIVE: Marshall Labadie				
	Title: Town Manager	Email Address:	mlabadie@highlandbeach.us	
	Phone No. <u>561-278-4548</u>	Fax No.	561-265-3582	
	Address: 3614 S. Ocean Blvd.			
	Highland Beach	FL	33487	
	City	State	Zip Code	

Exhibit A - Resolution No. 2025-021 6. **Description of bargaining unit**: List all classifications proposed for inclusion in, and exclusion from, the new unit

	claimed to be appropriate for collective bargaining. *If this is an opt-in petition, list only the classifications sought for inclusion in the existing bargaining unit. (If lengthy, attach separate sheet.)			
	INCLUDED (list classifications below):			
	All employees employed in the Town of Highland Beach Fire Department in the following classifications:			
	1. Firefighter; 2. Driver Engineer; and 3. Captain.			
	EXCLUDED (list classifications below):			
All other employees of the Town of Highland Beach.				
7.	Total number of employees sought for inclusion in the unit: 28			
8.	Majority Status: Do at least 50% of the petitioned-for employees support this petition? YES NO a. Is the public employer satisfied as to the majority status of the petitioning union? YES NO			
	 a. Is the public employer satisfied as to the majority status of the petitioning union? YES YES YES YES YES YES YES YES YES YES			
	The parties agreed to present the showing of interest statement executed by bargaining unit employees for review by Rev. D. Brian Horgan, Ph. D., who is the Chaplain for the Town's Fire Department. Father Horgan has reviewed the showing of interest personally signed and dated by each employee and confirmed the majority status of the petitioning union.			
9.	Is the public employer satisfied as to the appropriateness of the proposed unit for the purpose of collective bargaining? VES NO			
10.	Is there an existing collective bargaining agreement covering any employee in the proposed bargaining unit? YESNO. IF YES, date of expiration:			
,	**NOTE: The filing of this petition will be deemed to be a waiver by the petitioning union and public employer of any applicable contract bar, as described in section 447.307(3)(d), Florida Statutes.**			
11.	. Has a representation election been conducted among any of the employees in the proposed bargaining unit within the past twelve months? YES NO. IF YES , date of the last election:			
,	**NOTE: The filing of this petition will be deemed to be a waiver by the petitioning union and public employ of any applicable contract bar, as described in section 447.307(3)(d), Florida Statutes.** Has a representation election been conducted among any of the employees in the proposed bargaining unit within			

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Exhibit A - Resolution No. 12. Is there another organization(s) , besides the petitioning union, to proposed unit? YES NO.	2025-021 that claims to represent any of the employees in the	
a. IF YES, identify the organization(s) by name:		
b. IF YES, provide a copy of this completed, signed form (exclud	ing job descriptions) to the identified organization(s).	
c. On which date was the identified organization(s) provided a c	copy of this form?	
13. RECOGNITION-ACKNOWLEDGMENT:		
 Attach documentation of the formal recognition process when union as the exclusive collective bargaining representative of the a formal resolution or official minutes from a meeting reflection. 	he employees proposed for inclusion in the unit (e.g.,	
14. NOTICE: The public employer must provide a copy of this for affected by this petition. The form may be provided in the communicates with its employees (e.g., e-mail, personal delivery,	manner in which the public employer customarily	
*****NOTICE TO EMPLO	OYEES******	
organization being certified as the exclusive bargaining a described above. No representation election will be conducted the petition must file a written notice with the Public Employers such objection, within twenty days after initial posting a. On which date did affected employees receive a copy of	cted. Any person who objects to approval of byees Relations Commission, stating the basis of this notice.	
b. Select the method(s) by which a copy of this form was pr		
E-mail Personal delivery U.S. Mail Posted in conspicuous place		
Other (please explain):		
By my signature below, I affirm that I have reviewed the inform The statements contained herein are true to the best of my CONTAINED IN THIS FORM MAY RESULT IN FINE AND IM FLORIDA STATUTES.	knowledge and belief. FALSE STATEMENTS	
Signature of Petitioning Union's Representative	Date Signed	
Signature of Public Employer's Representative	Date Signed	
The Commission utilizes e-service as the primary method notices. Parties are responsible for ensuring that their email and current.	of delivery for orders, correspondence, and address on file with the Commission is correct	

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I HEREBY AUTHORIZE, AND EXPRESS MY DESIRE TO HAVE, THE **Highland Beach Professional Firefighters**REPRESENT ME FOR PURPOSES OF COLLECTIVE BARGAINING.

Print Name	Personal Signature	Personally Dated
1. Daniel Rush 2. Alexander Ferna		4-7-25
3. Kiristian Williams	Mel !	4/7/25
4. Kyle Pavelka	Juste Parelka	4.7.25
5. Stephen Buit	Steph Bus	04-07-25
6. Alex Lutz	Alex foly	04-07-25
7. RICARDO ROBINSON		04-07-25
8. Michael Benoit	MHAIST	4/8/25
9. Redrige Lander	Codey Janton	4/8/25
10. Kevin Maxwell	MA	4/8/25

I HEREBY AUTHORIZE, AND EXPRESS MY DESIRE TO HAVE, THE Highland Beach Professional Firefighters REPRESENT ME FOR PURPOSES OF COLLECTIVE BARGAINING.

Print I	Name	Personal Signature	Personally Dated
1. AL	ISHA VIDAZ	A	4/08/25
2.	exender Ayerds	Ah fr	4/08/25
3. <u>Kri</u>	sti Kemper	fristi fempor	4 8 25
4. <u>Cr</u>	nris Zidar	Charle	4/9/25
5. Se	an Conner	2/	4/9/25
		E in	4/10/25
7. Par	Inier Chantadis	Yue	4/9/25
8. <u>Ca</u> u	neron Albraham	Can Ol	4/9/25
1	hald HER		4925
	ale Bader	() Cul Grader	4/10/25

I HEREBY AUTHORIZE, AND EXPRESS MY DESIRE TO HAVE, THE Highland Beach Professional Firefighters REPRESENT ME FOR PURPOSES OF COLLECTIVE BARGAINING.

	Print Name	Personal Signature	Personally Dated
1.	Daviel Steerns	45	4/10/25
2.	Gary Chiney	99	4/10/25
3.	Justin Henry	Justeff	4/10/25
4.	AUBBIT KRUSE	At the	04/11/25
5.	Lines R SEGN	Jewill Ang	4/12/25
6.	MEGAN L. GYR	MufG	15APR25
7.	Erit Lenzen	293	4/15/25
8.			
9.			
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