ESTERO VILLAGE COUNCIL
ZONING AND COMPREHENSIVE PLAN HEARINGS
WEDNESDAY, SEPTEMBER 25, 2019
9:30 A.M.

DISCLAIMER:
THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME
CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE
ACCURACY NOR USED AS A VERBATIM TRANSCRIPT.
ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE
PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.

9:28:09AM   >>Mayor Ribble: GOOD MORNING.
9:28:09AM   I WOULD LIKE TO CALL THE SEPTEMBER 25th, 2019, VILLAGE
9:28:13AM   COUNCIL ZONING AND COMPREHENSIVE PLAN HEARINGS MEETING TO
9:28:16AM   ORDER.
9:28:16AM   THIS MORNING, WE HAVE PASTOR KEVIN MORRIS FROM THE HOPE
9:28:20AM   UNITED PRESBYTERIAN CHURCH HERE TO PROVIDE THE INVOCATION.
9:28:24AM   PASTOR.
9:28:28AM   >> THANK YOU, MR. MAYOR.
9:28:29AM   COUNCIL MEMBERS, LADIES AND GENTLEMEN, SHALL WE PRAY?
9:28:33AM   MOST HOLY GOD, THANK YOU FOR EVERY SEAT THAT HAS BEEN FILLED
9:28:41AM   HERE TODAY, FOR EACH MIND AND HEART THAT FILLS THE PRESENCE
9:28:46AM   OF THIS ROOM, WE THANK YOU.
9:28:55AM   ONLY YOU TRULY KNOW WHAT WE ARE SETTING OUT TO ACCOMPLISH
9:28:55AM   TODAY.
9:29:03AM   WE HAVE AN IDEA, A VISION, HINTS AND DAILY INSTRUCTIONS.
9:29:10AM   WE HAVE TALENTS, ABILITIES, AND TIME TO WORK.
9:29:16AM   HOWEVER, ONLY YOU CAN SEE IN PERFECT DETAIL THE END OF EVERY
9:29:16AM   BEGINNING, EVERY PROJECT, EVERY SEASON, EVERY LIFE.
9:29:21AM   NOTHING IS EVER IN VAIN FOR EVEN MISTAKES AND MISSTEPS ARE
9:29:30AM   USED FOR GOOD.
9:29:32AM   YOUR RIGHTEOUSNESS TRANSCENDS ALL OUR EFFORTS AND
9:29:35AM   UNDERSTANDING, STRENGTHEN OUR CONFIDENCE AND HUMILITY IN WHO
9:29:44AM   YOU HAVE MADE US TO BE FOR THIS WONDERFUL VILLAGE OF ESTERO.
9:29:50AM   BLESS THIS MEETING TODAY, ALL THOSE PRESENT AS WELL AS THE
9:29:54AM   LIVES OF THOSE WE WILL ENCOUNTER AFTERWARD.
9:29:59AM   READY US TO MAKE EVERY MOMENT COUNT.
9:30:02AM   AMEN.
9:30:05AM   BLESSINGS ON YOU ALL.
9:30:07AM   >>Mayor Ribble: THANK YOU, PASTOR.
9:30:09AM   VICE-MAYOR, WOULD YOU PLEASE LEAD US IN THE PLEDGE TO THE
9:30:13AM   FLAG?
9:30:16AM   [PLEDGE OF ALLEGIANCE]
9:30:26AM   >>Mayor Ribble: WOULD THE CLERK PLEASE CALL THE ROLL.
9:30:37AM   >>Howard Levitan: HERE.
WE'LL NOW TAKE PUBLIC COMMENT.

I HAVE ONE GENTLEMAN SIGNED UP TO SPEAK.

Gary Israel.

I'M HERE ON BEHALF OF THE SPEAKERS ASSEMBLY OF SOUTHWEST FLORIDA.

I WOULD LIKE TO ENCOURAGE THE COUNCIL'S PARTICIPATION IN SUPPORT OF THIS ORGANIZATION.

THIS YEAR WE'LL BE CELEBRATING THE 24th YEAR.

ABOUT FOUR, FIVE YEARS AGO I WAS INTRODUCED TO THE EXECUTIVE DIRECTOR, ARDEN McCURDY, AND WAS INVITED TO BECOME A MEDIA SPONSOR FOR THE ORGANIZATION AND BECOME A SITTING BOARD MEMBER.

VINCE MODARELLI, WHO SOME OF YOU PROBABLY KNOW, AND I ARE BOTH ON THE BOARD AND SERVE ON THE MEMBERSHIP COMMITTEE.

WE'RE LOOKING TO GROW THIS ORGANIZATION.

HAVING STARTED IN BONITA BAY AT LEAST 24 YEARS AGO, WE'RE TRYING TO EXPAND OUR SITES.

THAT WAS THE REASON "ESTERO LIFE" MAGAZINE WAS INVITED TO BECOME A MEDIA SPONSOR.

WE'RE GOING TO PUSH THE EDGE OF THE ENVELOPE A LITTLE BIT THIS YEAR IN THAT WE WOULD LIKE TO HOST A MEMBERSHIP GATHERING SOMETIME IN JANUARY IN 2020 TO INVITE RESIDENTS OF THE COMMUNITY TO JOIN IN.

I HAVE HAD A NUMBER OF CONVERSATIONS OVER THE LAST NINE YEARS AS THE PUBLISHER OF ESTERO LIFE MAGAZINE AND THE ONE COMMON THREAD IS, JIMINEY, I HAVEN'T HAD AN INTELLECTUAL CONVERSATION IN ABOUT THREE YEARS SINCE I RETIRED.

SO THE MISSION OF THE SPEAKERS ASSEMBLY OF SOUTHWEST FLORIDA IS TO BRING WORLD-CLASS SPEAKERS INTO OUR AREA WHO ENLIGHTEN, EDUCATE, AND ENTERTAIN US IN SOUTHWEST FLORIDA.

THERE IS A SCHOLARSHIP COMPONENT OF THAT, THAT WE GIVE FOUR SCHOLARSHIPS EACH YEAR.

EVERY EVENT FROM NOVEMBER THROUGH MARCH, WE INVITE EIGHT STUDENTS FROM AREA HIGH SCHOOLS AND COLLEGES, AND THEY GET ONE-ON-ONE TIME WITH THE SPEAKER THAT DAY AND THEN THEY ARE ELIGIBLE TO APPLY FOR THOSE SCHOLARSHIPS.

WE HAVE DOUGLAS DUNCAN THIS YEAR, WHO IS A FANNIE MAE SENIOR VICE PRESIDENT AND COMMANDER-IN-CHIEF ECONOMIST, GOING TO
9:33:03AM  SPEAK IN NOVEMBER, OUR FIRST MEETING.
9:33:05AM  WE’VE GOT SOME LUNCHES PLANNED.
9:33:07AM  WE HAVE DR. PAUL SIMEON, WHO WAS, I THINK, HIRED FROM
9:33:13AM  HARVARD MEDICAL SCHOOL WHO IS DIRECTING THE MENTAL HEALTH
9:33:17AM  PROGRAM AT LEE HEALTH.
9:33:18AM  WITH CHILDREN’S MENTAL HEALTH ISSUES.
9:33:23AM  AND WE’VE GOT ECONOMIST CARTOONIST, POLITICAL CARTOONIST KAL
9:33:27AM  KALLAUGHER THAT SOME OF YOU MAY KNOW COMING IN IN FEBRUARY
9:33:34AM  AS WELL.
9:33:34AM  WE’RE PLANNING ON HAVING A MEMBERSHIP SOCIAL IN JANUARY.
9:33:38AM  NEXT YEAR, THE 25th ANNIVERSARY OF THE ORGANIZATION, WE
9:33:42AM  WOULD LIKE TO HOST THE FIRST EVENT HERE IN THE VILLAGE OF
9:33:45AM  ESTERO.
9:33:46AM  SO WITH YOUR PARTICIPATION AND SUPPORT, WE’LL HELP PUSH THAT
9:33:52AM  FORWARD HOPEFULLY SUCCESSFULLY.
9:33:54AM  THANK YOU.
9:33:54AM  ANY COMMENTS OR QUESTIONS?
9:33:56AM  >>Mayor Ribble: NO.
9:33:57AM  SOUNDS GOOD.
9:33:58AM  SOUNDS INTERESTING.
9:33:59AM  NEXT ON THE AGENDA IS TO CONSIDER THE ADOPTION OF A
9:34:05AM  COMPLIANCE AGREEMENT TO RESOLVE THE ADMINISTRATIVE CHALLENGE
9:34:07AM  TO THE VILLAGE’S COMPREHENSIVE PLAN.
9:34:09AM  THIS IS A PUBLIC HEARING AND PUBLIC COMMENTS WILL BE TAKEN
9:34:13AM  AT THIS TIME.
9:34:14AM  MARY, YOU HAVE A PRESENTATION FOR US?
9:34:20AM  >>Mary Gibbs: GOOD MORNING, COUNCIL.
9:34:22AM  MARY GIBBS.
9:34:23AM  JUST TO GIVE YOU A BRIEF OVERVIEW OF WHAT THIS ITEM IS, IT’S
9:34:26AM  A REQUEST FOR A COMPLIANCE AGREEMENT, AND IT’S RELATED TO
9:34:30AM  THE ADMINISTRATIVE CHALLENGE TO THE COMPREHENSIVE PLAN OF
9:34:33AM  THE VILLAGE THAT WAS FILED BY ARGO AND THE TEMPLETON TRUST.
9:34:38AM  AS YOU’LL PROBABLY RECALL, THE PLAN WAS ADOPTED IN 2018, BUT
9:34:43AM  IT’S NOT YET EFFECTIVE BECAUSE OF THIS CHALLENGE.
9:34:51AM  THE COMPLIANCE AGREEMENT WAS SUGGESTED BY THE STATE
9:34:51AM  DEPARTMENT OF ECONOMIC OPPORTUNITY.
9:34:53AM  AND JUST TO GIVE YOU A BRIEF BACKGROUND AND REFRESH YOU, WE
9:34:57AM  APPROVED A SETTLEMENT -- THE VILLAGE APPROVED A SETTLEMENT
9:34:59AM  AGREEMENT WITH ARGO ON MAY 1st.
9:35:01AM  THAT INCLUDED A PROVISION THAT THE VILLAGE WOULD CONSIDER
9:35:05AM  THE COMPREHENSIVE PLAN AMENDMENT AND A REZONING TO RESOLVE
9:35:09AM  THE ADMINISTRATIVE CHALLENGE TO THE PLAN.
9:35:11AM  SO WE SENT A TEXT AMENDMENT TO -- WE BROUGHT THAT TO
9:35:16AM  COUNCIL, AND WE SENT THAT TO THE STATE FOR REVIEW.
9:35:20AM  THE COUNCIL REVIEWED IT AT THEIR MEETING ON JULY 24th.
9:35:23AM  WHEN WE SENT THE AMENDMENT TO THE STATE FOR REVIEW, THEY
9:35:27AM CONTACTED US BECAUSE THEY HAVE A 30-DAY REVIEW PERIOD.
9:35:31AM THEY CONTACTED US AND THEY SAID TECHNICALLY, WE'RE NOT SURE
9:35:36AM HOW WE CAN REVIEW THIS AMENDMENT BECAUSE YOUR PLAN IS NOT
9:35:39AM EFFECTIVE SO WE WOULD LIKE YOU TO DO A COMPLIANCE AGREEMENT.
9:35:44AM WE THOUGHT THAT WAS A LITTLE BIT ODD BUT WE SAID OKAY.
9:35:46AM YOU KNOW, YOUR REVIEWERS DON'T KNOW HOW TO REVIEW IT, WE'LL
9:35:50AM DO THIS AGREEMENT BECAUSE WE WANT TO GET IT REVIEWED.
9:35:52AM SO BASICALLY THEY SAID WE'RE GOING TO SEND THE AMENDMENT
9:35:55AM BACK TO YOU.
9:35:55AM WE WANT YOU TO DO A COMPLIANCE AGREEMENT, AND THEN YOU CAN
9:35:59AM SEND IT BACK TO US.
9:36:00AM IT WAS A TECHNICALITY.
9:36:02AM WHAT WE DID IS WE'VE DONE THIS COMPLIANCE AGREEMENT, WHICH
9:36:05AM IS ALLOWED UNDER THE STATUTE.
9:36:08AM YOU HAVE TO HAVE WHAT THEY CALL A NEGOTIATION MEETING BEFORE
9:36:11AM YOU CAN BRING IT BACK TO COUNCIL. SO WE HAD THAT ON
9:36:14AM SEPTEMBER 4th.
9:36:15AM THAT WAS A MEETING ATTENDED BY THE STAFF, OUR LAND USE
9:36:20AM ATTORNEY AND THE ARGO REPRESENTATIVES AND THEIR ATTORNEY
9:36:23AM ALSO CAME TO THAT.
9:36:24AM AND THAT'S WHEN WE WORKED OUT THE LANGUAGE OF THE COMPLIANCE
9:36:27AM AGREEMENT THAT'S ATTACHED TO THE DOCUMENT IN YOUR PACKET
9:36:31AM TODAY.
9:36:31AM SO WHAT WE'RE ASKING THE COUNCIL TO DO IS APPROVE THIS
9:36:38AM COMPLIANCE AGREEMENT, AND THEN WE REFILE IT.
9:36:41AM WE WILL SEND THE WETLANDS AMENDMENT BACK TO THE STATE, AND
9:36:44AM WE FILE THIS AMENDMENT AND MAYBE NANCY CAN ELABORATE A
9:36:48AM LITTLE BIT, BECAUSE HOW WE HAVE TO FILE IT AND WHAT THE NEXT
9:36:52AM STEPS ARE.
9:36:56AM >>Nancy Stroud: RIGHT.
9:36:56AM GOOD MORNING, COUNCIL.
9:36:58AM THIS IS, AS MARY SAID, REALLY BECAUSE THE DEO APPARENTLY IS
9:37:04AM USED TO DOING IT THIS WAY.
9:37:07AM AND SO IT'S AN EXTRA STEP FOR US.
9:37:10AM ONCE THE COUNCIL ENTERS INTO THE COMPLIANCE AGREEMENT, WE
9:37:15AM CAN SEND IT UP TO THE DIVISION OF ADMINISTRATIVE HEARINGS
9:37:22AM AND, IN FACT, THE PROCESS SET OUT IN THE STATUTE IS FAIRLY
9:37:25AM EXPEDITIOUS.
9:37:27AM WE SHOULD HAVE HOPEFULLY, IF THE TEXT AMENDMENT IS APPROVED
9:37:32AM TODAY, WE SHOULD HAVE AN EFFECTIVE PLAN BY THE END OF THE
9:37:37AM YEAR, MAYBE EVEN NOVEMBER.
9:37:40AM INSTEAD OF ARGUING AND WASTING TIME WITH THE DEO ABOUT THE
9:37:45AM PROCESS WE THOUGHT, OKAY, LET'S JUST DO IT THEIR WAY AND,
9:37:49AM YOU KNOW, WE CAN GET THIS DONE EXPEDITIOUSLY.
9:37:56AM >>Howard Levitan: QUICK QUESTION FOR NANCY.
9:37:57AM THERE'S NOTHING IN THE COMPLIANCE AGREEMENT THAT VARIES FROM
OUR SETTLEMENT AGREEMENT?
>>Nancy Stroud: NOT A THING.

ARE YOU FINISHED WITH YOUR PRESENTATION, MARY?
>>Mary Gibbs: YES.

DOES COUNCIL HAVE QUESTIONS OF MARY?
Any more questions for Nancy?

I'LL NOW OPEN THE PUBLIC HEARING FOR COMMENT.

IF YOU'D LIKE TO MAKE A COMMENT, PLEASE FILL OUT THE SPEAKER'S CARD AND GIVE IT TO THE VILLAGE CLERK.

WHEN YOU COME TO THE PODIUM, PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

PUBLIC COMMENT WILL BE LIMITED TO THREE MINUTES PER PERSON.

>>Kathy Hall: I HAVE NO ONE SIGNED UP TO SPEAK ON THIS ITEM.

>>Mayor Ribble: I WILL NOW CLOSE THE PUBLIC COMMENT PORTION OF THE HEARING.

DO THE COUNCIL MEMBERS WISH TO DISCUSS THE COMPLIANCE AGREEMENT?

>>Howard Levitan: I MOVE TO ADOPT THE COMPLIANCE AGREEMENT.

>> Second.

>>Mayor Ribble: MADAM CLERK, PLEASE CALL THE ROLL.

>>Howard Levitan: AYE.

>>Jon McLain: AYE.

>>Jim Boesch: AYE.

>>Nick Batos: AYE.

>>Jim Wilson: AYE.

>>Vice-Mayor Errington: AYE.

>>Mayor Ribble: AYE.

WE HAVE ON THE AGENDA THE SECOND READING OF ORDINANCE 2019-24 RELATING TO THE ADOPTION OF A COMPREHENSIVE PLAN TEXT AMENDMENT.

THIS IS A PUBLIC HEARING AND PUBLIC COMMENTS WILL BE TAKEN AT THIS HEARING.

MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?

>>Kathy Hall: YES, IT HAS.

>>Mayor Ribble: WILL THE VILLAGE CLERK PLEASE READ THE TITLE OF THE ORDINANCE?

>>Kathy Hall: ORDINANCE 2019-24, AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, ADOPTING AN AMENDMENT TO THE VILLAGE OF ESTERO COMPREHENSIVE PLAN CHANGE THE TEXT FUTURE LAND USE POLICY 1.2.3 RELATING TO WETLANDS, PROVIDING FOR TRANSMITTAL OF THE AMENDMENT TO THE STATE OF FLORIDA AND OTHER REVIEWING AGENCIES AS REQUIRED BY STATUTE. PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

>>Mayor Ribble: MARY, YOU'RE UP AGAIN.
9:39:52AM    >>Mary Gibbs: ALL RIGHT.
9:39:52AM    THIS IS THE WETLANDS AMENDMENT TO THE COMPREHENSIVE PLAN,
9:39:57AM    AND THIS YOU HAVE SEEN BEFORE.
9:39:59AM    THIS IS WHAT WE BROUGHT TO THE COUNCIL AT THE JULY 24th,
9:40:04AM    THE TRANSMITTAL HEARING.
9:40:05AM    AGAIN, WE SENT THAT TO THE STATE, AND THEY DID NOT HAVE ANY
9:40:11AM    SUBSTANTIVE COMMENTS, BUT THEY DID SAY THEY WANTED THE
9:40:15AM    PROCESS TO BE THROUGH A COMPLIANCE AGREEMENT.
9:40:17AM    SO THIS IS THE SECOND READING, SO WE NEED TO TAKE PUBLIC
9:40:25AM    INPUT ON THIS TODAY.
9:40:26AM    ESSENTIALLY, IT'S THE SAME LANGUAGE THAT YOU'VE SEEN BEFORE.
9:40:29AM    THE ONLY THING THAT WE CHANGED WAS SOME LANGUAGE IN THE
9:40:33AM    ORDINANCE THAT ADOPTS IT BECAUSE WE HAD TO CHANGE A FEW
9:40:38AM    THINGS IN THE ORDINANCE BECAUSE NOW THAT WE'RE DOING IT
9:40:41AM    THROUGH A COMPLIANCE AGREEMENT, WE HAD TO REFERENCE THAT.
9:40:44AM    AND THE LANGUAGE OF THE COMP PLAN IS THE SAME.
9:40:51AM    IT'S JUST SOME OF THE WHEREAS CLAUSES HAVE CHANGED.
9:40:55AM    THE STATE DIDN'T REVIEW IT, AS I SAID, BUT THEY WILL REVIEW
9:40:56AM    IT WHEN WE SEND IT UP AT THIS TIME.
9:40:59AM    THIS WILL NOT BE EFFECTIVE UNTIL ALL THE LEGAL THINGS ARE
9:41:04AM    FINISHED BY EITHER THE STATE ADMINISTRATIVE COMMISSION OR
9:41:07AM    THE LAND PLANNING AGENCY.
9:41:08AM    SO THIS WILL ALL BECOME EFFECTIVE LATER.
9:41:11AM    IT WON'T BECOME EFFECTIVE UNTIL WE GET THAT REVIEW.

