

ENVIRONMENTAL PROTECTION COMMISSION

3165 McCrory Place, Suite 200

Orlando, FL 32803

Panther Training Rooms I and II

April 26, 2017

**ENVIRONMENTAL PROTECTION
COMMISSION (EPC)**

MEMBERS PRESENT:

**Jonathan Huels - Vice Chair
Flormari Blackburn - Member
Alex Preisser - Member
Sally Atwell - Member
Mark Ausley - Member
Mark Corbett - Member**

**ENVIRONMENTAL PROTECTION
DIVISION (EPD)**

STAFF PRESENT:

**Georgiana Holmes - OC Attorney's Office (OCAO)
Lori Cunniff - EPD
Dennis Weatherford - EPD
Elizabeth "Liz" Johnson - EPD
David Jones - EPD
Arnaldo Mercado - EPD
Jane Gregory - EPD
Neal Thomas - EPD
Sarah Given - EPD
Julee Sims - EPD
Jason Root - EPD
Renee Parker - EPD
Jane Heppner - EPD
Julie Bortles - EPD
Godfrey Dickson - EPD
Laurhyn Cooper - EPD**

ABSENT MEMBERS:

David Ward - Chairman

GUESTS:

**Bob Floyd
Michael Jones
Mac Carraway
Rick Beard
Isaiah Likens
Mike Swanson
Toby Gaudin
David Botimin
Tom Sorval
Pam Wolters
Billy Butterfield
Heather Russo
Paul Gauy
Sergio Divine
Gabriel Rodriguez
James Orris
John Witherington
Ian Cox
Eric Rollines
Todd Josko
Laurie Trenholm**

Mike Agate
Celeste White
Dale Smith
Scott Rothsling
Kevin Campbell
Lionel Robbins
John Miklos
Matt Houston
Jennifer Bryan
Eric A. Brean
Maria Bolton-Joubert
Rissel Workman
Cheryl Hilderbrand
Chris Prunty
Marjorie Holt
Melessia Lofgre
Raj Lolli
Karina Shadix
Marty Sullivan
Kathrein Markle

I. Call to Order:

Vice-Chairman Huels called the meeting to order at 8:34 a.m. in Panther Training Rooms I & II.

II. Public Comment(s) (Resolution No. 2013-M-41)

None.

III. Approval of March 29, 2017 Meeting Minutes:

Upon a motion by Sally Atwell; seconded by Flormari Blackburn; with David Ward being absent, all members present voting AYE by voice vote; the March 29, 2017 Meeting Minutes were approved.

Alex Preisser entered the meeting at 8:48 AM

IV. Public Hearings

1. Shuler BD-17-02-012, request for waiver to side setback, Lake Holden, Orange County Code, Section 15-343(b). Neal Thomas, Environmental Program Supervisor, gave a presentation. Sheila Cichra spoke in favor of request and also provided a revised site plan at the hearing and stated that the applicant has agreed to increase the side setback (from the northern property line) from 15' to 18'. Paul Guay spoke against the project. Vice-Chairman Huels opened the floor to public comments. After closing the public hearing, Board discussions ensued.

Upon a motion by Flormari Blackburn; seconded by Mark Ausley; with David Ward, being absent, all members present voting AYE by voice vote; the Environmental Protection Commission voted to overturn the recommendation of the EPO and approve the request for waiver to side setback with an increase the side setback from 15' to 18' (from the northern property line) for Shuler BD-17-02-012, Request for Waiver to Orange County Code, Section 15-343 (b), side setback. Motion passes unanimously.

2. Park Place Advantage BD-17-02-008, after the fact request variance to access walkway width, Lake Holden, Orange County Code 15-342 (c). Neal Thomas gave a presentation. Cheryl Hildebrand spoke in favor of project. Lionel Robbins spoke against the project. Board discussions ensued.

Upon a motion by Mark Ausley; seconded by Sally Atwell; with David Ward being absent, all members present voting AYE by voice vote; Alex Preisser voting NAY by voice vote; the Environmental Protection Commission voted to uphold the EPO recommendation and deny the After-the-Fact Request Variance, Orange County Code 15-342 (c), Park Place Advantage BD-17-02-009. Motion passes 5-1.