9:41:15AM    >>Mayor Ribble: DOES COUNCIL HAVE ANY QUESTIONS OF MARY?
9:41:17AM    ANY QUESTIONS FOR OUR LAND USE ATTORNEY, NANCY?
9:41:22AM    OKAY.
9:41:24AM    I'LL NOW OPEN THE HEARING FOR PUBLIC COMMENT.
9:41:26AM    IF YOU'D LIKE TO MAKE A COMMENT, PLEASE FILL OUT A SPEAKER
9:41:29AM    CARD AND GIVE IT TO THE VILLAGE CLERK.
9:41:31AM    WHEN YOU COME TO THE PODIUM, PLEASE STATE YOUR NAME AND
9:41:36AM    ADDRESS FOR THE RECORD.
9:41:37AM    PUBLIC COMMENT WILL BE LIMITED TO THREE MINUTES A PERSON.
9:41:39AM    ANYONE SIGNED UP?
9:41:40AM    >>Kathy Hall: I HAVE ONE UNDER THIS TOPIC.
9:41:43AM    PATTY WHITEHEAD.
9:41:48AM    >> GOOD MORNING, COUNCIL.
9:41:50AM    I SPOKE ON THIS BEFORE AT THE FIRST READING.
9:41:53AM    I SENT YOU THE AUDUBON FACT SHEET ON MELALEUCA AND
9:41:59AM    EVALUATION OF WETLANDS FUNCTIONS.
9:42:01AM    I THINK IT'S CRITICAL TO UNDERSTAND THAT YOU'RE DESTROYING
9:42:03AM    AN IMPORTANT WETLAND THAT SITS IN THE FLOW-WAY, AND THERE
9:42:09AM    WILL BE CONSEQUENCES.
9:42:09AM    SO LET ME READ SOME OF THE PASSAGES FROM THE FACT SHEET.
9:42:10AM    WHILE LONG ASSUMED TO DRAIN WETLANDS, MELALEUCA HAS NOT BEEN
9:42:15AM    DEFINITIVELY SHOWN TO LOWER GROUNDWATER LEVELS THROUGH
9:42:18AM    EVAPOTRANSPIRATION AT ANY GREATER RATE THAN NATIVE SPECIES.
CONSEQUENTLY, MELALEUCA-INVADED WETLANDS RETAIN MOST OF THEIR NATURAL CAPACITIES TO STORE AND ATTENUATE FLOODWATERS, RECHARGE AQUIFERS, CLEANSE POLLUTANTS, AND REGULATE BASE FLOWS IN WATERSHEDS. CONSEQUENTLY, RECONSIDERATION IS NEEDED FOR THE WHOLE WETLAND PERMITTING AND MITIGATION PROCESS WHERE MELALEUCA INVASION IS INVOLVED. SIMULTANEOUSLY, ASSESSMENTS OF FUNCTIONAL GAIN DUE TO MELALEUCA REMOVAL CAN BE CONSIDERABLY OVERESTIMATED FOR THE SAME REASONS RESULTING IN ACTUAL WETLAND FUNCTIONAL LOSSES DUE TO UNINTENDED AND AUTOMATIC MISCALCULATIONS ON BOTH SIDES OF THE IMPACT MITIGATION PERMITTING LEDGER. I DON'T EVEN UNDERSTAND HOW THIS NEW HYDROLOGICAL SYSTEM IS GOING TO WORK, IF YOU REALLY SEE THE WATER CROSSING THE ROAD, YOU'RE ASKING IT TO MAKE A HARD LEFT TURN TO GO EAST INTO THE CONSERVATION AREA OF CORKSCREW PRESERVE AND THEN MAKE ANOTHER HARD RIGHT TURN TO TRAVEL, I GUESS, EVENTUALLY TOWARD EDISON FARMS OR FLINT PEN STRAND. HERE'S THE THING, THE DRY LITTLE PROCEEDINGS THAT OCCUR IN THIS ROOM ARE NO MATCH FOR THE FURY OF MOTHER NATURE WHEN SHE DECIDES TO TAKE HER LANDSCAPE BACK AND TRUST ME, THAT DAY WILL COME. BUT THAT'S WHERE I WILL LEAVE MY COMMENTS FOR NOW. THANK YOU.

>> Kathy Hall: NO ONE ELSE ON THIS TOPIC.

>> Mayor Ribble: COUNCIL QUESTIONS OR DISCUSSION?

>> Howard Levitan: MOTION TO ADOPT THE ORDINANCE.

>> SECOND.

>> Mayor Ribble: SECOND BY JIM BOESCH.

>> MADAM CLERK, PLEASE CALL THE ROLL.

>> Jim Wilson: AYE.

>> Nick Batos: AYE.

>> Jim Boesch: AYE.

>> Jon McLain: AYE.

>> Howard Levitan: AYE.

>> Vice-Mayor Errington: AYE.

>> Mayor Ribble: AYE.

>> WE HAVE ON THE AGENDA A SECOND READING OF ORDINANCE 2019-25 REGARDING APPROVING WITH CONDITIONS A ZONING AMENDMENT WITH DEVIATIONS, PROPOSED 590 UNIT RESIDENTIAL PROJECT KNOWN AS CORKSCREW CROSSING.

>> THIS IS ALSO A PUBLIC HEARING, AND IN THIS MATTER, THE COUNCIL WILL SIT IN AS QUASI-JUDICIAL CAPACITY.

>> I WILL EXPLAIN THE QUASI-JUDICIAL PROCEEDINGS IN JUST A MOMENT.

>> MADAM CLERK, HAS THE ORDINANCE BEEN PROPERLY ADVERTISED?
9:44:22AM  >>Kathy Hall: YES, IT HAS.
9:44:25AM  ORDINANCE?
9:44:28AM  COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING WITH
9:44:30AM  CONDITIONS A ZONING AMENDMENT WITH DEVIATIONS TO PERMIT A
9:44:33AM  PROPOSED 590-UNIT RESIDENTIAL PROJECT KNOWN AS CORKSCREW
9:44:38AM  CROSSING FOR PROPERTY LOCATED AT 12840 AND 12970 CORKSCREW
9:44:42AM  ROAD IN THE VILLAGE OF ESTERO, FLORIDA, AND COMPRISING
9:44:45AM  APPROXIMATELY 395.6 ACRES IN THE RESIDENTIAL PLANNED
9:44:48AM  DEVELOPMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN
9:44:52AM  EFFECTIVE DATE.
9:44:52AM  >>Mayor Ribble: OKAY.
9:44:53AM  THIS MORNING'S AGENDA HAS A REQUEST FOR APPROVAL WITH
9:44:56AM  CONDITIONS A ZONING AMENDMENT WITH DEVIATIONS FROM THE
9:44:58AM  COUNCIL'S DECISION ON THIS ITEM, THE COUNCIL SITS IN A
9:45:03AM  QUASI-JUDICIAL CAPACITY.
9:45:04AM  THE DECISION OF WHETHER OR NOT TO APPROVE THIS APPLICATION,
9:45:08AM  LIKE ALL QUASI-JUDICIAL ITEMS, MUST BE BASED ON THE CRITERIA
9:45:12AM  IN THE LAND DEVELOPMENT CODE AND ON A SUBSTANTIAL, COMPETENT
9:45:17AM  EVIDENCE THAT IS PRESENTED AT THE HEARING.
9:45:19AM  IF YOU INTEND TO PROVIDE TESTIMONY ON THE APPLICATION THAT
9:45:22AM  IS THE SUBJECT OF TODAY'S QUASI-JUDICIAL HEARING, YOU MUST
9:45:25AM  BE SWORN IN BY THE CLERK IN A MOMENT, AND YOU SHOULD FILL
9:45:29AM  OUT A PUBLIC SPEAKER'S CARD AND GIVE IT TO THE CLERK BEFORE
9:45:32AM  SPEAKING.
9:45:33AM  PLEASE BE ADVISED THAT ANY PERSON WHO PROVIDES TESTIMONY ON
9:45:36AM  AN APPLICATION MAY BE SUBJECT TO CROSS-EXAMINATION.
9:45:39AM  AFTER THE CLERK ADMINISTERS THE OATH, WE WILL HEAR AN
9:45:45AM  INTRODUCTION FROM THE VILLAGE COMMUNITY DEVELOPMENT DIRECTOR
9:45:47AM  AND THEN THE APPLICANT WILL ADDRESS THE COUNCIL.
9:45:50AM  THE VILLAGE COMMUNITY DEVELOPMENT DIRECTOR WILL THEN BE
9:45:53AM  CALLED UPON FOR ANY FURTHER TESTIMONY.
9:45:55AM  AFTER THIS, I WILL ALLOW ANYONE FROM THE PUBLIC WHO HAS BEEN
9:46:00AM  SWORN IN TO PROVIDE TESTIMONY.
9:46:02AM  PLEASE MAKE YOUR COMMENTS CONCISE AS PUBLIC TESTIMONY IS
9:46:05AM  LIMITED TO THREE MINUTES PER PERSON.
9:46:07AM  IN ADDITION TO ANY OTHER COUNCIL MEMBERS HAVE AN EX PARTE
9:46:12AM  COMMUNICATION REGARDING TODAY'S APPLICATION THAT MEMBER WILL
9:46:16AM  NEED TO DISCLOSE THE SUBJECT MATTER OF THE COMMUNICATION AND
9:46:18AM  THE PERSON WHOM COUNCIL MEMBER SPOKE.
9:46:22AM  IF ANY COUNCIL MEMBER HAS A CONFLICT OF INTEREST ON ANY
9:46:31AM  HIMSELF OR HERSELF FROM PARTICIPATION IN THE DISCUSSION OF
9:46:34AM  VOTING.
9:46:34AM  WILL ALL THOSE WHO INTEND TO TESTIFY AT THE HEARING STAND
AND RAISE YOUR RIGHT HAND.
MADAM CLERK, PLEASE ADMINISTER THE OATH.
>>Kathy Hall: DO YOU SWEAR THE TESTIMONY YOU'RE ABOUT TO GIVE WILL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?
THANK YOU.
>>Mayor Ribble: OKAY.
AT THIS TIME, EACH COUNCIL MEMBER WILL DISCLOSE ANY EX PARTE COMMUNICATION ON THE APPLICATION.
>>Howard Levitan: I'VE HAD NUMEROUS MEETINGS WITH THE APPLICANT AND THEIR ATTORNEYS THROUGHOUT THE COURSE OF THIS APPLICATION BUT NOTHING SINCE THE DISCLOSURE I MADE ON JULY 24.
>> I HAVE NONE.
>>Vice-Mayor Errington: IF I HAD ONE, IT WAS WITH SOMEONE FROM THE CONSERVANCY.
THAT'S IT.
>>Mayor Ribble: I'VE HAD NONE JIM?
NONE.
NONE.
NONE.
>>Mayor Ribble: COMMUNITY DEVELOPMENT DIRECTOR GIBBS, HAVE YOU RECEIVED ANY LETTERS OR WRITTEN COMMUNICATION ON THE APPLICATION?
Mary Gibbs: YES.
I RECEIVED A LETTER FROM THE FLORIDA WILDLIFE FEDERATION THAT I BELIEVE YOU ALL HAVE AS WELL ON 9/23.
I ALSO RECEIVED A LETTER FROM THE CONSERVANCY LATE YESTERDAY THAT I BELIEVE WAS ALSO SENT TO YOU.
E-MAIL FROM PATTY WHITEHEAD WITH THE HANDOUT ON MELALEUCA SHE JUST DISCUSSED.
AND ALSO SOME E-MAILS FROM SARAH SPECTOR, WHO IS THE ATTORNEY FOR WILDCAT RUN, RELATED TO THE AGREEMENT ON THE LANDSCAPE BUFFER.
I BELIEVE SHE MAY WANT TO ADDRESS THAT TODAY.

>>Howard Levitan: EXCUSE ME, MR. MAYOR.
I WOULD LIKE TO MAKE A COMMENT.
OUR RULES OF PROCEDURE REQUIRE THAT WRITTEN MATERIALS BE DELIVERED TO US AS SOON AS REASONABLY POSSIBLE, AT LEAST SEVEN DAYS PRIOR.
I WOULD LIKE TO REMIND EVERYBODY THAT I'M NOT GOING TO MAKE A MOTION TO EXCLUDE THOSE MATERIALS, NONE OF WHICH CAME IN, BUT THE PURPOSE FOR THAT RULE IS TO ENABLE THE PUBLIC TO ALSO SEE THOSE DOCUMENTS SO THAT THEY CAN BE PUT OUT ON OUR WEBSITE.
AND THIS DOES NOT ALLOW ANYBODY FROM THE PUBLIC.
LAST NIGHT, I GOT ONE AT 5:00, I THINK.
IT DOESN’T GIVE US ENOUGH TIME TO REVIEW THEM IN DETAIL, AND
IT CERTAINLY DOESN’T GIVE THE PUBLIC ENOUGH TIME.
I JUST THINK WE HAVE TO START TO BECOME MORE VIGOROUS IN
CONTESTING THAT.
WE PUT THE REASON IN TO HELP THE PUBLIC AND HELP US IN
REVIEWING THESE.
WE SHOULD STICK TO THE RULE.
>>Mayor Ribble: AGREED.
MS. GIBBS, WOULD YOU PLEASE INTRODUCE THE ITEM?
>>Mary Gibbs: THIS IS THE CORKSCREW CROSSING ZONING CASE,
AND THIS IS 395 ACRES OF PROPERTY ON CORKSCREW ROAD EAST OF
I-75 AND BETWEEN THE PRESERVE AND BELLA TERRA AND WILDCAT
RUN.
THE APPLICANT IS SEEKING APPROVAL FOR 590 RESIDENTIAL UNITS.
THE APPLICANT, BY THE WAY, IS TEMPLETON TRUST AND ALSO
REPRESENTED BY ARGO.
THEY ARE NOW ASKING FOR 590 RESIDENTIAL AND CLUBHOUSE
AMENITY AREA, MOSTLY SINGLE-FAMILY OR SINGLE-FAMILY ATTACHED
WITH POSSIBLY 70 OF THE 590 UNITS COULD BE MULTIFAMILY
TOWNHOMES.
STAFF IS RECOMMENDING APPROVAL OF THIS REQUEST, AND THE
APPROVAL IS CONTINGENT ON THE COMPREHENSIVE PLAN AND
WETLANDS AMENDMENT BECOMING EFFECTIVE.
IF I CAN EXPLAIN THE MAIN REASONS THAT WE’RE RECOMMENDING
APPROVAL, THERE ARE FEWER UNITS.
THIS WAS AN APPROVED PLAN FROM LEE COUNTY SOME YEARS AGO
THAT WAS APPROVED FOR 724 UNITS.
THIS IS 134 UNITS LESS WITH 590 THAT THEY ARE ASKING FOR
NOW.
THERE ARE SOME CONSTRAINTS BECAUSE IT DOES HAVE APPROVED
ZONING FOR A HIGHER AM IN OFUNITS.
AND THAT WAS PART OF OUR BASIS FOR RECOMMENDATION OF
APPROVAL.
ADDITIONALLY, THE PRODUCT MIX IS CHANGING, SO BEFORE IT WAS
MOSTLY MULTIFAMILY, AND NOW IT WILL BE MOSTLY SINGLE-FAMILY.
The height has been reduced.
The clubhouse may be three stories.
But the clubhouse is internal to the site.
So we felt that this new proposal is more compatible with
THE DEVELOPMENTS TO THE EAST AND THE WEST.
They've also received their environmental resource permit from the South Florida Water Management District in December. That allows them to fill some wetlands. At the same time, they've got a large preserve area that's 225 acres that will be set aside that is probably the better wetlands and the more contiguous wetlands, so it creates a larger area. They have executed or will be executing a conservation easement to protect that, and under this new -- the zoning conditions, the village will be a party to that conservation easement.

They've also done some off-site mitigation that's required by the water management district and then there's on-site mitigation. Through our settlement agreement, they have offered to the village some payment to be done at the time -- before they begin development, that the village could use for environmental purposes within the village itself instead of outside in another basin. And they've also got an agreement with Wildcat Run for enhanced buffers. That's a condition of the zoning.

So they have -- we do feel like they have made several changes for the more positive from the prior plan. We are recommending approval with conditions. There are 20 specific conditions that are attached to your ordinance today, but basically, they address the uses that are allowed, as I just discussed, stormwater conditions, water and sewer conditions, potentially traffic signal.

They would pay a proportionate share when a traffic signal would be needed on Corkscrew Road and then buffers and environmental conditions. The planning and zoning board reviewed the application on June 18th. They recommended approval with the staff conditions with a 5-1 vote. And then we had the first reading at council on July 24th. Since then, we've made a few changes to the ordinance itself, not to the conditions.

The conditions are the same as what you've seen before. But we changed a few things in the ordinance. The highlights are shown in red.

What we basically did is we changed some of the findings of fact. We needed to add a new finding, number 5, because in our new
9:54:20AM WETLANDS POLICY, IN THE COMPREHENSIVE PLAN AMENDMENT,
9:54:25AM VILLAGE COUNCIL NEEDS TO MAKE A FINDING WHEN YOU DO THE
9:54:28AM ZONING CASE.
9:54:29AM AND BASICALLY WHAT WE SUGGESTED FOR THE COUNCIL FINDINGS IS
9:54:32AM THAT ON BALANCE, THE DEVELOPMENT HAS SUFFICIENTLY ADDRESSED
9:54:37AM ADVERSE WETLAND IMPACTS ON THE PROPERTY WITH REQUIRED
9:54:39AM ON-SITE PRESERVATION AND RESTORATION, THE OFF-SITE
9:54:43AM MITIGATION AND THE PAYMENT THAT WOULD BE MADE TO THE VILLAGE
9:54:46AM FOR ENVIRONMENTAL PURPOSES.
9:54:47AM THAT'S ONE OF THE NEW FINDINGS THAT WE'VE ADDED INTO THE
9:54:52AM ORDINANCE ITSELF.
9:54:52AM BUT AGAIN, THE CONDITIONS HAVE NOT CHANGED.
9:54:57AM YOU'VE SEEN THAT BEFORE.
9:54:58AM I'M HAPPY TO ANSWER ANY QUESTIONS IF YOU HAVE ANY AT THIS
9:55:01AM TIME.
9:55:01AM >>Mayor Ribble: QUESTIONS, COUNCIL?
9:55:02AM YOU HAVE ONE, NICK?
9:55:08AM GO AHEAD.
9:55:09AM >>Nick Batos: THIS GOES ALONG WITH WHAT HOWARD MENTIONED
9:55:12AM EARLIER, WHERE IF THE INFORMATION HAD GOTTEN TO US EARLIER,
9:55:16AM WE WOULD HAVE HAD TIME TO ASK QUESTIONS.
9:55:18AM THE THING I REALLY COULDN'T GET A HANDLE ON FROM THE
9:55:25AM CORRIDOR THAT'S CREATED -- AND I GUESS IT EXTENDS FROM THE
9:55:32AM NORTH SIDE OF CORKSCREW THROUGH THIS PROPERTY AND INTO I'LL
9:55:38AM CALL IT EDISON FARMS, BUT SOMETHING ELSE NOW -- WHAT IS THE
9:55:52AM SIZE -- I MEAN, IN THE LETTERS RECEIVED, THEY WERE TALKING
9:55:55AM ABOUT IT BEING TOO NARROW.
9:55:58AM I DON'T KNOW IF THAT'S TRUE OR NOT TRUE.
9:56:00AM I DON'T KNOW WHAT THE SIZE OF IT IS ON THE PROPERTY TO THE
9:56:04AM NORTH OF IT.
9:56:05AM >>Mary Gibbs: WELL, THE APPLICANT IS GOING TO ADDRESS THAT.
9:56:10AM BASICALLY, I THINK WHAT THEIR LETTER IS SAYING, THERE IS THE
9:56:17AM PRESERVE TO THE EAST OF THE PROJECT HAS, I THINK, 700 FEET
9:56:20AM OR SOMETHING SET ASIDE AS THEIR PRESERVE AREA.
9:56:23AM THAT GOES DOWN AND CONNECTS TO THE BOTTOM PART OF THIS
9:56:26AM PROJECT WHERE THEY'VE GOT THE 200 ACRES SET ASIDE, AND THEN
9:56:32AM THERE'S A NARROWER STRIP ON THE CORKSCREW CROSSING PROPERTY
9:56:35AM BECAUSE YOU HAVE THE I HAD WOOER STRIP AT THE PRESERVE.
9:56:37AM SO I THINK THE POINTS OF THE LETTERS THAT YOU RECEIVED IS
9:56:41AM THEY'D LIKE TO SEE IT BE WIDER ON THE NORTHERN PART OF THE
9:56:44AM PROPERTY.
9:56:45AM BUT I WOULD LIKE THE APPLICANT TO ADDRESS THAT.
9:56:51AM >> CAN I ASK A FOLLOW-UP ON THE QUESTION THAT NICK RAISED?
9:56:54AM BECAUSE IT SEEMS TO BE A COMMON THEME THAT WE'RE GETTING IN
9:56:57AM TERMS OF THE LETTERS.
9:56:59AM WHO HAS JURISDICTION OVER THAT SUBJECT MATTER?
IS THIS SOMETHING THAT WE ARE SUPPOSED TO DECIDE, THAT IT HAS AN ADEQUATE WIDTH OR NOT OR IS THIS SOMETHING THAT THE DEP OR THE FISH AND WILDLIFE COMMISSION?

I MEAN, WHOSE JURISDICTION IS IT TO MAKE THE DETERMINATION AND WAS THE DETERMINATION MADE BY THE APPROPRIATE AGENCY?

>>Mary Gibbs: AGAIN, I'M NOT THE ENVIRONMENTAL EXPERT. THE FISH AND WILDLIFE, THERE IS A BIOLOGICAL OPINION ISSUED, AND I THINK THAT WAS DETERMINED AT THAT TIME.

I DON'T THINK THAT PRECLUDES, YOU KNOW, THE VILLAGE FROM HAVING OTHER OPINIONS, BUT I DO THINK THAT THAT MAKES IT PRETTY MUCH DETERMINED ALREADY THROUGH THE PERMITTING PROCESS.

BUT I'D RATHER HAVE THE APPLICANT ADDRESS THAT AS WELL.

>>Nick Batos: MARY, MAYBE STAFF'S OPINION.

IN THE LETTERS WE RECEIVED IT ALSO TALKED ABOUT SUGGESTION THAT FENCING BE PUT TO PREVENT WILDLIFE INTRUSION INTO THE RESIDENTIAL AREA OR VICE VERSA, I GUESS.

IS THAT SOMETHING THAT STAFF HAS LOOKED AT? BECAUSE THEN IT BECOMES -- IT COULD BECOME A SAFETY ITEM FOR RESIDENTS WHO ARE LIVING THERE.

>>Mary Gibbs: AT THE PLANNING AND ZONING BOARD, I THINK SOME OF THE BELLA TERRA RESIDENTS BROUGHT UP THE FENCING ISSUE THAT LIVE NEXT TO WHERE THIS PRESERVE WOULD BE.

AT THE TIME, I THINK THE PLANNING AND ZONING BOARD SAID, WELL, YOU KNOW, IT SEEMS LIKE THIS WOULD BE -- IF BELLA TERRA WANTED THE FENCING ON THEIR PROPERTY, THAT THAT SHOULD BE THEIR RESPONSIBILITY TO PUT UP THE FENCING.

I THINK THE ENVIRONMENTAL AGENCIES, WHEN THEY REVIEWED THESE THEY TYPICALLY DON'T LIKE TO FENCE, IF YOU'VE GOT CONTIGUOUS AREAS, THEY DON'T LIKE TO SEE THOSE FENCED BECAUSE THEY LIKE THE ANIMALS TO BE ABLE TO ROAM.

BUT IF THERE ARE FENCES, THEN THEY HAVE RESTRICTIONS ON THAT.

AGAIN, I HATE TO TURN IT BACK OVER, BUT AFTER PLANNING AND ZONING BOARD, I ASKED THE APPLICANT TO MAKE SURE THAT WAS SPECIFICALLY ADDRESSED TODAY.

>>Mayor Ribble: ANY OTHER QUESTIONS?

>>Vice-Mayor Errington: WILL THE APPLICANT ADDRESS THE WILDLIFE CROSSING?

>>Mary Gibbs: I BELIEVE THEY ARE PLANNING TO TALK ABOUT THAT.

>>Vice-Mayor Errington: AND THEN ALSO SOMEONE RECOMMENDED THAT A RETENTION POND BE PLACED AT THE END OF THE PROPERTY INSTEAD OF WHERE IT'S SUPPOSED TO GO BECAUSE YOU WON'T HAVE -- IF YOU HAVE A POND AND THEN YOU HAVE THE PRESERVES, IT'S
9:59:43AM  MORE DIFFICULT FOR ANIMALS TO COME IN BECAUSE THEN THEY
9:59:46AM  WOULD HAVE TO SWIM ACROSS THE LAKE OR THE POND.
9:59:50AM  I THOUGHT THAT WAS VERY RELEVANT.
9:59:53AM  IF THE APPLICANT WOULD ADDRESS THAT, I WOULD APPRECIATE IT.

9:59:55AM  >>Mayor Ribble: ANY OTHER?
9:59:57AM  JIM.
9:59:59AM  >> ARE WE TAKING QUESTIONS ON THE WHOLE THING OR JUST THE
10:00:02AM  STAFF REPORT?
10:00:03AM  >>Jim Wilson: I HAD A QUESTION ON DEVIATION FOUR ON THE
10:00:06AM  SIDEWALK.
10:00:06AM  IT SAYS THE PRE-OFFERED FEE IN LIEU CAN FUND AN ADDITIONAL
10:00:11AM  SIDEWALK, AND THEN IT GOES ON TO TALK ABOUT PAYMENT AS
10:00:13AM  DESCRIBED IN SECTION 256-C-38.
10:00:17AM  DOES THIS MEAN THAT WE’RE GOING TO GET A PAYMENT HOLD FOR
10:00:22AM  THE SIDEWALK IN CASH TO BE PUT INTO THE EQUIVALENT OF A
10:00:26AM  TRUST FUND OR SOMETHING?
10:00:29AM  >>Mary Gibbs: RIGHT.
10:00:29AM  IT’S PROVIDE FOR IN THE CODE AND THE APPLICANT CAN EXPLAIN
10:00:32AM  IT IN MORE DETAIL.
10:00:34AM  BUT THE REASON THEY DON’T WANT TO DO THE SIDEWALK, BECAUSE
10:00:37AM  THEY DON’T KNOW THAT THE CONSTRUCTION.
10:00:40AM  >>Jim Wilson: I UNDERSTAND ALL THE CONSTRUCTION BEING DONE.
10:00:42AM  I WANT TO MAKE SURE THAT IN CASE THIS DEVELOPER THREE, FOUR
10:00:45AM  YEARS FROM NOW GOES BANKRUPT, THAT THE MONEY IS SOMEWHERE SO
10:00:48AM  WE CAN STILL BUILD THE SIDEWALK.
10:00:50AM  >>Mary Gibbs: RIGHT.
10:00:51AM  THAT’S THE EXACT PURPOSE OF THAT.
10:00:52AM  YES.
10:00:53AM  >>Jim Wilson: THANK YOU.

10:00:54AM  >>Mayor Ribble: ANY OTHER QUESTIONS OF COUNCIL?
10:00:55AM  THANKS, MARY.
10:00:57AM  WE’LL NOW ASK THE APPLICANT TO COME UP TO THE PODIUM.
10:01:03AM  >> GOOD MORNING.
10:01:04AM  FOR THE RECORD, NEALE MONTGOMERY.
10:01:08AM  AS THOSE OF YOU WHO LOOKED AT THE WEBSITE KNOW, WE HAVE A
10:01:11AM  50-SLIDE PowerPoint.
10:01:13AM  I HAVE BEEN ENCOURAGED TO RECONSIDER THAT.
10:01:16AM  LET ME SAY THIS, YOU ALL RECEIVED A TRANSCRIPT OF THE
10:01:19AM  PLANNING AND ZONING BOARD PRESENTATION, WHICH WAS VERY
10:01:23AM  EXPENSIVE, AND WE WOULD ASK THAT THAT BE ACCEPTED AS
10:01:26AM  COMPETENT, SUBSTANTIAL EVIDENCE IN THE RECORD.
10:01:29AM  ALONG WITH THAT, WE WOULD ASK THAT THE STAFF REPORT AND THE
10:01:32AM  APPLICATION AND ALL THE SUFFICIENCY RESPONSES ALSO BE
10:01:37AM  CONSIDERED AND INCLUDED AS COMPETENT, SUBSTANTIAL EVIDENCE.
10:01:40AM  THAT WILL ALLOW US NOT TO HAVE TO REITERATE ALL THOSE THINGS
10:01:44AM  WE PREVIOUSLY DISCUSSED ON THE RECORD AND FOCUS ON THE
ISSUES THAT I THINK I'VE HEARD YOU RAISE TODAY.
I AGREE WITH THE COMMENTS THAT MARY MADE.
THIS IS A DIFFERENT SITUATION.
WE'RE NOT GOING FROM AN AG OR A HOLDING CATEGORY TO A USE.
THIS IS ONE WHERE THE PROPERTY WAS ZONED IN 2007.
AS MARY HAS ALREADY POINTED OUT, WE ARE REDUCING THE HEIGHT.
WE ARE REDUCING THE DENSITY.
WE ARE SHIFTING TO A LAND USE PATTERN THAT'S MORE COMPATIBLE
WITH THE NEIGHBORS, AND WE HAVE WORKED WITH THOSE NEIGHBORS,
WHICH IS WHY MS. SPECTOR IS HERE TO TALK ABOUT THE AGREEMENT
THAT WE HAVE WITH THEM.
I WANT TO START WITH WHAT I HEARD MS. WHITEHEAD SAY IN
REGARDS TO THE WILDLIFE UNDERPASS.
LEE COUNTY HAS RETAINED JOHNSON ENGINEERING TO DO THE
IMPROVEMENTS OR THE DESIGN FOR THE IMPROVEMENTS ON CORKSCREW
ROAD.
INCLUDED WITHIN THAT IS A WILDLIFE CORRIDOR, ANOTHER
DEVELOPER HAD PUT THE MONEY FOR THE WILDLIFE CORRIDOR, HAD
GIVEN IT TO THE COUNTY.
IT HASN'T BEEN SPENT YET.
THE REASON WHY THE COUNTY HAS INDICATED THEY HAVEN'T SPENT
THE MONEY, BECAUSE THEY DIDN'T WANT TO PUT THE UNDERPASS
UNDER A TWO-LANE ROAD ONLY TO TURN AROUND AND HAVE THE ROAD
BE WIDENED AND HAVE TO REDO IT.
THE FUNDS FOR THE WILDLIFE CORRIDOR HAVE ALREADY BEEN
PROVIDED TO THE COUNTY.
I CONFIRMED WITH RYAN BELL, THE CONSULTANT FROM JOHNSON,
THAT THE WILDLIFE CORRIDOR UNDERPASS WILL BE PROVIDED AS
PART OF THE WIDENING OF THE ROAD.
SO THAT IS AN ISSUE THAT HAS BEEN ADDRESSED AND DOES NOT
NEED TO BE ADDRESSED AGAIN.
ONE OF THE THINGS -- I THINK THERE WERE SOME QUESTIONS ABOUT
THE WILDLIFE CORRIDOR.
I'M GOING TO ASK MIKE MYERS TO COME UP AND TALK ABOUT THE
WILDLIFE ISSUE.
LET ME SAY THIS, WHEN YOU LOOK AT LARGE MAMMALS,
PARTICULARLY PANTHERS, YOU SHOULD LOOK AT IT FROM THREE
PERSPECTIVES.
THERE ARE LOCATIONS WHERE THE ANIMALS DEN.
THERE ARE DIFFERENT REQUIREMENTS THERE.
THERE ARE LOCATIONS WHERE THEY FORAGE.
THERE ARE DIFFERENT REQUIREMENTS THERE, AND THEN THERE ARE
AREAS WHERE THEY SIMPLY DISPERSE OR WALK THROUGH.
THIS IS ONE OF THOSE.
SO WHAT YOU'RE -- WHEN YOU'RE THINKING ABOUT, IS THE
CORRIDOR WIDE ENOUGH, IN COMMON PART, IS THE CORRIDOR WIDE
ENOUGH FOR A PANTHER TO WALK THROUGH?

IN RESPONSE TO THE QUESTION, IS THAT EVALUATED?

YES.

IN THIS CASE, IT'S BEEN EXTENSIVELY EVALUATED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT IN CONJUNCTION WITH THE COMMENTING AGENCIES SUCH AS THE WILDLIFE COMMISSION.

ADDITIONALLY, THERE ARE OTHER PERMITTING AGENCIES AT THE FEDERAL LEVEL, SPECIFICALLY THE ARMY CORPS, AGAIN, WITH CONSULTATION FROM OTHER AGENCIES THAT LOOK AT THAT ISSUE AS WELL.

THIS IS ONE WHERE THE PEOPLE THAT ARE GOING TO BE HERE BEFORE YOU TODAY HAVE PROVIDED EXTENSIVE COMMENTS TO SOUTH FLORIDA, THE WILDLIFE FEDERATION, THE CONSERVANCY, MS. WHITEHEAD AND OTHERS HAVE BEEN PERSISTENT AND CONSISTENTLY INVOLVED IN THE PROCESS.

ALL THINGS YOU'RE GOING TO HEAR TODAY HAVE BEEN SAID TO, IN SOME FORM, THOSE AGENCIES.

THEY EVALUATED AND ACTUALLY REEVALUATED EVERYTHING.

THIS WAS A VERY LONG ERP PROCESS BECAUSE OF THE EXTENSIVE AMOUNT OF INPUT.

SO THE CONCERNS THAT YOU'RE GOING TO HEAR HAVE BEEN FULLY EVALUATED.

IN REGARD TO DEVIATION 4, I CONCUR WITH MARY GIBBS.

WE DIDN'T WANT TO PUT A SIDEWALK IN TO HAVE LEE COUNTY COME IN AND RIP IT UP AND PUT IT BACK DOWN.

WITH THAT, I'M GOING TO ASK MIKE MYERS TO ADDRESS THE ENVIRONMENTAL QUESTIONS THAT YOU ALL HAVE INQUIRED ABOUT.

FOR THE RECORD, MY NAME IS MIKE MYERS.


SO WHAT I THOUGHT I WOULD DO IS GIVE YOU THE PORTION OF MY PRESENTATION THAT IS DIRECTED TOWARDS THE REGIONAL WILDLIFE CORRIDOR, WHICH IS WHAT EVERYBODY SEEMS TO HAVE A NUMBER OF QUESTIONS ABOUT.

IF IT DOESN'T ANSWER THEM, I'LL BE HAPPY TO TRY AND ANSWER THEM AFTER.

IT'S THREE SLIDES HERE.

IT WILL GO RATHER QUICKLY.

ON THIS SLIDE HERE, THE AREA HIGHLIGHTED IN GREEN, THIS IS THE PROJECT'S PROPOSED PRESERVE, WHICH WILL COMPRISE ROUGHLY 225 ACRES, APPROXIMATELY 57% OF THE SITE.