3. Martin Krytus BD-15-03-028, request for waiver to terminal platform size, variances to side setback and water depth, Lake Butler, Orange County Code Sections 15-342 (b), 15-343 (a), and 15-342 (a). Mark Ausley stated that he had a conflict of interest due to his company (Bio-Tech) working on this project and that he would need to recues himself and not vote. Neal Thomas gave a presentation. John Miklos spoke in favor of the request. Board discussions ensued.

Upon a motion by Alex Preisser; seconded by Mark Corbett; with David Ward being absent, all members present voting AYE by voice vote; the Environmental Protection Commission voted to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) Terminal Platform size, request for variance to section 15-343(a) Side Setback, and request for variance to Section 15-342(a) Water Depth for Martin Krytus BD-15-03-028; with Mark Ausley not voting. Motion passes.

4. Via Rosa Revocable Trust, BD-16-07-079, Request for Waiver to Section 15-342(b) (terminal platform size), Little Sand Lake. Georgiana Holmes, Orange County Attorney gave background on case and provided several options for EPC to consider as a path forward.

Upon a motion by Jonathan Huels; seconded by Sally Atwell; EPC voted to rescind the January 25, 2017 decision of the EPC concerning the Via Rosa Revocable Trust, BD-16-07-079; with David Ward being absent, all members present voting AYE by voice vote. Motion passed unanimously.

Via Rosa Revocable Trust, BD-16-07-079, Request for Waiver to Section 15-342(b) (terminal platform size), Little Sand Lake, was then reopened as a public hearing. Neal Thomas gave the presentation. Chris Prunty and Raj Lolli spoke in favor of the request. Sergio Divine spoke against the request. Mr. Baig, one of the objectors, was not present. Pamela Wolters, Manager of Mirabella at Vizcaya Homeowner's Association spoke against the project. Board discussions ensued.

Upon a motion by Mark Ausley; seconded by Alex Preisser; with David Ward being absent, all members present voting AYE by voice vote; the Environmental Protection Commission voted to overturn the recommendation of the EPO and approve the request for Waiver to Section 15-342 (b) (terminal platform size), and require a payment of \$406.00 to the Conservation Trust Fund, for the Via Rosa Revocable Trust Permit BD-16-07-079. Motion passes unanimously.

V. Environmental Protection Division Report

Article VXII Fertilizer Management Ordinance Update – Julie Bortles, Regulatory Compliance Coordinator gave a presentation. Board Discussion ensued. The following members of the public provided comments:

Michael Jones – Windermere, FL, Orange Audubon
Todd Josko – TruGreen
Mac Carraway – Carraway Consulting
Marty Sullivan – League of Women Voters for Orange County
Dr. Eric Brown – Director of Agronomics, Massey Services
Dr. Laurie Trenholm – University of Florida, Professor
Eric Rollings – Orange County Soil & Water Conservation District
David Bottomley – President, Woodbury Pines HOA
Toby Gandin – Service Director for Home & Outdoor, Heron Pest
Margie Holt – Vice Chair, Sierra Club
Maria Bolton-Joubert – Citizen
John Witherington – Witherington Pest
Katrina Shadix – Bear Warriors United
Jennifer Bryan – Florida Golf Course Superintendents
Celeste White – Orange County UF Cooperative Extension

After Board discussion, Jonathan Huels stated that ordinance as is acceptable as is. He stated that more enforcement on the resident training would be beneficial. Lori Cuniff stated that the ordinances are currently reviewed every 3 years unless there are issues to arise.

Upon a motion by Mark Ausley; seconded by Alex Preisser; with David Ward being absent all member present voting AYE by voice; the Environmental Protection Commission voted to approve Article VXII Fertilizer Management Ordinance Update.

VI. Open Discussion

1. The next EPC meeting will be May 31, 2017.

VII. Non-Agenda Items – None.

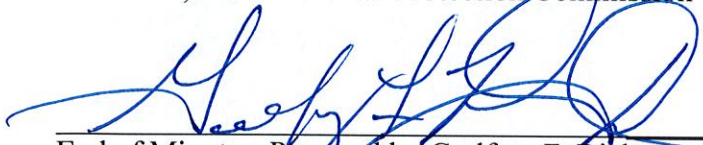
VIII. Adjournment

The April 26, 2017 meeting adjourned at 11:16 a.m.


Chairman, Environmental Protection Commission



Date


End of Minutes, Prepared by Godfrey F. Dickson, Jr.