IT'S ONE LARGE CONTIGUOUS AREA MADE UP OF THE HIGHEST QUALITY HABITATS ON THE PROPERTY, WHICH WILL INCLUDE
10:07:09AM 41 ACRES OF UPLAND AND 184 ACRES OF WETLANDS.
10:07:16AM OUR PRESERVE WILL INTERCONNECT WITH ALL THE CONSERVATION
10:07:20AM LANDS AROUND US.
10:07:22AM THIS INCLUDES THE PRESERVE AT CORKSCREW'S OFF-SITE
10:07:25AM CONSERVATION LANDS TO THE SOUTHWEST.
10:07:31AM THE ALMOST 4,000-ACRE EDISON FARMS PROPERTY TO THE SOUTH.
10:07:37AM ALL OF BELLA TERRA'S PRESERVE LANDS ALONG OUR SOUTHEAST
10:07:41AM SIDE, AS WELL AS THE PRESERVE AT CORKSCREW'S CONSERVATION
10:07:47AM AREA IMMEDIATELY TO OUR EAST.
10:07:49AM AS A RESULT OF THESE INTERCONNECTIONS, WILDLIFE WILL BE
10:07:54AM ALLOWED TO MOVE EAST TO WEST AS WELL AS NORTH TO SOUTH
10:07:58AM THROUGH THE REGION.
10:08:01AM THE FUNCTIONALITY OF THIS CORRIDOR FOR WILDLIFE MOVEMENT,
10:08:05AM INCLUDING FOR THE FLORIDA PANTHER, HAS BEEN REVIEWED AND
10:08:12AM APPROVED BY THE FLORIDA WILDLIFE CONSERVATION COMMISSION'S
10:08:15AM PANTHER TEAM LEADER, DARRELL LAND.
10:08:18AM HE'S ONE OF THE LEADING EXPERTS IN OUR AREA ON PANTHER.
10:08:24AM WE ALSO MET WITH AND GOT APPROVAL FROM NANCY PAYTON,
10:08:28AM FORMERLY WITH FLORIDA WILDLIFE FEDERATION BEFORE SHE
10:08:31AM RETIRED.
10:08:32AM THIS HAS BEEN REVIEWED AND APPROVED BY THE FLORIDA WILDLIFE
10:08:36AM CONSERVATION COMMISSION'S OFFICE OF CONSERVATION PLANNING
10:08:41AM STAFF, JENNIFER GOTH.
10:08:44AM IT'S BEEN REVIEWED AND APPROVED BY THE U.S. FISH AND
10:08:47AM WILDLIFE SERVICES PLANNING AND RESOURCE CONSERVATION STAFF,
10:08:54AM WHICH INCLUDES CHUCK KELSO, CONNIE CASSLER, ROXANNA HINZMAN,
10:08:59AM AND IT'S ALSO BEEN REVIEWED AND APPROVED BY THE U.S. FISH
10:09:03AM AND WILDLIFE'S PANTHER COORDINATOR, DAVID KINDLE.
10:09:08AM WHAT YOU HAVE HERE IS JUST A COPY OF AN E-MAIL FROM DARRELL
10:09:17AM LAND TO CHUCK KELSO.
10:09:19AM AGAIN, DARRELL IS WITH THE FLORIDA WILDLIFE CONSERVATION
10:09:23AM COMMISSION.
10:09:24AM CHUCK KELSO IS WITH THE U.S. FISH AND WILDLIFE.
10:09:27AM A COUPLE OF LINES HERE HIGHLIGHTED IN BLUE SIMPLY CONFIRM
10:09:33AM THEIR OPINION OF THE ADEQUACY OF THE PROJECT'S CORRIDOR IN
10:09:37AM TERMS OF ITS WIDTH AND OVERALL CONFIGURATION.
10:09:42AM IN ANOTHER E-MAIL RESPONSE, MR. LAND ALSO STATED -- AND I'LL
10:09:45AM QUOTE -- IN MY 30 YEARS OF STUDYING PANTHERS, I HAVE SEEN
10:09:50AM THEM USE CORRIDORS OF THIS SIZE AND EVEN SMALLER FEATURES TO
10:09:55AM MOVE FROM ONE AREA TO ANOTHER.
10:09:58AM SO I FELT CONFIDENT THAT THE PROPOSED CORRIDOR WOULD WORK

10:10:03AM FOR PANTHERS.
10:10:05AM THIS SLIDE HERE AGAIN STILL TOUCHING ON REGIONAL CORRIDORS
10:10:15AM ILLUSTRATES HOW THE CORRIDOR IN THE FUTURE WILL INTERCONNECT
10:10:19AM WITH THE WILDLIFE CROSSING TO BE CONSTRUCTED UNDER CORKSCREW
10:10:24AM ROAD.
KEEP IN MIND THE CROSSING WILL BE LOCATED OVER 700 FEET TO THE NORTHEAST OF OUR PROPERTY. THAT'S ALMOST TWO AND A HALF FOOTBALL FIELDS AWAY. THE CROSSING WILL CONNECT THE PRESERVE AT CORKSCREW'S CONSERVATION AREA WITH WILD BLUE TO THE NORTH. THE CORRIDOR ON OUR SITE WILL BE BUFFERED BY FENCING, SUPPLEMENTAL PLANTINGS, AND A 50-FOOT-WIDE FLOW-WAY THAT WILL RUN ALONG THE EAST SIDE OF THE DEVELOPMENT DOWN TO THE SOUTHERN PRESERVE. THE CORRIDOR'S MINIMUM WIDTH ON THE SOUTH SIDE OF CORKSCREW ROAD WILL BE 709 FEET, WHICH IS MUCH WIDER THAN THE MINIMUM WIDTH IN A NUMBER OF LOCATIONS IN THE CORRIDOR IN WILD BLUE. THERE ARE CONSTRUCTION POINTS IN THE WILD BLUE CORRIDORS. A FEW OF THEM UNDER 700 FEET DOWN TO AS NARROW AS 475 FEET. THE CORRIDOR ON-SITE IS ALSO MUCH -- ON OUR SITE IS ALSO MUCH WIDER THAN THE FPL EASEMENT LOCATED TO THE WEST OF WILDCAT RUN. THAT'S ABOUT 270 FEET WIDE. AND PANTHERS HAVE BEEN KNOWN TO CROSS CORKSCREW ROAD IN THIS LOCATION BASED ON PANTHER TRACK OBSERVATIONS. 

SO THIS IS CONSISTENT WITH MR. LAND'S REMARKS REGARDING PANTHERS USING NARROWER CORRIDORS. WITH THAT, I'D BE HAPPY TO ADDRESS ANY ADDITION.

HOWARD.
The question I had is, we've now had two letters with cites to I assume scholarly publications or other things. One was a cite to a lecture that was unavailable. I couldn't find it anywhere after about an hour search of the internet. Also, it's a different width, quoted as the rule of thumb. One letter says, as a general rule, a regional scale corridor should average a mile wide. Well, the property isn't even a mile wide. One was a cite to a lecture that was unavailable. I couldn't find it anywhere after about an hour search of the internet. Also, it's a different width, quoted as the rule of thumb. One letter says, as a general rule, a regional scale corridor should average a mile wide. Well, the property isn't even a mile wide.

Mike Myers: RIGHT.

Howard Levitan: THEN IN ANOTHER LETTER, IT'S QUOTED THAT IF THE CORRIDOR IS BETWEEN SIX-TENTHS OF A MILE AND FOUR MILES, IT SHOULD BE MORE THAN 1312 FEET. IS THERE -- AND THEN RIGHT ABOVE THE PROVISION WHERE THAT WAS FOUND IS ONE THAT SAYS THE CORRIDOR WIDTH FOR PUMAS IN CALIFORNIA SHOULD BE ABOUT 30% OF THE HOME RANGE SIZE OF AN ADULT. FOR FLORIDA PANTHERS, THIS WOULD TRANSLATE TO A CORRIDOR WIDTH OF 5.5 MILES.

Mike Myers: YEAH.

Howard Levitan: WHAT'S THE ANSWER?
10:13:44AM    >>Mike Myers: THERE'S NO ONE SIZE FITS ALL.
10:13:47AM    A LOT OF THIS INFORMATION COMES OUT OF THE FLORIDA PANTHER
10:13:55AM    IT'S NOT AN ADMINISTRATIVE DOCUMENT.
10:13:57AM    IT'S JUST A RESEARCH REFERENCE MATERIAL.
10:14:00AM    BUT ONE OF THE ITEMS THAT NEVER GETS MENTIONED WHEN THEY
10:14:03AM    START TALKING ABOUT THESE GUIDELINES IS THERE IS A SENTENCE
10:14:07AM    IN THE RECOVERY PLAN AT THE BEGINNING OF THE SECTION ON PAGE
10:14:11AM    30, BY THE WAY, IF YOU WANT TO CHECK IT OUT, THAT SAYS IN
10:14:16AM    THE ABSENCE OF SITE-SPECIFIC INFORMATION, ALL RIGHT, WE'VE
10:14:21AM    SPENT FIVE YEARS NOW ANALYZING THIS SITE, AND WE HAVE
10:14:26AM    MOUNTAINS OF DATA AND SITE-SPECIFIC INFORMATION.
10:14:30AM    WHICH IS WHY ALL THE WILDLIFE REGULATORS ARE NOW ON BOARD
10:14:35AM    AND HAVE GIVEN US THEIR APPROVALS FOR THIS CORRIDOR.
10:14:41AM    >>Howard Levitan: IF YOU LOOKED AT THE -- I GUESS ONE OF THE
10:14:46AM    ATTACHMENTS TO THE CONSERVANCY'S LETTER GAVE US A MAP
10:14:51AM    SHOWING TELEMETRY DATA.
10:14:54AM    WHILE THERE ARE SOME TELEMETRY DATA THAT ARE SITE SPECIFIC,
10:14:58AM    IT LOOKS TO ME FROM LOOKING AT THIS EXHIBIT, EXHIBIT A, THE
10:15:03AM    OVERWHELMING MAJORITY OF THE TELEMETRY DATA SHOWS PANTHERS
10:15:09AM    BEING REPORTED GOING BASICALLY FROM THE CREW LANDS TO THE
10:15:15AM    EAST THROUGH FLINT PEN STRAND UP TO THE AIRPORT MITIGATION
10:15:21AM    AREA.
10:15:21AM    >>Mike Myers: THAT IS EXACTLY CORRECT.
10:15:22AM    WHAT THEY ARE SHOWING IS A COLLECTION OF THE HISTORICAL
10:15:27AM    TELEMETRY DATA ON THE PROPERTY, SO IT SHOWS UP AS A BUNCH OF
10:15:31AM    RED DOTS.
10:15:33AM    BUT THOSE DOTS HAVE METADATA ASSOCIATED WITH THEM AS TO
10:15:39AM    PANTHER NUMBER, DATE THAT THEY WERE ON THE PROPERTY THAT
10:15:42AM    SORT OF THING.
10:15:42AM    SO WHEN YOU DRILL DOWN INTO THE METADATA, WHAT YOU'LL FIND
10:15:46AM    NOW IS THERE HASN'T BEEN A COLLARED PANTHER RECORDED ON THE
10:15:57AM    >>Neale Montgomery: MIKE, SINCE WE'RE ON THAT, LET ME ASK
10:15:59AM    YOU ANOTHER QUESTION.
10:16:00AM    THOSE RED DOTS OF TELEMETRY DATA AREN'T NECESSARILY
10:16:04AM    DIFFERENT PANTHERS.
10:16:05AM    OFTEN THOSE ARE THE SAME COLLARED PANTHERS.
10:16:08AM    >>Mike Myers: THAT'S CORRECT.
10:16:10AM    >>Howard Levitan: AND ALL OF THIS DATA WAS PRESENTED TO FISH
10:16:13AM    AND WILDLIFE AND SOUTH FLORIDA WATER MANAGEMENT AND U.S.
10:16:18AM    FISH AND GAME.
10:16:19AM    I ASSUME THEY HAVE IT AS WELL.
10:16:21AM    AND YOU HAVE RECEIVED THE APPROPRIATE PERMITS.
10:16:26AM    >>Mike Myers: THAT IS CORRECT.
10:16:27AM    >>Howard Levitan: -- FROM THEM BASED ON THAT DATA.
10:16:30AM    >>Mike Myers: YES.
10:18:56AM FROM POINT A TO POINT B.
10:19:00AM AIRPORT MITIGATION LANDS TO THE NORTH OR THE EDISON FARMS PROPERTY TO THE SOUTH.
10:19:06AM >>Nick Batos: THANK YOU VERY MUCH.
10:19:08AM >>Howard Levitan: ONE LAST QUESTION.
10:19:09AM THERE'S NO FENCING NEXT TO THE EASTERN LINE OF YOUR PROPERTY
10:19:15AM ALONG THE PRESERVE AND ALONG SOME OF THOSE HOMES IN BELLA TERRA.
10:19:19AM SO THERE'S NOTHING TODAY THAT PREVENTS A PANTHER OR A BEAR FROM GOING THERE.
10:19:26AM AND IF THAT WERE A PROBLEM FOR BELLA TERRA, WOULD YOU SUSPECT THAT THEY WOULD HAVE PUT A FENCE ON THEIR SIDE?
10:19:35AM >>Mike Myers: YEAH.
10:19:36AM AS YOU CAN LOOK -- AS IT RELATES TO BELLA TERRA, WHAT'S OUT THERE TODAY IS GOING TO BE OUT THERE AFTER OUR DEVELOPMENT.
10:19:45AM THE ONLY DIFFERENCE IS WE'RE GOING TO HAVE REMOVED ALL THE EXOTICS ON THE PROPERTY.
10:19:55AM >>Neale Montgomery: MR. LEVITAN JUST ASKED ONE OF MY QUESTIONS.
10:20:00AM BUT YOU JUST ENDED WITH A COMMENT ON RESTORATION, AND I KNOW SOME FOLKS DON'T WANT US TO GO INTO THE WHOLE DETAIL, BUT THE AREA THAT YOU SEE AS GREEN AND PRESERVE ON THIS SITE PRESENTLY HAS SOME EXOTIC INFESTATION, IS THAT TRUE?
10:20:10AM >>Mike Myers: THAT'S CORRECT.
10:20:17AM >>Mike Myers: YEAH, THERE WILL BE -- WELL, TECHNICALLY IT WOULD BE ENHANCEMENT OF THE HABITATS OUT THERE.
10:20:24AM THE EXOTICS WILL BE REMOVED EITHER MECHANICALLY OR VIA HAND REMOVAL.
10:20:29AM AND THERE WILL BE OVER 150,000 SUPPLEMENTAL PLANTINGS ADDED TO THE PRESERVE AREA AS PART OF THE ENHANCEMENT PLAN.
10:20:45AM >>Vice-MayorErrington: ARE YOU PLANNING ON USING THE RESIDENTS OF WILDCAT RUN, THE SWALE, AS PART OF THE TERRITORY THERE?
10:20:51AM BECAUSE YOU HAVE NO FENCING.
10:21:02AM I'M LOOKING AT THIS, AND HOUSES BACK RIGHT UP AGAINST WHERE A PANTHER OR BEAR COMES UP AND HAS TO MAKE A DECISION WHICH WAY TO GO.
10:21:06AM SO IF THEY WANT TO GO TOWARD WILDCAT RUN, THEY COULD GO DOWN THE SWALE, BUT THE DEVELOPER HAS CHOSEN NOT TO PUT ANY KIND OF PRESERVE ON THE SIDE THAT I'M LOOKING AT ON THE LEFT SIDE.
10:21:19AM THERE AREN'T ANY PRESERVES THERE EXCEPT THAT SWALE.
10:21:21AM >>Mike Myers: WELL, AGAIN, THAT'S MORE PART OF THE SURFACE WATER MANAGEMENT SYSTEM FOR THE PROJECT, AND I THINK
MR. MIKE DELATE WILL BE BETTER EQUIPPED TO ANSWER THAT QUESTION.

THERE IS AN EXISTING CANAL THERE THAT RUNS DOWN THE EAST SIDE OF WILDCAT RUN, AND THAT WILL BE WIDENED AS PART OF THE REDESIGN FOR OUR SURFACE.

>>Vice-Mayor Errington: AND WHERE DOES A PANTHER GO?

WE'RE NOT JUST LOOKING AT PANTHERS AND BEARS.

WE'RE TALKING ABOUT PEOPLE ON THIS ROAD, WHEN THE PANTHER DECIDES TO CROSS THE ROAD OR A BEAR, WE'RE TALKING ABOUT CAR ACCIDENTS.

AND WE'RE TALKING ABOUT MAYBE A SCHOOL BUS STOP SOMEPLACE IN HERE.

I DON'T THINK A BEAR OR A PANTHER WILL DECIDE, MAYBE THEY JUST DECIDE THEY WANT TO WALK RIGHT DOWN THE MIDDLE OF THE DEVELOPMENT.

I'M LOOKING, TOO, AT WILD BLUE BOULEVARD.

TEMPLETON OWNS 0.81 ACRES RIGHT THERE.

WHY COULDN'T THEY EXPAND THAT INTO MORE OF A PRESERVE?

THAT'S SEPARATE FROM THIS.

THAT'S THE SAME OWNER, BUT FOR SOME REASON, THAT PARCEL OF LAND IS HELD BACK.

SO WE ARE STRUGGLING WITH -- THIS IS PANTHER TERRITORY.

IT'S IN THE VICINITY OF EDISON FARMS, FLINT PEN STRAND, CREW AND CORKSCREW SWAMP SANCTUARY AND THOSE LEAD INTO WILD BLUE AND AREAS OF THE AIRPORT MITIGATION AND WILD TURKEY STRAND.

SO WE'RE LOOKING AT A LARGE AREA OF PROTECTING THE WILDLIFE, ALSO PROTECTING CITIZENS.

BECAUSE WHENEVER A PANTHER IS HIT OR KILLED ON THE ROAD, NOT MUCH GETS MENTIONED ABOUT THE PERSON WHO HIT THAT ANIMAL.

AND SO WE'RE TALKING ABOUT SAFETY.

AND THIS ROAD IS GOING TO HAVE 5,000 SOME MORE CARS ON IT A DAY BECAUSE OF THIS DEVELOPMENT.

I'D LIKE TO SEE WHERE THE SAFETY IS WITH ALL OF THIS.

YOU DIDN'T PUT -- IF THE PERSON, THE OWNER HAD JUST DECIDED TO PUT A FEW HOUSES, UNITS, WHATEVER, IN THERE, IT WOULD HAVE BEEN SO MUCH BETTER.

BUT WE HAVE TO DEAL WITH WHAT WE HAVE TO DEAL WITH.

BUT WE HAVE TO PROTECT OUR CITIZENS AND WE HAVE TO PROTECT THE WILDLIFE.

AND WE HAVE TO PROTECT OUR WETLANDS.

WE'VE BEEN THROUGH THIS.

WE'VE ALREADY BEEN IN LITIGATION.

WE'VE BEEN DOWN THAT ROAD.

IT PUTS US IN A HARD PLACE, BUT YOU HAVE TO LOOK AT THIS,

HOW ARE YOU GOING TO BETTER PROTECT THE FLOW OF WATER AND ALSO THE ANIMAL WILDLIFE?
THIS TO ME IS JUST NOT ACCEPTABLE BECAUSE IT JUST DOESN'T DO THAT.
WE'RE CAUGHT IN A BIND, AND YOU HAVE TO WORK WITH US, TOO.
WE HAVE TO PROTECT OUR CITIZENS.
AND WE HAVE TO PROTECT THE ANIMALS.
AND THEY ARE NOT SMART ENOUGH TO KNOW WHICH WAY TO GO.
SO WHERE ARE WE GOING TO GO?
>>Neale Montgomery: MIKE, ARE YOU AWARE OF THE FACT THAT THERE IS UNDERPASS UNDER CORKSCREW ROAD?
AND CAN YOU EXPLAIN HOW THE ANIMALS KNOW TO USE THOSE UNDERPASSES?
>>Mike Myers: WELL, THE WILDLIFE, OBVIOUSLY, ARE GOING TO BE DIRECTED FROM OUR SITE ONTO THE PRESERVE AT CORKSCREW THROUGH THE FORESTED AREA.
AND EVENTUALLY UP TO THE CROSSING THAT EXTENDS UNDER CORKSCREW ROAD.
AS FAR AS SAFETY CONCERNS, THAT IS ALWAYS A CONCERN, BUT THE U.S. FISH AND WILDLIFE AND FWC DOCUMENT VEHICLE-PANTHER COLLISIONS IN SOUTH FLORIDA.
AND THERE ARE NONE RECORDED ON CORKSCREW ROAD IN THIS STRETCH BETWEEN OUR PROJECT AND THE PRESERVE AT CORKSCREW.
>>Vice-Mayor Errington: COULD THAT BE BECAUSE THEY ARE HAPPY LIVING THERE WITH LOTS OF TREES?
>>Mike Myers: I'M SORRY?
>>Vice-Mayor Errington: IS THAT BECAUSE THEY ARE HAPPY LIVING THERE.
ONCE EVERYTHING ELSE STARTS COMING OUT, YOU'VE DISTURBED THEIR HABITAT.
>>Neale Montgomery: AND SINCE THERE WAS A REFERENCE TO WILD BLUE, MIKE, ARE YOU FAMILIAR WITH THE WILD BLUE PROJECT?
>>Mike Myers: SOMEWHAT.
>>Vice-Mayor Errington: ONCE EVERYTHING ELSE STARTS COMING OUT, YOU'VE DISTURBED THEIR HABITAT.
>>Neale Montgomery: AND SINCE THERE WAS A REFERENCE TO WILD BLUE, MIKE, ARE YOU FAMILIAR WITH THE WILD BLUE PROJECT?
>>Mike Myers: SOMEWHAT.
>>Neale Montgomery: TO THE EXTENT OF YOUR KNOWLEDGE, DID THE ENTIRE WILD BLUE, BE IT LENNAR, STOCK, OR PULTE, DID THAT UNDERGO ARMY CORPS PERMITTING AS WELL AS AN ERP AND WERE THE WILDLIFE ISSUES EVALUATED?
>>Mike Myers: YES, AND APPROVED.
>>Neale Montgomery: AND SO WHEN THIS PROJECT WAS EVALUATED,
DID THEY LOOK AT IT IN THE CONTEXT OF WHAT HAD ALREADY BEEN APPROVED?
>>Mike Myers: YES, THEY DID.
>>Mike Myers: AND OF THE WILDLIFE CROSSING.
WHERE THE RESIDENTIAL COMMUNITY IS GOING TO BE LOCATED,
DID THE DEVELOPER PROVIDE ANY ADDITIONAL CORRIDOR ACREAGE FOR THE PASSAGE OR JUST UTILIZING THE EXISTING CORRIDOR THAT'S ALREADY THERE?

>>Mike Myers: WELL, CONSIDERING WHAT WAS ALREADY AROUND THE PROJECT, THE IDEA WAS FOR OUR SITE TO INTERCONNECT WITH THE PRESERVE -- CORKSCREW'S PRESERVE AT THEIR SOUTH END.

>> AT THAT JUNCTION, WHERE THE DEVELOPMENT IS, YOU'RE NOT PROVIDING ANY ADDITIONAL CORRIDOR.

>>Mike Myers: NO.

>> YOU'RE JUST UTILIZING WHAT WAS ALREADY THERE.

AND THE SOUTHERN PORTION OBVIOUSLY IS GOING TO TRESPASS THE PROPERTY.

>>Mike Myers: HUD ALSO TAKING INTO ACCOUNT THAT WE'RE PRESERVING 57% OF THE SITE, WHICH IS MUCH GREATER THAN ANYTHING THE DEVELOPMENTS AROUND US HAVE DONE.

Neale Montgomery: AND THE LOCATION OF ALLOWING THE CORRIDOR TO REMAIN WHERE IT IS ON THE PRESERVE AT CORKSCREW, IS THAT DUE IN PART TO WHERE THE UNDERPASS IS REPORTED TO BE?

>>Mike Myers: YES.

AGAIN, THE WILDLIFE CROSSING IS GOING TO BE LOCATED AT THE NORTHEAST CORNER OF THE PRESERVE AT CORKSCREW'S PRESERVE.

AS I MENTIONED, IN THE PRESENTATION, OVER 700 FEET, ALMOST TWO AND A HALF FOOTBALL FIELDS AWAY FROM OUR PROPERTY.

SO THE IDEA IS TO FUNNEL THE WILDLIFE EVENTUALLY OVER TO, WHETHER IT'S GOING TO BE A BRIDGE OR A BOX CULVERT THAT GOES UNDER CORKSCREW ROAD TO THE NORTHEAST.

>>Vice-Mayor Errington: THERE'S ONLY ONE CULVERT THAT GOES UNDER?

IS THAT WHAT I'M HEARING?

>>Mike Myers: I'M NOT UP ON -- I KNOW IN THE ORIGINAL PLANS IT WAS GOING TO BE AN EIGHT-FOOT HIGH BY 20-FOOT WIDE BOX CULVERT THAT EXTENDED, BUT THAT MAY BE UNDER REVIEW.

>>Vice-Mayor Errington: IS THAT FLOW WATER, TOO?

>>Mike Myers: YES.

BUT AGAIN --

>>Vice-Mayor Errington: WHO MAINTAINS THAT WHEN IT GETS ALL MESSY AND UGLY UNDER THERE?

>>Neale Montgomery: THAT IS GOING TO BE IN THE CORKSCREW RIGHT-OF-WAY, AND THAT'S GOING TO BE MAINTAINED BY LEE COUNTY.

AND I KNOW THIS IS A LITTLE FAR AFIELD, BUT THE COUNTY DID HAVEN'T LOCATED THEM YET, BUT THEY HAVE IDENTIFIED GENERAL LOCATIONS FOR FOUR TO FIVE OTHER WILDLIFE CROSSINGS.

AND AS THEY IMPLEMENT WHAT I CALL THE ECO, THE ENVIRONMENTAL
OVERLAY, THOSE UNDERPASSES WILL BE INCLUDED AS WELL.


THE OTHER MIKE, MIKE DELATE IS HERE AND HE CAN ADDRESS YOUR WATER QUESTIONS.

>>Howard Levitan: I NOTICED IN OUR CONDITIONS, THERE IS A CONDITION THAT REQUIRES PRIOR TO LOCAL DEVELOPMENT ORDER APPROVAL, YOUR PROTECTED SPECIES MANAGEMENT HUMAN WILDLIFE COEXISTENCE PLAN HAVE TO BE SUBMITTED AND APPROVED DEALING WITH SPECIFIC SPECIES MANAGEMENT PLANS INCLUDING THE FLORIDA PANTHER AND FLORIDA BLACK BEAR, THIS DOCUMENT HAS ALREADY BEEN SUBMITTED AND APPROVED TO THE VARIOUS AGENCIES THAT HAVE CONSIDERED IT IN THE CONTEXT OF GIVING YOU PERMISSIONS?

>>Mike Myers: YES.

ACTUALLY, THAT DOCUMENT, THE REASON THAT DOCUMENT GOT DRAFTED WAS A REQUEST BY NANCY PAYTON WHEN WE HAD MET WITH NANCY WAY BACK WHEN IN 2014.

AND OUT OF THAT MEETING, SHE HAD INDICATED THAT WILD BLUE HAD CREATED THIS HUMAN WILDLIFE COEXISTENCE PLAN.

KEEP IN MIND, THIS IS NOT A REQUIREMENT BY ANY OF THE WILDLIFE AGENCIES.

SO THE APPLICANT VOLUNTARIALLY HAD US PREPARE IT, AND WE DID SUBMIT IT TO THE FLORIDA WILDLIFE CONSERVATION COMMISSION, WHO DID LOOK AT IT AND APPROVE IT.

THAT IS THE DOCUMENT THAT WILL BE USEFUL TO THE FUTURE HOMEOWNERS THAT LIVE IN THE DEVELOPMENT.

>>Neale Montgomery: AND IN LIGHT OF THE COUNCIL PERSON'S CONCERN ABOUT PUBLIC SAFETY, DOES THAT COEXISTENCE PLAN HELP TO ENSURE THE SAFETY OF BOTH THE WILDLIFE AND THE HUMANS?

>>Mike Myers: YES.

YES, IT DOES.

>>Jim Wilson: ON AUGUST 27th, A MEETING WAS HELD WITH THE COUNTY.

THE MEETING MINUTES OR NOTES THAT I GOT REGARDING THAT SAYS THAT THE WILDLIFE CROSSING -- THIS IS FROM THE COUNTY -- WILL BE A SMALL BRIDGE RATHER THAN A CULVERT AND IT WILL GIVE THE ROAD A LOWER PROFILE.

DO YOU KNOW ANYTHING ABOUT THAT AND ARE WE STILL TALKING CULVERTS?

>>Mike Myers: THAT'S WHY I MENTIONED IN THE OLD PLANS FOR CORKSCREW ROAD, THEY HAD IN THOSE PLANS DESIGNS FOR A EIGHT-FOOT HIGH BY 20-FOOT WIDE BOX CULVERT.

BUT JUST RECENTLY I'VE HEARD CONVERSATIONS THAT THAT'S BEING LOOKED AT HERE AGAIN, AND PERHAPS MIKE OR JIM, THE TRAFFIC ENGINEER, MIGHT BE ABLE TO FILL IN THE GAPS ON THAT.
**Jim Wilson:** THIS WILL NOT NECESSARILY CHANGE THE LOCATION, THE PREVIOUS SLIDE THAT WE WERE LOOKING AT WHICH HAD A YELLOW DOT SHOWING -- ACTUALLY, IT'S THIS LINE, THAT SHOWS A POINT HERE TO THE EAST OF YOUR PROJECT WHERE THE WILDLIFE CROSSING IS GOING TO BE, THIS ONE.

**Mike Myers:** I'M NOT AWARE OR HAVEN'T HEARD ANY INFORMATION ABOUT --

**Howard Levitan:** I HAVE ONE MORE QUESTION OF THIS GENTLEMAN. IT DOESN'T RELATE TO THIS WETLANDS.

**I:** I ASSUME YOU'RE THE WETLANDS GUY, TOO.

**Mike Myers:** YES, SIR.

**Howard Levitan:** THE LETTER WE GOT ABOUT MELALEUCAS, GOT SUBMITTED, THE ARTICLE THAT WAS DONE BY AUDUBON, IN TRYING TO REVIEW THAT, I LOOKED AT EVERYTHING ON IT I COULD ON THE WEB ABOUT MELALEUCA INFESTATION, AND YOU UNIFORMLY -- AND UNIFORMLY GOT BACK DATA AND SCHOLARLY ARTICLES THAT IT'S THE WORST INVASIVE, IT'S DANGEROUS AND ELIMINATES BIODIVERSITY. THERE IS A WHOLE LAUNDRY LIST OF THINGS.

**I:** THIS SEEMS TO ADDRESS ONLY ONE PARTICULAR ASPECT OF THAT, THE EVAPORATION ASPECT AND MAKES A SUGGESTION ABOUT THAT MAYBE THE METRIC FOR DETERMINING MITIGATION MIGHT BE OFF A LITTLE AND MAYBE SHOULD BE REVIEWED.

**I:** WHAT RELEVANCE DOES THAT HAVE TO THIS PARTICULAR SITE?

**Mike Myers:** ALL THE INFORMATION I HAVE IS MELALEUCA IS HIGHLY INVASIVE, VERY DESTRUCTIVE TO NATURAL HABITATS. THE ARTICLE THAT AUDUBON HAD PUT TOGETHER IS EXACTLY AS YOU SAID.

**I:** IT'S MORE OF A TECHNICAL DOCUMENT THAT IS KIND OF COMPLAINING ABOUT THE WAY THE UNIFORM MITIGATION ASSESSMENT MAP, UMAM, THAT'S HOW MANY CREDITS YOU HAVE TO BUY OR HOW MUCH CREDIT TO GET FOR YOUR ON-SITE PRESERVE IS SCORED. SO IT'S MORE A PROCESS ISSUE, REALLY, AND DOESN'T REALLY APPLY DIRECTLY TO THE SITE.

**Neale Montgomery:** THANK YOU FOR THAT QUESTION, BECAUSE I DO WANT TO FOLLOW UP. AT THE PLANNING AND ZONING BOARD, MIKE PRESENTED A SLIDE THAT SHOWED THE SITE WHEN HE FIRST DID SOME OF HIS WALK-THROUGHS ON THE SITE, AND THEN HE SHOWED SOME VEGETATION THAT'S OCCURRED SINCE THEN THAT I THINK YOU MADE THE POINT THAT IF LEFT ALONE, THAT VINE OR IVY WOULD DESTROY THE SITE.

**I:** CAN YOU ADDRESS THAT FOR THE COUNCIL?

**Mike Myers:** WELL, THAT PARTICULAR SLIDE WITH THE PHOTOGRAPH OF THE MELALEUCA ITSELF, IT'S NOT IN THE SHORTER VERSION OF THE PRESENTATION, BUT THIS SLIDE HERE, WHAT WAS
INDICATED IS TO SHOW YOU KIND OF THE DAMAGE OR THE INVASIVENESS OF IN THIS INSTANCE, PARTICULARLY MELALEUCA. WHEN YOU TAKE A LOOK AT THE NORTH HALF OF THE SITE, WHICH WOULD BE THE LEFT HALF HERE, AS YOU HEAD TOWARDS CORKSCREW ROAD, YOU CAN CLEARLY SEE HOW THE PROPERTY IS GETTING DARKER AND DARKER IN COLOR. AND THAT'S DUE TO THE HIGH INVASION OF MELALEUCA. CONVERSELY, AS YOU HEAD SOUTH DOWN TOWARDS EDISON FARMS, YOU'LL SEE IT STARTS TO GET MUCH LIGHTER IN COLOR, AND THAT'S BECAUSE THE MELALEUCA IS DROPPING OUT AND THE HABITAT QUALITY IS IMPROVING. YOU HAVE MUCH LESS MELALEUCA AS YOU HEAD TO THE SOUTH. IN ADDITION, THIS SITE HAS A LOT OF BRAZILIAN PEPPER, AND SOMETHING THAT HAS REALLY COME ON STRONG IN THE LAST FIVE YEARS IS SOMETHING CALLED OLD WORLD CLIMBING FERN, WHICH IS A HIGHLY INVASIVE OLD-WORLD FERN THAT DISPERSES BY SPORES. THAT'S GOING TO BE ANOTHER ISSUE, NOT JUST FOR THIS SITE, BUT A LOT OF THE PRESERVE SURROUNDING THIS PROPERTY.

Vice-Mayor Errington: IT APPEARS THAT WE ARE HERE TODAY, THE DEVIANYS HAVE BEEN RECOMMENDED TO BE APPROVED BY STAFF. AND YOU PRESENTED TO US YOUR PLAN. I DON'T SEE WHAT THE PURPOSE IS IF WE CAN'T COME OUT WITH SOMETHING ON OUR SIDE A LITTLE BIT. YOU HAVE A LOT OF WETLANDS THAT WILL BE IN PRESERVES, BUT YOU'VE ALSO TAKEN A WHOLE LOT OF WETLANDS. THAT'S VERY IMPORTANT TO THIS AREA IN THE DRGR, IN THAT AREA. BUT WE HAVE TO COME AWAY FROM THIS WITH SOMETHING THAT YOU'VE GIVEN TO US.

IT'S NOT THAT -- I DON'T FEEL LIKE I WANT MY TIME WASTED HERE TODAY JUST THINKING YOU'RE TELLING US WHAT YOU'RE GOING TO DO AND WE AGREE TO EVERYTHING. THE WILDLIFE CROSSING IS VERY, VERY CRITICAL, AND WE DON'T WANT ANY ACCIDENTS -- I KNOW MAYBE THE COUNTY SAID THEY WOULD PUT SOME CULVERTS IN.

THEY MAY BE TWO, THREE MILES DOWN THE ROAD, BUT WE'RE TALKING ABOUT THE SITE HERE TODAY. WHY CAN'T WE LEAVE HERE TODAY WITH A GUARANTEE THAT WE HAVE MORE AND EVEN A LONGER EXTENSION OF A WILDLIFE CROSSING TO MAKE THIS A BETTER PROJECT? WE DON'T HAVE ANYTHING EXCEPT WE'RE LISTENING TO WHAT YOU'RE TELLING US, AND I APPRECIATE THAT. AND I UNDERSTAND IT, BUT GIVE US SOMETHING BACK. AND THE WILDLIFE, AND THE SAFETY OF THE PEOPLE IN ESTERO, AND ESPECIALLY GOING UP AND DOWN CORKSCREW, THAT'S VITAL,
AND WE HAVE TO HAVE A BETTER, BETTER WAY OF GETTING THOSE
ANIMALS UNDERNEATH THE ROAD BECAUSE THEY ARE HEADING TO
DIFFERENT AREAS.
AND SO, PLEASE, DO SOMETHING TO HELP US HERE.
I DON'T THINK TWO FOOTBALL FIELDS IS VERY MUCH FOR A
PANTHER.
THEY CAN RUN IT IN ABOUT FOUR, FIVE SECONDS.
I DON'T KNOW.

>>Neale Montgomery: I APPRECIATE YOUR CONCERNS.
I WOULD NOTE THAT DUE TO THE PROCESS THIS PROJECT HAS GONE
THROUGH OVER FIVE YEARS, IT HAS CONSISTENTLY GIVEN MORE --
SEVERAL MEETINGS WITH THE STAFF AND THE ADMINISTRATION AS WE
WENT THROUGH MEDIATION AND GAVE MORE.
YOU CAN ACQUIRE OTHER ENVIRONMENTAL LANDS.
THERE IS MORE.
WE ARE AT THE POINT WHERE THERE ISN'T MORE.
AND SO IT'S EITHER GOING TO BE THE PROJECT THAT'S APPROVED,
OR THE PROJECT THAT'S BEFORE YOU, BECAUSE YOU STILL HAVE TO
HAVE AN ECONOMICALLY VIABLE PROJECT AT THE END OF THE DAY,
AND I THINK THAT YOUR STAFF AND YOUR ADMINISTRATION HAS
WORKED VERY HARD FOR YOU TO GET TO THIS POINT.
SO I'M HOPEFUL THAT THE EXPLANATION WE HAVE GIVEN YOU ABOUT
IF APPROPRIATENESS OF THE WILDLIFE CORRIDOR AND THE WETLANDS
IS SUFFICIENT.
AND I KNOW YOU HAVE RAISED A QUESTION ABOUT WATER FLOW.
SO I AM GOING TO ASK MIKE DELL IF HE WOULD TO COME AND
ADDRESS THAT.
>> I'M MIKE DELL, ENGINEER WITH GRADY MINOR WORKING ON THIS
PROJECT FOR OVER FIVE YEARS WITH MAKE AS WELL.
SO YOUR QUESTION ABOUT THE CORRIDOR, THE UNDERPASS -- I HAVE
A VISUAL HERE.
IF YOU LOOK ON THE UPPER RIGHT SIDE, THERE'S PROPOSED
CULVERTS FOR THE PROJECT AREA ALONG CORKSCREW ROAD.

THIS WAS WHAT WAS PREVIOUSLY PERMITTED AND JOHNSON
ENGINEERING IS DESIGNING NOW WITH THE DESIGN MODIFICATION OF
THE PLANS.
IGNORING WHAT THE EXISTING CULVERTS IN THE VICINITY.
BUT IF YOU LOOK AT THE RECTANGLES UP THERE, SO I'LL PUT THE
CURSOR, THE NUMBER FOUR -- EXCUSE ME, NUMBER THREE IS THE
PANTHER CROSSING.
AND IF YOU LOOK, IT'S ABOUT IN THE 700 FEET AWAY FROM THE
PROPERTY.
THAT WILL HAVE FENCING LEADING UP TO IT ON BOTH SIDES OF
THE ROAD.
AND FOR CERTAIN LENGTH EITHER SIDE.
I'M NOT THE EXPERT ON THAT.
I DON'T KNOW OF WHAT IT IS BUT IT’S QUITE A DISTANCE.

>> THAT'S NOT EVEN ON THIS PROPERTY.

>> NO, IT'S ABOUT 700 FEET EAST.

BUT THERE WILL BE FENCING ALONG THE -- IN FRONT.

PRESERVE AT CORKSCREW PRESERVE LEADING UP TO THE OPENING OF

THE BOX CULVERT BRIDGE.

YOU DID HAVE A QUESTION, IT WAS A GOOD ONE, ABOUT IF IT'S A

BOX CULVERT AND IT'S SET LOW AND IT COULD BE MUDDY AND WOULD

DISCOURAGE ANIMALS FROM USING THE CULVERT.

I REMEMBER THE DESIGN CRITERIA BUT IT IS ELEVATED ABOVE THE

GROUND LEVEL.

SO IN TYPICAL -- I DON'T BELIEVE FROM MEMORY THAT IT HAD ANY

WATER GOING THROUGH IT.

CERTAINLY IN LARGE RAIN EVENTS AND FLOWS IT WOULD GO THROUGH

THERE.

BUT THEY ARE ALSO PROVIDING THE NUMBERS 2 AND 4 NEXT TO IT.

THOSE ARE SMALLER BOX CULVERTS WHICH WOULD BE SET LOWER, AND

THAT WOULD PASS THE FLOWS THROUGH TO THE PRESERVE AREAS.

Katy Errington: SO IN RAINY SEASON WHEN ANIMALS REMAIN IN

THAT WOULD THEY CHOOSE NOT TO GO THROUGH THERE?

MIKE DELL OF THE: THAT BOTTOM WAS GOING TO BE DRY.

THE BOTTOM WAS LIFTED OFF THE GROUND.

Katy Errington: WHERE IS THE WATER FLOW?

IF YOU SEE THE NUMBERS 2 AND 4 NEXT TO IT, THOSE WOULD BE

SET LOWER IN THE GROUND, AND EMPHASIZE HERE, AND I CAN'T

SQUINT.

LET'S SEE.

THOSE ARE FOUR FEET TALL BY 24 FEET WIDE.

SO IT WOULD DISCOURAGE LARGER ANIMALS TO GO THROUGH THEM.

AND ACTUALLY I HAVE THE ELEVATIONS HERE.

THEY ARE SET 1.2 FEET LOWER THAN THE WILDLIFE CROSSING BOX

CULVERT.

Katy Errington: HOW WIDE ARE THEY?

THEY ARE 24 FEET WIDE.

HOW HIGH?

4 FEET HIGH.

SO THOSE ARE FOR THE FLOWS TO PASS THRU.

THEN THE PANTHER, WILDLIFE CROSSING IS 8 FATE HIGH BY 20

FEET WIDE.

AND IT'S ALSO SET ABOVE THOSE OTHER CULVERTS BY 1.2 FEET.

Katy Errington: AFTER BEAR COULDN'T GET THROUGH THERE VERY

WELL, ON ITS HINDLEGS.

RIGHT.

SO THE LARGE ONES DISCOURAGE THE LARGER ANIMALS.

YOU GO THROUGH THE WILDLIFE CROSSING WHICH IS THE WILL

8-FOOT TALL BY 20-FOOT WIDE.
IT'S OFF THE GROUND.

> Mayor Bill Ribble: ANY OTHER QUESTIONS FROM COUNCIL?

> Neale Montgomery: A QUESTION FOR MIKE.

I KNOW THERE'S CONCERN ABOUT MORE, AGAIN, YOU INDICATED THAT YOUR STAFF HAD WORKED DILIGENTLY.

SOME OF THE MORE SHOWS UP ON YOUR CONDITION 8 IN REGARD TO DRAINAGE.

MR. KOZIE WORKED HARD ON THAT.

CAN YOU RELATE TO THE COUNCIL WHAT THOSE CONDITIONS DO?

CERTAINLY.

WE WORKED WITH STAFF QUITE A BIT ON THIS AS THEY DEVELOPED THEIR STORMWATER PLAN FOR THE VILLAGE THAT HAD PRESENTED TO YOU A WHILE BACK.

AFTER THAT MODEL CAME, FLOWS THAT WERE DIFFERENT THAN WHAT WE HAD MODELED FOR THE WATER MANAGEMENT DISTRICT, BUT WE HAD HEARD EARLIER ON THAT THERE MIGHT BE GREATER FLOWS WE WOULD HAVE TO MODEL TO, SO WE CHECKED THAT WITH OUR OWN MODELING. DAVID HADN'T HAD A CHANCE TO THOROUGHLY REVIEW THAT AND WE'LL DO THAT THROUGH THE DEVELOPMENT ORDER PROCESS.

HOWEVER THE APPLICANT HAS AGREED TO ACCEPT THOSE PROPOSED FLOWS THAT CAME OUT OF THE MODEL THAT ARE INDICATED IN THE CONDITIONS HERE.

AND WE AGREE TO THOSE AS WELL.

> Mayor Bill Ribble: NEXT.

> ON THE MAP THAT YOU ARE SHOWING HERE AND THE CULVERT NUMBER 3 WHICH GOES FROM WILD BLUE ONTO YOUR PROPERTY, IS THAT GOING TO BE ELIMINATED?

YES.

THAT WILL BE REMOVED SO ANY OF THE EXISTING CIRCULAR CULVERTS WILL BE REMOVED AND THE SQUARES ARE GOING TO BE THE REPLACEMENT CULVERTS.

AS YOU SEE, THEY MORE LINE UP WITH WHAT WILD BLUE DID TO THE NORTH OF THAT PROJECT SO THEY MAKE SENSE IN THAT REGARD IN REGARDS TO PASSING THE FLOWS UNDER IF ROAD.

> I'M RE-READING THE SECTION ON TRAFFIC, WHICH OF COURSE IS -- AND I'M CONFUSED BECAUSE IT WILL EXCEED SERVICE CAPACITY IN AM-PM PEAK.

IT INDICATES MAYBE 300 VEHICLES PER PEAK HOURS.

IS THERE SOMEBODY HERE --
MR. BANKS.

HERE IS THE KEY QUESTION.

WHAT IS THE CURRENT UNWIDENED ROAD CAPACITY IN PEAK HOUR EITHER IN THE MORNING OR AFTERNOON, AND THEN HOW MUCH TRAFFIC WILL THIS PROJECT ADD?

AND DO WE KNOW APPROXIMATELY WHEN THE FIRST UNIT WILL ACTUALLY BE OCCUPIED?

IN OTHER WORDS, HOW DOES THAT LINE UP WITH THE ROAD EXPANSION PROJECT?

JIM BANKS: WELL, THE LAST QUESTION, I WILL HAVE SOMEBODY ELSE.

FOR THE RECORD, MY NAME IS JIM BANKS.

I'M A TRAFFIC ENGINEER HERE IN LEE COUNTY.

32 YEARS OF EXPERIENCE.

SPECIFICALLY, THE FIRST QUESTION I THINK YOU ASKED WAS WHAT'S THE EXISTING CAPACITY ON CORKSCREW ROAD.

THIS IS THE TRAFFIC IMPACT STUDY DONE IN 2018.

AND THERE WAS ONE SECTION HERE ON PAGE 3 THAT TALKS ABOUT 1200 DPHPDs.

THAT'S THE ADOPTED LEVEL OF SERVICE FOR -- THAT'S THE ADOPTED CAPACITY THAT LEE COUNTY DOT RECOGNIZES FOR CORKSCREW ROAD UNDER ITS CURRENT CONFIGURATION.

AND IT CAN ACCOMMODATE UP TO 1200 PEAK HOUR TRIPS IN ONE DIRECTION.

SO AM I CORRECT THAT LATER IN THIS SAME REPORT IT SAYS THAT THIS PROJECT IS GOING TO ADD ANOTHER 300 TRIPS WHICH WOULD BE 25% OF THE ROAD CAPACITY?

JIM: OKAY.

PER THE LEE COUNTY'S CONCURRENCE MANAGEMENT BOARD, THEY HAVE THE CURRENT DEMAND ON CORKSCREW ROAD AT 903 VEHICLES PER HOUR WITH A CAPACITY OF 1200.

SO CURRENTLY LEE COUNTY HAS DESIGNATED THIS ROAD OPERATES AT LEVEL OF SERVICE C, BUT THEY HAVE ACKNOWLEDGED THAT WITH FUTURE DEVELOPMENT THAT'S GOING TO OCCUR ALONG CORKSCREW ROAD THAT VARIOUS RESIDENTIAL PROJECTS AND THE AREA-WIDE STUDY THAT THE VILLAGE OF ESTERO COMMISSIONED TO BE PREPARED, THEY ESTIMATED THAT BASED ON SOME FAIRLY HIGH GROWTH RATES, BUT THEY ESTIMATED BY THE YEAR 2021 THAT IF CORKSCREW ROAD REMAINED AS A TWO-LANE ROAD, IT WOULD FAIL. AGAIN THAT WAS MADE ON SOME ESTIMATIONS.

MAY NOT FAIL BY 2021.

MAYBE MUCH -- I DON'T KNOW.

BUT THAT IS THE REFERENCE THAT YOU ARE REFERRING TO IN THE REPORT THAT ACKNOWLEDGED THAT IT WAS EXPECTED THAT THE ROAD WOULD FAIL BY 2021.
BUT AGAIN THIS IS A TWO-LANE ROAD.

AS YOU ARE AWARE, LEE COUNTY DOT HAS ACCELERATED THE IMPROVEMENTS OF CORKSCREW ROAD TO BE FOUR LANED.

AND WHEN THE ROAD IS COMPLETED AS FOUR LANES, IT WILL OPERATE AT LEVEL SERVICE B, SO SUBSTANTIALLY MUCH BETTER.

This project will most likely not have very many units constructed prior to -- can't tell the exact time when this project is completed but most likely very low volume of units that would be constructed in this development.

So there would be very little impact on the road from this project over the next few years.

But as it stands today, the amount of available capacity on the road could accommodate our traffic.

It may not be able to accommodate our traffic to some of the other projects.

And again that's why DOT accelerated the 4 laning of Corkscrew Road.

That's the challenge because to get across the street is now in ground, of course the place further out is in the grind, and that's the reason for my last question.

I am actually hoping that this project takes a long time to go through the permitting process, because otherwise anybody who is going to buy there, if they are going to try to turn out to the west onto a two-lane road --

IT'S GOING TO TAKE US A LITTLE BIT OF TIME BUT AS YOU KNOW THE WHOLE PROJECT DOESN'T SHOW UP BY YEAR ONE OR YEAR TWO.

UNDER YOUR CONCURRENCY MANAGEMENT, THEY ALLOW YOU FOR TRAFFIC PURPOSES TO CAPACITY BECAUSE THAT'S THE WHOLE GOAL TO MAKE SURE IMPROVEMENTS ARE COMMITTED.

Just a follow-up.

At each development order, we are going to get a review of the traffic with a much more detailed traffic information study at that point in time, so that if, for example, four laning was delayed, we would have the ability to have a little more impact on timing, which I think was what Jim's question was.

I will answer that for Mr. Banks.

You want him to answer?

He's the expert.

JIM BANKS: THAT IS CORRECT.

WHAT YOU ARE LOOKING AT IS THE ZONING LEVEL TRAFFIC STUDY.

WHEN THESE PROJECTS INCLUDING OURS AND THE OTHER ONES OUT THERE ACTUALLY MAKE AN APPLICATION TO ACTUALLY START BUILDING, THEY ARE REQUIRED TO UPDATE THE TRAFFIC STUDY, IN MORE DETAIL AN EXAMINATION OF WHEN THEY ARE EXPECTED -- THEIR UNITS TO BE BUILT AND WHEN THE ROAD WILL BE BUILT.
SO THERE WILL BE SECOND, THIRD AND FOURTH LOOKS AT THIS AS THESE VARIOUS PROJECTS GO ONLINE.

>> MY CONCERN IS THAT THE CURRENT CONDITIONS, YESTERDAY MORNING, TODAY, AND IT’S NOT EVEN SEASON, THAT AT CERTAIN TIMES IN THE, LET’S SAY, 7:45 IN THE MORNING, THIS ROAD IS BACKED UP ALL THE WAY UP TO THE LOCATIONS THAT WE ARE TALKING ABOUT TODAY.

SO IT’S GOING TO BE DICEY.

IT’S GOING TO BE IMPORTANT THAT -- GET HER DONE.

THAT’S WHY LEE COUNTY HAS IT ON ITS CIP TO DO IT.

Neale Montgomery: I THOUGHT THEY WERE GOING TO START BY NOW.

NEAL Montgomery: DOESN’T FDOT ALSO HAVE SOME IMPROVEMENT PROGRAM?

>> THEY ARE MAKING IMPROVEMENTS TO THE INTERCHANGE WHICH RIGHT NOW DURING SEASON FAILS, LEVEL SERVICE F, AND AFTER THEIR IMPROVEMENTS ARE COMPLETED, THEY ARE PROJECTING IT WOULD BE LEVEL OF SERVICE C IN THE AM AND D IN THE PM, PEAK HOUR SEASON.

SO SOME OF THAT IS FROM THE INTERCHANGE.

THE LAST I CHECKED WITH FDOT, THEY ARE SUPPOSED TO START THESE IMPROVEMENTS IN LATE OCTOBER OF THIS YEAR.

>> 30 DAYS.

JIM BANKS: YES.

Mayor Bill Ribble: QUESTIONS FROM COUNCIL?

NOW LET US ASK OUR LAND USE ATTORNEY.

>> NO, SIR.

Mayor Bill Ribble: MARY, DO YOU HAVE ANYTHING ELSE?

Neale Montgomery: I DO NOT. UNLESS YOU WOULD REALLY LIKE TO BE QUIZZED.

Mayor Bill Ribble: NO.

WE’LL TAKE A TEN-MINUTE BREAK.
10:53:40AM   HOW ABOUT COMING BACK AT FIVE AFTER ELEVEN?
10:53:44AM   (RECESS)
10:54:11AM
11:05:07AM   >>Mayor Bill Ribble: I WILL OPEN THE FLOOR FOR PUBLIC
11:05:09AM   COMMENT.
11:05:14AM   HOW MANY SPEAKERS DO WE HAVE?
11:05:17AM   >> WE HAVE A FEW SPEAKERS.
11:05:20AM   SARAH SPECTOR WILL BE FOLLOWED BY PATTY WHITEHEAD.
11:05:31AM   >> GOOD MORNING.
11:05:33AM   SARAH SPECTOR WITH ROETZEL ANDRESS.
11:05:36AM   >>Mayor Bill Ribble: HAVE YOU BEEN SWORN IN?
11:05:37AM   >> I HAVE BEEN SWORN IN.
11:05:38AM   THANK YOU.
11:05:38AM   >> WHAT WAS THE --
11:05:39AM   >> ROETZEL AND ANDRESS.
11:05:42AM   HERE ON BEHALF OF WILDCAT RUN COMMUNITY ASSOCIATION.
11:05:46AM   MAY I PLEASE APPROACH?
11:05:47AM   I DID NOT GET THESE TO YOU IN ADVANCE.
11:05:49AM   I APOLOGIZE.
11:05:55AM   AS HAS BEEN ALLUDED TO EARLIER THIS MORNING, WE HAVE BEEN
11:06:18AM   WORKING WITH ARGO.
11:06:20AM   EVERYONE HAS BEEN TELLING YOU THEIR TIME WITH THE PROJECT.
11:06:22AM   I HAVE ALSO BEEN INVOLVED FOR THE LAST FIVE YEARS BECAUSE
11:06:26AM   ARGO DID COME TO US VERY EARLY IN THE PROCESS, AND THEY HAVE
11:06:29AM   BEEN VERY GOOD NEIGHBORS.
11:06:33AM   WE DID COME TO AN AGREEMENT WITH REGARD TO THE EXPANDED
11:06:37AM   SWALE.
11:06:38AM   WE ARE HOLDING THAT AGREEMENT IN ESCROW BECAUSE ARGO DOES
11:06:43AM   NOT CURRENTLY OWN THE PROPERTY, AND THEY ARE THE PARTY THAT
11:06:45AM   SIGNED THE AGREEMENT.
11:06:46AM   SO IT WILL BE RECORDED WHEN THEY DO PURCHASE THE PROPERTY.
11:06:49AM   AS PART OF THAT AGREEMENT, THEY HAVE AGREED TO THE EXPANDED
11:06:53AM   SWALE PLAN THAT YOU HAVE BEFORE YOU.
11:06:56AM   AND WE WANTED TO MAKE CERTAIN THAT WHEN THE REZONING WENT
11:07:00AM   THROUGH THAT THE VILLAGE ALSO RECOGNIZED THAT PLAN.
11:07:04AM   WE ARE NOT ASKING THAT YOU RECOGNIZE THE ENTIRE AGREEMENT
11:07:07AM   BECAUSE THAT DEALS WITH A PRIVATE AGREEMENT REGARDING
11:07:11AM   MAINTENANCE AND THINGS OF THAT NATURE.
11:07:12AM   BUT WE DO WANT TO MAKE SURE THAT THE SWALE GETS BUILT AS WE
11:07:15AM   HAVE BEEN BOTH AGREED TO.
11:07:17AM   WHEN REVIEWING THE DOCUMENTS THAT WERE BEFORE YOU AS
11:07:22AM   ATTACHMENTS TO THE PROPOSED ORDINANCE, IT WAS NOTICED THAT
11:07:25AM   WHILE THERE ARE TWO PAGES ATTACHED, IT IS TWO PAGES -- THE
11:07:31AM   FIRST PAGE IS ACTUALLY SPLIT INTO TWO PAGES.
11:07:33AM   SO THERE ARE TWO PAGES, BUT IT'S ACTUALLY ONLY PAGE 1 THAT
11:07:37AM   YOU ARE SEEING.
AND IT WAS OUR INTENTION THAT THE ENTIRE PLAN, THE TWO-PAGE PLAN, BE ATTACHED.

SO WHAT YOU ARE SEEING IS THE ENTIRE PLAN RATHER THAN JUST THE FIRST PAGE.

THE REASON WE ARE ASKING THAT THE SECOND PAGE BE INCLUDED AS WELL IS IF YOU LOOK AT THE FIRST PAGE, YOU WILL SEE THAT THERE ARE CROSS SECTIONS REFERENCED.

THERE ARE LITTLE NOTATIONS ALONG THE BUFFER WITH LITTLE BRACKETS THAT ARE NUMBERED.

IF YOU THEN LOOK ON THE SECOND PAGE, THOSE NUMBERED BRACKETS ARE BROKEN DOWN INTO THE CROSS SECTIONS SO YOU SEE WHAT IT WILL LOOK LIKE LOOKING DOWN THE CORRIDOR RATHER THAN FROM ABOVE.

SO WE ARE JUST ASKING THAT THE TWO-PAGE PLAN THAT IS INCLUDED CURRENTLY BE REPLACED WITH THE PLAN THAT’S BEFORE YOU NOW.

I UNDERSTAND THAT THE APPLICANT AND THE VILLAGE ARE BOTH IN AGREEMENT WITH THIS REQUEST.

I KNOW YOU DID, BUT -- I KNOW, IT’S HARD.

I MIGHT BE ABLE TO EXPLAIN IT.

THERE’S A CONDITION IN THE PROPOSED CONDITIONS THAT THERE’S AN AGREEMENT BETWEEN WILDCAT RUN AND THE APPLICANT.

ON THE WEST BOUNDARY BETWEEN THE TWO.

THEY ARE GOING TO HAVE SOME ENHANCED PLANTINGS.

SO IT’S NOT OUR STANDARD BUFFER.

IT’S BETTER.

INSTEAD OF PUTTING OUR STANDARD BUFFER IN, WE NEED TO INCLUDE THIS DOCUMENT SO THAT WHEN THEY COME IN FOR THE DEVELOPMENT ORDER, WE KNOW THERE’S GOING TO BE EXTRA PLANTINGS.

WHAT HAPPENED WHEN I INCLUDED THIS ATTACHED DOCUMENT, I AM FORGOT THAT ONE PAGE THAT I HAVE THE CROSS SECTIONS SO ALL WE NEED TO DO IS JUST ADD THAT PAGE IN.

Mayor Bill Ribble: DOES COUNCIL HAVE ANY QUESTIONS?

Katy Errington: I DON’T QUITE UNDERSTAND THIS.

I MIGHT BE ABLE TO EXPLAIN IT.

THERE’S A CONDITION IN THE PROPOSED CONDITIONS THAT THERE’S AN AGREEMENT BETWEEN WILDCAT RUN AND THE APPLICANT.

ON THE WEST BOUNDARY BETWEEN THE TWO.

THEY ARE GOING TO HAVE SOME ENHANCED PLANTINGS.

SO IT’S NOT OUR STANDARD BUFFER.

IT’S BETTER.

INSTEAD OF PUTTING OUR STANDARD BUFFER IN, WE NEED TO INCLUDE THIS DOCUMENT SO THAT WHEN THEY COME IN FOR THE DEVELOPMENT ORDER, WE KNOW THERE’S GOING TO BE EXTRA PLANTINGS.

WHAT HAPPENED WHEN I INCLUDED THIS ATTACHED DOCUMENT, I AM FORGOT THAT ONE PAGE THAT I HAVE THE CROSS SECTIONS SO ALL WE NEED TO DO IS JUST ADD THAT PAGE IN.

Mayor Bill Ribble: OTHER QUESTIONS FROM COUNCIL?

Nancy, do you have any questions?

Okay.

Otherwise, we do support the project.

Thank you.

Continuance of my comments from earlier, I am still greatly concerned about a wetland that sits in the middle of a flow-way and to counter some of the comments made by Councilman Levitan, I don’t know if you read the entire fact...
This is written by distinguished researcher on this matter, Mr. Frank Mozotti, dating back to 1998. And I found one of his scholarly research papers where he goes on to say, although invasion of natural systems by alien species is a serious threat to ecological integrity of South Florida, suburban development is a greater threat, development eliminates wetland, contribute to degradation of adjacent natural areas. They do this by associated stormwater runoff, pollution, habitat fragmentation and hydrological disruption. Obviously you are going to have melaleuca, that's ecoterm where are you have, you know, a scar across a natural landscaping, a road, and cars and trucks drive across that road, and they transport, you know, invasive sea stock. That's pretty obvious.

Further, I am not so concerned about the wildlife. Panthers can figure out how to maneuver. But water just follows a course. Floods are just an onslaught of water, right? You can't shut water to that degree from. What the schematic shows, I still don't understand how that works. Hasn't been adequately demonstrated to me. With regard to the question about collared panthers, panthers haven't been collared for at least four years. There's an article going back to I think 2016, 2017, where Dara Lynn says we aren't collaring panthers anymore, we don't see the need to affect their quality of life just for the sake of saying we know where this particular panther travels. So probably the population of collared panthers these days is at most fifty, I would say. You have so many more uncollared panthers that are roaming these lands that are completely unaccounted for. So those are my comments.

Thank you.

Mayor Bill Ribble: Any questions from Council?

Nancy?

>> Barbara Saxton followed by Kelly.

>> Barbara Saxton, resident here, 19634 Tesoro Way, at the Reserve, also chair of Friends of River Oaks, and that is who I am representing today.

First I want to say this was very interesting.

I commend all of you.
YOU HAVE QUITE THE TASK IN FRONT OF YOU.
I THINK DEVELOPMENT IN THIS AREA IS INEVITABLE.
322,000 PEOPLE MOVED INTO FLORIDA LAST YEAR ALONE.
SO WE NEED DEVELOPMENT.
BUT WE NEED YOU GUYS TO MAKE SURE THAT IT IS SMART
DEVELOPMENT.
AND I THINK BASED ON WHAT I HAVE HEARD THIS MORNING, I FEEL
PRETTY COMFORTABLE THAT YOU GUYS ARE WORKING ON BEHALF OF
THE COMMUNITY, AND I APPLAUD YOU FOR THAT.
BUT I AM NOT HERE TO TALK ABOUT THAT.
I AM HERE TO REMIND YOU, A FRIENDLY REMINDER, THAT YOU DO
ACQUIRE IF $750,000 THAT ARGO IS LOOKING TO SEND YOUR WAY
FOR ENVIRONMENTAL USE, I REQUEST ON BEHALF OF FRIENDS OF
RIVER ROADS PARK AND REITERATE DEBBY OSBORNE’S COMMENT LAST
MEETING THAT WE REQUEST OR STRONGLY URGE YOU TO CONSIDER
USING THOSE FUNDS FOR RIVER OAKS, OKAY?
WHETHER IT’S PART OF THAT OR ALL OF THAT.
I THINK THAT WOULD BE A SMART THING.
I THINK THE COMMUNITY WOULD VERY MUCH APPRECIATE YOUR
CONSIDERATION OF THAT.
AND I AM JUST GOING TO REMIND YOU, BECAUSE I THINK IT’S
APPROPRIATE, BASED ON THE CONVERSATION WE ARE HAVING THIS
MORNING, THAT RIVER OAKS IS A 370 FEET PARCEL OF LAND
LEADING INTO THE ESTERO -- TRIBUTARY LEADING INTO THE ESTERO
RIVER.
IT FILTERS THE WATER.
THAT GOES THROUGH ESTERO BAY.
AND ULTIMATELY OUT TO THE GULF OF MEXICO.
SO WE ARE TALKING ABOUT MAYBE TAKING AWAY SOME WETLANDS.
BUT THIS IS AN OPPORTUNITY TO PUT SOME MONEY TO GOOD USE FOR
PROTECTING SOME WETLANDS THAT ARE VERY IMPORTANT TO US HERE
IN ESTERO.
SAVING THIS LAND WILL PROTECT THE DIVERSITY OF NATIVE PLANTS
WHICH WE HAVE BEEN TALKING ABOUT TODAY, ANIMALS, REALLY
FOUND IN RAPIDLY SUBURBANIZING AREAS WHICH IS WHAT’S
HAPPENING HERE IN ESTERO.
322,000 PEOPLE MOVING INTO FLORIDA.
LEE COUNTY THE FASTEST GROWING COUNTY IN ALL OF FLORIDA, HAS
INCREASED IN POPULATION 25% IN THE PAST EIGHT YEARS.
YOU CAN’T FIGHT IT.
YOU JUST HAVE TO DO THINGS THE RIGHT WAY.
THERE’S PLENTY OF IMPERILLED AIR PLANTS, GOPHER TORTOISES,
HERITAGES, OLD OAK TREES.

SO WE JUST WANT TO REITERATE WE STRONGLY ENCOURAGE YOUR
SUPPORT SHOULD YOU GET THAT $750,000.

CONSIDER PLEASE USING THAT FOR RIVER OAKS.
THANK YOU VERY MUCH.

>> McNAB FOLLOWED BY --

GOOD MORNING.

KELLY McNAB, WITH THE CONSERVANCY OF SOUTHWEST FLORIDA.

I WANT TO START FIRST BY APOLOGIZING THAT I GOT MY COMMENTS
TO YOU ALL SO LATE LAST NIGHT.

IT WAS NOT MY INTENTION.

BUT I HEAR YOU FROM NOW ON SEVEN DAYS IN ADVANCE SO YOU HAVE
AMPLE TIME TO REVIEW.

THE CONSERVANCY HAS BEEN AND CONTINUES TO BE OPPOSED TO THE
PROPOSED AMENDMENT TO THE CORKSCREW REQUESTING RPD.

IT IS INCREDIBLY UNFORTUNATE THAT THE VILLAGE OF ESTERO HAS
BEEN PUT INTO THIS POSITION APPROVING A PREVIOUSLY APPROVED
LEE COUNTY PROJECT EVEN THOUGH THE IMPACTS WILL AFFECT THE
VILLAGE MORE THAN ANY OTHER AREA.

NOT ONLY WILL THIS PROJECT INCREASE TRAFFIC ON CORKSCREW
ROAD AND INTO ESTERO, BUT IT IS ALSO VERY LIKELY TO CAUSE
WATER IMPACTS TO WATER RESOURCES AS WELL AS WETLAND IMPACTS.
AS WELL AS FUNCTIONS PROVIDED FOR WILDLIFE ESPECIALLY LISTED
SPECIES.

CORKSCREW CROSSING WOULD IMPACT ABOUT 160 ACRES OF WETLAND,
A MEANINGFUL REDUCTION OF WETLAND IMPACTS IS NEEDED TO
ENSURE THE VALUE OF THE WETLAND SYSTEM WILL NOT BE
JEOPARDIZED. THIS PROJECT WOULD DISCHARGE THE ESTERO BASIN,
PART OF THE ESTERO BAY WATERSHED. THE PROJECT WOULD IMPACT
WETLANDS IN AN AREA THAT HAS BEEN HEAVILY IMPACTED BY
DEVELOPMENT AND MINING.

THERE ARE SO MANY OUTSTANDING CONCERNS SUCH AS HOW THE
SUBSTANTIAL LOSS OF WETLANDS IN THIS AREA WILL IMPACT
REGIONAL FLOODING AND WHAT THE EFFECTS WILL BE TO THE
EXISTING FLOW-WAY CONVEYANCE ON-SITE THAT MOVES WATER TO THE
SOUTH BRANCH OF THE ESTERO RIVER.

WILDLIFE IMPACTS ARE A MAJOR CONCERNS
DESIGNATED ZONED PRIMARY PANTHER HABITAT.

OTHER LISTED SPECIES HAVE BEEN OBSERVED IN AND AROUND THE
PROPERTY.

THE IMPORTANCE OF WILDLIFE MOVEMENT THROUGH THIS AREA HAS
BEEN WIDELY ESTABLISHED AND THE WILDLIFE CROSSING UNDER
CORKSCREW ROAD IS PLANNED UNDER THE APPLICANT'S PROPERTY.
THE PRESERVE IN THE CORKSCREW CROSSING SITE PROVIDES FOR THE
EXISTING CORRIDOR, AND IN ORDER TO PRESERVE THE FUNCTION
AMOUNT OF THIS CORRIDOR AND OF THE UNDERPASS, ADDITIONAL
PRESERVATION LANDS ON THE EAST SIDE OF THE SITE IS
NECESSARY.

BEST AVAILABLE SCIENCE STATES AN ADDITIONAL 300 TO 700 FEET
IS NEEDED ON THE CORKSCREW CROSSING PROPERTY TO PROTECT THE
WILDLIFE CORRIDOR.
ANOTHER IMPACT OF THIS PROJECT WILL BE THE INCREASE OF TRAFFIC ESPECIALLY ALONG CORKSCREW ROAD DURING AND AFTER CONSTRUCTION WHICH WILL RESULT IN INCREASED PANTHER MORTALITY AS WELL AS INCREASE VEHICULAR CONGESTION ON AN ALREADY OVERCROWDED ROAD.

THE PROJECT IS IN AN AREA THAT PROVIDES AN EXISTING WILDLIFE CORRIDOR AND REGIONAL FLOW-WAY TO THE ESTERO RIVER. ANY AMENDMENT TO THE PROJECT SHOULD ENSURE THAT THE PROJECT WILL PRESERVE ON-SITE WETLAND TO THE GREATEST EXTENT FEASIBLE AND THAT THE REGIONAL FLOW-WAYS AND WILDLIFE CORRIDORS WILL BE DESIGNED USING BEST AVAILABLE SCIENCE TO ENSURE THEY WILL FUNCTION PROPERLY.

AS DESIGNED, THE PROJECT IS NOT PERMITTABLE AND POSES UNACCEPTABLE ADVERSE IMPACTS TO FISH AND WILDLIFE AND LISTED SPECIES, THE PUBLIC INTEREST, AND WILL RESULT IN UNACCEPTABLE HUMAN IMPACTS UPON WETLAND IN THIS AREA.

THANK YOU.

>> MEREDITH, FOLLOWED BY REECE.

>> GOOD MORNING.

ON BEHALF OF FLORIDA WILDLIFE FEDERATION.

WHILE I DO WANT TO ACKNOWLEDGE THAT MY PREDECESSOR DID REFER TO AGENCY COMMENTS REGARDING WILDLIFE CORRIDOR, THIS WAS DURING DISCUSSIONS BACK IN 2014 WHEN IT -- I HAVE SINCE REVIEWED THAT APPLICATION, AND CONSULTED WITH TRANSPORTATION DR. DANIEL SMITH AND ACTUALLY SHARE A LOT OF CONCERNS THAT NANCY ARTICULATED DURING THAT 2014 DISCUSSION IN A MEMO AND I BELIEVE I PROVIDED WITH AN ATTACH.

NO LETTER THAT I SENT TO YOU.

SO IN THAT MEMO, IT WAS REFERENCED IN THE CORRIDOR THAT AGENCY STAFFED EXPLAINED THAT THE GENERAL RULE OF THUMB AS THE CORRIDOR INCREASED IN LENGTH THE WIDTH SHOULD ALSO INCREASE, FELT THE CORRIDOR WAS NINE AS PROPOSED. BUT IT COULD HAVE BEEN WIDER IS WHAT THIS MEMO IS SAYING.

SO THE WHOLE POINT OF THAT PART OF MY LETTER THAT TALKED ABOUT THE WIDTHS AND HOW IT'S NARROW IS TO EMPHASIZE, YES, AGENCY STAFF ARTICULATED THAT THE CORRIDOR WOULD FUNCTION, THAT IT'S NOT NECESSARILY IDEAL FOR PANTHER MOVEMENT.

SO UNDERSTANDING THIS, I DO WANT TO NOTE THAT HI DO APPRECIATE AND THE FEDERATION APPRECIATES THAT THERE WAS INCLUSION OF THE CO-EXISTENCE PLAN THAT WAS TALKED ABOUT DURING THIS 2014 DISCUSSION.

AND IN THAT SAME MEETING, MY PREDECESSOR NANCY ALSO SUGGESTED THE PLACEMENT OF LAKES AND FENCING.

SO UNDERSTANDING THIS, IN MY LETTER TO YOU ALL, I DID RECOMMEND THAT PERHAPS THE APPLICANT COULD PROVIDE FENCING ON THAT EASTERN PORTION OF THEIR PARCEL WHERE IT DOES ABUT...
TO RESIDENCES ALONG BELLA TERRA.

WHILE I CAN SEE THE ARGUMENT THAT THIS COULD BE A RESPONSIBILITY OF BELLA TERRA, THE PROPOSED DEVELOPMENT WITHIN THE SUBJECT PARCEL IS GOING TO NARROW THAT AREA FOR WILDLIFE MOVEMENT.

SO THERE IS A RESPONSIBILITY I BELIEVE ON PART OF THE APPLICANT AS WELL AS PERHAPS DOWN.

I ALSO RECOMMEND MAYBE SHIFTING THE SOUTHERN MOST LAKE RETENTION POND TO BORDER THE PRESERVE.

THIS WAS A RECOMMENDATION ALSO BY NANCY PAYTON DURING THAT 2014 DISCUSSION, AND I BELIEVE ALSO INDICATED BOTH NANCY AND DARA LYNN HAD SPOKEN ABOUT THAT.

SO I DO ALSO WANT TO POINT OUT THAT WHEN FISH AND WILDLIFE SERVICE IS REVIEWING AN APPLICATION FOR CONSULTATION, THEY ARE TASKED WITH DETERMINING WHETHER THE SINGLE PROJECT WILL JEOPARDIZE THE EXISTENCE OF A LISTED SPECIES.

NOT IF IT'S IDEAL FOR PANTHER MOVEMENT AND CERTAINLY NOT FOR THE SAFETY AND WELFARE OF THE ADJACENT COMMUNITY AS IT PERTAINS TO HUMAN WILDLIFE CONFLICT.

SO I AM STANDING HERE TODAY, NOT DIRECTLY OPPOSED TO THIS PROJECT IN FULL. I JUST THINK THERE'S WAYS THAT WE CAN ENHANCE THIS CORRIDOR, INCLUSION OF FENCING, SHIFTING OF LAKES, I THINK WE CAN ENHANCE THAT WILDLIFE MOVEMENT AND ALSO PROTECT THOSE ADJACENT COMMUNITIES FROM UNNECESSARY HUMAN WILDLIFE CONFLICT.

THANK YOU VERY MUCH.

GOOD MORNING.

REECE GRAVER, 21027 TORRE DEL LAGO, BELLA TERRA. THE PREVIOUS SPEAKER JUST HIT ON THE TOPIC THAT IS MY CONCERN. I LIVE AT 21027 TORRE DEL LAGO WHICH IS ADJACENT TO THE BACK OF THIS PROPERTY, BASCO COURT. THEIR BACKYARD IS THE BACK OF THIS PROPERTY. THEIR BACKYARDS ARE THE PROPERTY ITSELF.

SO THE CONCERN IS AS THE PREVIOUS SPEAKER INDICATED I HAVE IS THAT WITH THE DEVELOPMENT AS INDICATED, IT WILL FORCE THE WILDLIFE THROUGH THE AREA BEHIND US OR ADJACENT TO OUR PROPERTY.

AND THAT IS A CONCERN.

NEEDLESS TO SAY, WHEN THE WILDLIFE GETS IN THERE AND CREATES A PROBLEM, IT'S EITHER MOVED OR PUT DOWN OR SOMETHING.

SO WE HAVE A STRONG CONCERN THAT THIS WILL DRIVE THE WILDLIFE INTO THE BELLA TERRA PROPERTY.

AND THAT WAS MY PRESENTATION.
Mary Gibbs: I HAVE NO FURTHER CARDS FILLED OUT.
Mayor Bill Ribble: OKAY.

DOES THE APPLICANT WANT SOME TIME FOR REBUTTAL?

Neale Montgomery: THE EXHIBIT A TO YOUR CONDITIONS IS THE DOCUMENT THAT MS. SPECTOR AND MARY REFERENCED.

WE HAVE NO OBJECTION TO ATTACHING THE SECOND PAGE AND MANGING IT PART OF THAT.

I WOULD JUST SUBMIT FOR THE RECORD THAT THE STAFF -- YOU ARE REQUIRED TO MAKE FINDINGS OF CONCLUSION IN REGARDS TO SECTION 34-145 OF THE LAND DEVELOPMENT CODE.

MS. GIBBS HAS OUTLINED THOSE FINDINGS AND FOUND THAT THE PROJECT IS CONSISTENT WITH THE LAND DEVELOPMENT CODE AND WITH YOUR COMPREHENSIVE PLAN.

WE AGREE WITH THAT.

THE OTHER TESTIMONY THAT YOU HEARD TODAY IN REGARD TO TRAFFIC, FLOODING, WILDLIFE, NONE OF THAT WAS EXPERT TESTIMONY, AND LAY WITNESS TESTIMONY IS ONLY COMPETENT SUBSTANTIAL EVIDENCE IF IT'S FACT BASED.

THERE WAS NO FACT-BASED EVIDENCE PROVIDED TO YOU THAT WAS CONTRARY TO THE INFORMATION PROVIDED BY THE APPLICANT AND THE STAFF.

SO WE WOULD ASK THAT YOU ACCEPT THE FINDINGS OF THE STAFF AND APPROVE THE PROJECT AS PRESENTED. THANK YOU.

Jim Wilson: I CAN START OFF.

PLEASE BEAR WITH ME.

I HAD A LOUSY COLD FOR ABOUT THREE WEEKS.

THIS IS A LEGACY PROJECT.

WE GOT FROM THE FOREIGN CORPORATION.

I THINK THE FIRST TIME THAT I SAT IN ONE OF THESE HEARINGS ON THIS PARTICULAR PROJECT WAS WELL BEFORE ARGO WAS EVER INVOLVED, WHEN PATTI WHITEHEAD'S MOTHER WAS TRYING TO DEVELOP THIS PROPERTY.

WHAT WE ARE BASICALLY DOING TODAY IS CLEANING UP THE COUNTY'S MESS WHICH BEE INHERITED.

AND WHAT WE ARE TRYING TO DO IS MAKE THIS AS GOOD A PROJECT AS WE POSSIBLY CAN, GIVEN THE LIMITATIONS OF THE FACT THAT THE COUNTY APPROVED 724 UNITS ON WHAT WAS BASICALLY A WETLAND AND WITH VERY LITTLE UPLANDS, AND I THINK OVER THE COURSE OF THESE NEGOTIATIONS OF OVER A YEAR, MAYBE EVEN MORE, AND WE HAVE DONE JUST THAT AS THE VILLAGE, WE PROTECTED OUR CITIZENS, WE HAVE DONE AS GOOD A JOB AS WE POSSIBLY CAN ON THE ENVIRONMENTAL ISSUES, PARTICULARLY THE
STORMWATER MANAGEMENT ISSUES THAT AROSE BASICALLY FROM OUR OWN STORMWATER MANAGEMENT PLAN.

WE CAME OUT WITH A NEW PLAN, WETLAND POLICY, THAT'S MUCH CLEARER, THAT SETS FORTH IN MUCH STRONGER THAN THE COUNTY COMPREHENSIVE PLAN ON THAT SUBJECT.

AS A MATTER OF FACT, THE COUNTY HAS PRETTY MUCH EMASCULATED THE SAME CONCEPT OF TRANSFER OF WETLANDS, TRANSFER DENSITY, AND AS A MATTER OF FACT OPENED IT UP NOW TO COMMERCIAL VENTURES, NOT JUST TRANSFERRING RESIDENTIAL DENSITY.

THIS PROPERTY WILL BE PRESERVING 225 ACRES, WHICH IS ABOUT 54, 55-PLUS PERCENT OF THE TOTAL.

AND I WOULD NOTE THAT WE ALL OBJECTED, AND A LOT OF US OBJECTED STRENUOUSLY TO THE WILD BLUE DEVELOPMENT AS BEING URBAN SPRAWL AND THE LIKE, AND NOT IN THE WHOLE CONCEPT OF AN ENVIRONMENTAL ENHANCEMENT OVERLAY DISTRICT THAT THE COUNTY WENT FOR.

THEY ARE ONLY PRESERVING A LITTLE BIT MORE THAN 46% OF THEIR LAND.

SO THE DENSITY HAS DECREASED FROM 724, THE INITIAL PROPOSAL WAS 625 AND IS NOW DOWN TO 590.

SO MUCH LESS DENSITY.

MUCH MORE COMPATIBLE WITH THOSE NEIGHBORHOOD, ONE WHICH IS THE LAND USE DISTRICT THAT WE HAVE PUT THIS PROPERTY IN, AND MUCH MORE COMPATIBLE WITH THE TWO ADJACENT DEVELOPMENTS.

WHEN WE FIRST STARTED THIS PROJECT IN 2011, 2012, I OBJECTED TO THIS BECAUSE IT WAS ANOTHER EXAMPLE OF URBAN SPRAWL. BUT GUESS WHAT.

IT'S IN-FILL.

BECAUSE EVERYTHING AROUND IT IS ALREADY IN DEVELOPMENT OR DEVELOPED.

AND SO WE HAVE TO FIGURE OUT A WAY TO DO THIS AND DO IT THE BEST WAY POSSIBLE.

THE DIFFERENCE THAT I SAW IN THIS PLAN FROM WHAT THE COUNTY HAD APPROVED, THE MONTE CRISTO PROJECT BACK IN 2008, WAS THAT THERE ARE FIVE MORE ACRES OF DEVELOPMENT AREA, 165 WENT TO 170.

AND THAT TROUBLED ME WHEN WE FIRST STARTED TALKING ABOUT THIS.

BUT WHAT EXACTLY DO WE GET IN RETURN FOR THAT INITIAL INCREASE IN THE DEVELOPMENT AREA?

WE GOT INCREDIBLY DETAILED ON-SITE WETLANDS MITIGATION.

WE GOT ON-SITE CREDITS.
11:30:17AM NOT JUST FOR WETLAND MITIGATION BUT FOR PANTHER MITIGATION AS WELL.
11:30:24AM LOOK AT THE SOUTHWEST FLORIDA WATER MANAGEMENT ERP.
11:30:28AM AND WE GOT AN ADDITIONAL SUM FOCUSED IN ON THAT FIVE ACRES TO COMPENSATE US FOR THE FACT THAT WE NOW HAVE THE ABILITY TO PRESERVE OTHER ENVIRONMENTALLY SENSITIVE LANDS IN ESTERO, DIRECTLY IN ESTERO, NOT OFF BASIN OR IN OTHER MITIGATION AREAS.
11:30:50AM WE HAVE LESS HEIGHT IN THIS PROJECT.
11:30:52AM WE HAVE BETTER BUFFERS BOTH ON THE EAST AND WEST SIDE AND THE BERM ON THE NORTH SIDE.
11:30:58AM WE HAVE AN IN LIEU PAYMENT OF SIDEWALKS SO IT CAN BE DESIGNED IN COORDINATION WITH THE NEW FOUR LAINING.
11:31:05AM WE HAVE MORE CLARITY WITH RESPECT TO THE SOUTH FLORIDA WATER MANAGEMENT ISSUES, ESPECIALLY BUILDING ELEVATIONS, ONE FOOT ABOVE THE 100 YEAR STORM LEVELS WHICH IS WHAT WAS RECOMMENDED TO US IN OUR STORMWATER MANAGEMENT PLAN.
11:31:22AM OVERALL, WE HAVE A SIGNIFICANTLY BETTER PROJECT THAN WHAT THE COUNTY APPROVED AND I AM IN FAVOR OF IT.
11:31:30AM >>Mayor Bill Ribble: ANY OTHER COMMENTS FROM COUNCIL?
11:31:34AM JIM.
11:31:34AM >>Jim Boesch: I WOULD LIKE TO THANK HOWARD, MUCH MORE TIME SPENT ON IT THAN MYSELF PERSONALLY, PROBABLY MOST OF THE COUNCIL AND MYSELF, AND BRINGING SOME EXCELLENT POINTS.
11:31:55AM THE COUNCIL AND MYSELF, AND BRINGING SOMETHING BETTER, AND WORKING THROUGH THE PROCESS TOGETHER, MAYBE NOT 100% WHAT THE DEVELOPER WANTS, MAYBE NOT 100% OF WHAT WE WANT. BUT WE CAME TO A CONCLUSION THAT I THINK THE PROJECT CAN GO FORWARD.
11:32:30AM IT'S JUST THE WAY GOVERNMENT OUGHT TO WORK, RATHER THAN SHUT THE DOOR, SAYING WE ARE NOT GOING TO LISTEN TO WHAT YOU HAVE TO SAY.
11:32:41AM SO I DO APPRECIATE THE PROCESS THAT WE WENT THROUGH, WHICH I THINK IS DELIBERATION AND DISCUSSION, AND I WOULD LIKE THAT MESSAGE TO GO TO ALL THE DEVELOPERS THAT WE ARE WILLING TO LISTEN.
11:33:03AM >>Mayor Bill Ribble: ANYONE ELSE?
11:33:08AM    KATY.
11:33:11AM    >>Katy Errington: YES.
11:33:12AM    IS IT POSSIBLE TO PUT IN THE DOCUMENTS THAT REGARDING WILD
11:33:18AM    LIVE IN THIS NEW DEVELOPMENT, THAT ANYONE MOVING IN THERE
11:33:25AM    MAY HAVE ANIMALS GOING THROUGH THEIR NEIGHBORHOOD?
11:33:27AM    I THINK THAT'S CRITICAL, BECAUSE THE LAST THING YOU WOULD
11:33:31AM    WANT IS SOMEONE COMPLAINING ABOUT PANTHERS AND BEARS COMING
11:33:38AM    THROUGH THERE.
11:33:39AM    SO I THINK I READ SOMEPLACE IN HERE THAT IT WAS RECOMMENDED.
11:33:44AM    SO I DON'T SEE THAT AS SOMETHING TO MAKE PEOPLE AWARE OF
11:33:47AM    THAT, AND IN THE HOMEOWNERS DOCUMENTS.
11:33:52AM    >> IS IT ALREADY PART OF THE EIP?
11:33:59AM    >>Katy Errington: WHAT IS THAT?
11:34:01AM    >>Mary Gibbs: CONDITION C.
11:34:08AM    >>Katy Errington: ALSO THAT TRASH CANS, ANYBODY MOVING IN
11:34:10AM    THERE, YOU HAVE TO HAVE YOUR TRASH CANS BEAR PROOFED.
11:34:18AM    THIS IS AN EXAMPLE OF SOMETHING THAT WE INHERITED, AND I
11:34:23AM    LOVE OUR WETLANDS.
11:34:25AM    MOST OF US DO.
11:34:26AM    ALL OF US DO, I THINK.
11:34:29AM    THAT WE HAVE WORKED DILIGENTLY, AND I APPRECIATE THE WORK
11:34:33AM    THAT NANCY HAS DONE.
11:34:34AM    I APPRECIATE WHAT HOWARD HAS DONE, AND MARY, THE WHOLE
11:34:37AM    STAFF, STEVE, EVERYBODY, WORKING WITH THIS.
11:34:43AM    IT IS NOT IDEAL.
11:34:46AM    AND I WOULD HAVE HOPED THAT THE DEVELOPER HAD PUT A LITTLE
11:34:50AM    MORE IN PRESERVES ON THE SIDE TOWARD WILDCATS AND THE OTHER
11:34:57AM    SIDE FOR PRESERVE.
11:34:58AM    BUT THE APPLICANT CHOSE NOT TO DO THAT.
11:35:02AM    THE PROJECT IS LIKE ALL THE PROJECTS COMING INTO ESTERO.
11:35:10AM    AND I HOPE DEVELOPERS -- ESTERO.
11:35:15AM    AND I HOPE DEVELOPERS LISTEN TO THIS.
11:35:16AM    SOME TRY TO CROWD TOO MUCH INTO A SMALL SPACE.
11:35:20AM    I THINK THAT'S WHAT REALLY IS DETRIMENTAL TO THE COMMUNITY.
11:35:25AM    THIS PROJECT COULD BE, WITH TAKING UP SO MANY WETLAND, COULD
11:35:31AM    HAVE BEEN MORE IDEAL JUST TO REDUCE IT.
11:35:33AM    IT GOT REDUCED, I KNOW, 134 HOMES.
11:35:38AM    WHY NOT MAKE IT ANOTHER 134 OR LESS?
11:35:42AM    I MEAN, THAT'S WHAT WE ARE FACING HERE IN ESTERO.
11:35:46AM    AND THAT'S WHAT PERSONALLY I DON'T THINK RESIDENTS WANT.
11:35:49AM    THEY DON'T WANT THIS METROPOLIS OF AN AREA.
11:35:56AM    SO I WOULD ASK THE DEVELOPERS, PLEASE DON'T COME IN AND TRY
11:35:59AM    TO CROWD TOO MANY UNITS ON ONE PIECE OF PROPERTY.
11:36:06AM    I AGREE WITH SHIFTING THE LAKE, WHEREVER THAT IS ON THERE,
11:36:13AM    THAT WILL KEEP ANIMALS FROM COMING IN TO NEIGHBORHOODS, TO
11:36:18AM    HOMES.
11:36:19AM THAT WAS MENTIONED EARLIER, AND I CAN'T FIND IT BUT I DID
11:36:23AM READ IT.
11:36:24AM I THINK THAT'S EXCELLENT.
11:36:25AM I HAVE BEEN IN HOMES AT WILDCAT AND THERE'S A BIG LAKE THERE
11:36:29AM AND PRESERVE IN THE BACK.
11:36:30AM IT TAKES AN AWFUL LOT TO GET INTO THE HOME.
11:36:35AM BUT IF YOU HAVE A RESERVE THE ANIMAL CAN COME UP TO YOUR
11:36:38AM DOOR.
11:36:39AM I APPRECIATE WHEREVER THAT IS IN THE DOCUMENT TO TRY TO GET
11:36:41AM THAT WORKED OUT.
11:36:43AM BUT ALL IN ALL, IT'S NOT IDEAL, BUT EVERYBODY HAS BEEN
11:36:47AM WORKING ON IT, IT'S TAKEN A LOT OF TIME AND EFFORT, AND SO
11:36:53AM THANK YOU.
11:36:54AM >>Mayor Bill Ribble: ANY OTHER COMMENTS FROM COUNCIL?
11:36:56AM NICK.
11:37:02AM >>Nick Batos: IT'S A SHAME THAT THE REALITY IS THAT WE HAD
11:37:04AM TO SHRINK DO I KNOW WHATEVER CORRIDOR WE HAD.
11:37:07AM IT WAS BROUGHT UP BY SOME OF THE PEOPLE WHO MADE COMMENTS,
11:37:11AM THAT IT WAS TOO SMALL OF A CORRIDOR.
11:37:13AM I JUST WANT TO BRING OUT THAT CERTAIN ORGANIZATIONS WHO
11:37:19AM DIDN'T SUPPORT BUT APPROVED THE WILD BLUE PROJECT, APPROVED
11:37:24AM IT WITH SMALLER CARS THAN THIS PROPERTY HAS.
11:37:27AM SO IT'S DIFFICULT FOR ME TO UNDERSTAND HOW THEY COULD OBJECT
11:37:30AM TO A LARGER CORRIDOR HERE WHERE THEY AGREED TO A SMALLER
11:37:34AM CORRIDOR ON WILDBLUE.
11:37:36AM THE ONE THING THAT I STILL WISH COULD BE CHANGED -- AND IT
11:37:43AM BOTHERS ME A GREAT DEAL, AND I THINK IT IS THE
11:37:46AM RESPONSIBILITY OF THIS DEVELOPER, SINCE THEY ARE NARROWING
11:37:51AM THE CORRIDOR OF WHAT IS THERE NOW, THEY ARE -- WHATEVER
11:37:58AM WILDLIFE IS GOING TO COME.
11:38:00AM I KNOW YOU ARE PUTTING YOUR FENCE IN ON YOUR PROJECT AND
11:38:02AM PROTECTING YOUR PEOPLE, BUT YOU ARE NOT DOING ANYTHING AFTER
11:38:09AM AN ACTION OF YOURS IS GOING TO FORCE ANIMALS TO THE EAST,
11:38:13AM AND IT'S GOING TO GO CLOSER TO THE PRESERVE AND BELLA TERRA.
11:38:17AM I WOULD REALLY THINK THAT THAT WOULD BE TAKEN ON AS A
11:38:24AM RESPONSIBILITY OF THE DEVELOPER, BECAUSE YOUR ACTIONS IN
11:38:30AM BUILDING ON THAT PROPERTY ARE CAUSING WHATEVER IS GOING TO
11:38:34AM HAPPEN ON THAT TO OCCUR.
11:38:37AM I DON'T KNOW IF THAT IS SOMETHING THAT CAN STILL BE TALKED
11:38:39AM ABOUT, BUT MY FEELING.
11:38:44AM AND I UNDERSTAND EVERYTHING ELSE THAT'S BEEN MENTIONED, AND
11:38:48AM WE ARE GOING ALONG WITH IT.
11:38:49AM BUT THAT PARTICULAR PROBLEM IS GOING TO AFFECT THOSE
11:38:54AM NEIGHBORS, AND THEY ARE THERE ALREADY.
11:38:58AM >>Mayor Bill Ribble: ANYONE ELSE?
11:38:58AM ANY OTHER COUNCIL COMMENTS?
11:39:00AM OKAY.
11:39:02AM I HAVE A MOTION IN REGARD TO ORDINANCE 2019-25.
11:39:08AM HOWARD?

11:39:08AM >>HOWARD LEVITAN: MOVE THE ORDINANCE.
11:39:11AM >>Mary Gibbs: WITH THE AMENDMENT TO SUBSTITUTE.
11:39:18AM >>Mayor Bill Ribble: AND I HAVE A SECOND.
11:39:20AM PLEASE CALL THE ROLL.
11:39:22AM >>Howard Levitan: AYE.
11:39:24AM >>Jon McLain: AYE.
11:39:26AM >>Jim Boesch: AYE.
11:39:29AM >>Nick Batos: AYE.
11:39:33AM >>Katy Errington: AYE.
11:39:35AM >>Bill Ribble: AYE.
11:39:38AM MOTION MASSES.
11:39:44AM I WILL TAKE A MOTION TO ADJOURN.
11:39:45AM >> SO MOVED TO ADJOURN.
11:39:48AM >>Mayor Bill Ribble: OKAY.
11:39:48AM WE ARE ADJOURNED.
11:39:49AM THANK YOU VERY MUCH.
11:39:49AM [ MEETING ADJOURNED ]

DISCLAIMER:
THIS FILE REPRESENTS AN UNEDITED VERSION OF REALTIME CAPTIONING WHICH SHOULD NEITHER BE RELIED UPON FOR COMPLETE ACCURACY NOR USED AS A VERBATIM TRANSCRIPT. ANY PERSON WHO NEEDS A VERBATIM TRANSCRIPT OF THE PROCEEDINGS MAY NEED TO HIRE A COURT REPORTER.