

**NORTH MERRITT ISLAND
DEPENDENT SPECIAL DISTRICT BOARD MINUTES**

The North Merritt Island Dependent Special District Board met in regular session on **Thursday, March 8, 2018**, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Parkway, Merritt Island.

Board members present were: Mary Hillberg, Chair; Jack Ratterman, Vice Chair; Gina Lindhorst; Jim Carbonneau; Chris Cook; Ted Balke; and Catherine Testa.

Staff present were: Erin Sterk, Interim Zoning Manager; and Jennifer Jones.

Mary Hillberg – We only have one topic, and I'll let the County introduce the topic for us after we approve the minutes from the January meeting.

APPROVAL OF JANUARY 11, 2018, MINUTES

Mary Hillberg – Has everyone read the minutes? Are there any changes or corrections? Do we have a motion?

Gina Lindhorst – I move to approve the minutes.

Jim Carbonneau – Second.

Mary Hillberg called for a vote on the motion and it passed unanimously.

THE MINUTES OF MARCH 8, 2018, ARE AS FOLLOWS:

IV.A. W.K.&R. Groves, Inc. (Chad Genoni) requests a change of classification from AU to RR-1. The property is 110.97 acres +/- acres, located on the north side of E. Crisafulli Rd., approx. 320 ft. west of Broad Acres St. (17PZ00158) (District 2)

Chad Genoni – Good evening, my name is Chad Genoni with Beachland Managers and I'm here today to ask your approval for our rezoning request to RR-1. We've got approximately 110 acres on the north side of E. Crisafulli Road. I don't really have a big presentation, I'm just here to answer any questions you may have, or to address any concerns. I know that generally speaking you're not for pro-development in the North Merritt Island area, so I'm just here to answer anything I can.

Mary Hillberg – I would say that you picked a good place to go; RR-1 is a good start. Anyone have any questions? I have a couple. RR-1 would be a little bit difficult to completely do here, I would imagine, with some of the wetland constraints and some of the hydric soils. Are you planning on doing a lot of fill-in?

Chad Genoni – One good thing about our site is that unlike a lot of the sites around there, most of it is in Flood Zone X, so the idea would be to stay out of the areas that are, for the most part.....AE would be the next flood zone, so we would have to do some fill-in to those areas where the development would be.

Mary Hillberg – Have you considered using the open space ordinance for that?

Chad Genoni – It's a possibility. Is that something that everybody is favorable to?

Mary Hillberg – No, I'm just asking because if you only did RR-1 this would be a lot of little Ranchettes in a big square, which would be not as easy on the land and it would also cut the corridor for the wildlife and cut off that part of the Island for some of the greenspace.

Chad Genoni – It's absolutely something we would consider if it makes sense. Our idea would be to preserve as much as we can, and I think that might be a way to do it. I mean, we know we're not going to get the absolute lot yield the way the land is.

Mary Hillberg – For instance, this is your piece here, this is your uplands here, and here you have your wetter areas, and here you have some wetland areas.

Chad Genoni – There's some wetlands there, correct. That's a forested area, so that would be nice to be able to preserve that area.

Mary Hillberg – Yes, this would be something that perhaps you could.....if you were going to do that, and then you have an area over here to work with.

Chad Genoni – I think that makes sense, yes.

Ted Balke – You may not be absolutely familiar with that particular area, but that is completely under water. That wetland topography map that's in there is not accurate.

Chad Genoni – So, you say it's wetlands?

Ted Balke – It's all wetlands. The water stands there all the way out, there's no drainage at all; the canal stops at Joseph's, it doesn't even go all the way down. According to the tax assessor you're two years behind in tax payments.

Chad Genoni – I'm not the owner.

Ted Balke – I'm just making that comment. I don't know why we're entertaining changes if it's two years behind.

Catherine Testa – Them paying taxes has nothing to do with zoning; they don't care.

Ted Balke – I understand that, but I'm just saying it's going up for auction.

Chad Genoni – This is not the one that is, though.

Ted Balke – The water stands there and has no place to go; the street completely floods when you go around that bend, and that was completely under water for a month and all the homes there had water up to their porches. It's a real issue in that area, and again, there's no place for that water to go except onto the local properties, especially if you build it up. Have you been out there when it has rained?

Chad Genoni – Yes, it was shortly after.....

Ted Balke – It wasn't the hurricane, it was actually the three-day storm that followed. Whenever it rains there's standing water. There's cattle that's grazing in front and they're standing in the water.

Chad Genoni – Obviously, if the rezoning request is approved there's a tremendous amount of work before we could do anything.

Ted Balke – Somebody's dumping tremendous amounts of dirt down there.

Chad Genoni – On this site?

Ted Balke – Every day there are truck loads going down our street. I mean, they're constantly going down.

Mary Hillberg – Where is the dirt going?

Catherine Testa – On E. Crisafulli.

Chad Genoni – Do we know what site it's going to?

Ted Balke – I can't tell you which site it's going to because of the fact you've got that (unclear) coming up on the lot next to you, and that's another 135 acres that they're going to want to put homes on. This is amazing, considering they have not cleared the canals. I sent a letter to the Commissioner last week that the canals have not been cleared since the storm; we have palm trees growing in the canals, coming out into the street; and the response from the County is when they finish they'll look at it. It's a problem area, very much so. It's a condition where the cattle and dogs have gotten exposed because the septic systems are all under water, and that standing water is caustic and.....the veterinarian was treating a lot of the animals because they all came down with infections.

Mary Hillberg – In keeping hold of this particular topic, does anybody else have any input or questions for this gentleman?

Chris Cook – Are you going to connect up to the sewer?

Ted Balke – There's no sewer there.

Chris Cook – It's going all the way up to the bend.

Chad Genoni – I thought it was Church.

Jim Carbonneau – Porcher.

Gina Lindhorst – It's going past that.

Chad Genoni – That's what I heard from the.....it's a long way.

Chris Cook – I thought it was going up to the bend.

Chad Genoni – I heard that, too, but then when I called the Utilities Department that's what I heard, that it was Church.

Jim Carbonneau – I talked to the project guys the day before yesterday and they said it was going to Church.

Mary Hillberg – So it won't be on sewer? It will all be septic?

Chad Genoni – I mean, it looks like that's what it would be. The thing is, what we're looking into, are some of these septic systems that are pretty advanced.

Mary Hillberg – The advanced septic systems are extremely expensive, like \$20,000 each; they're very expensive, but they would be okay right next to the water, but they're very expensive.

Gina Lindhorst – They would be under water almost, if they're in that lot.

Mary Hillberg – Then these would be the only things you could use, probably.

Ted Balke – And they're not going to have a drain field that's going to be functional either because of the fact that even with the super septic system it still requires a drain field, and if it's under water from the rain, withstanding water itself, it's not functional.

Mary Hillberg – Does the County have any elevations for this?

Ted Balke – It's 1.3 to 1.5.

Mary Hillberg – 1.3 to 1.5 feet above sea level. That's really low.

Erin Sterk – I'm not 100% sure about that. I've seen LiDAR maps in the past, and from what I recall this side is closer to the ridge, but I'm not sure how the elevation is, the actual numbers.

Mary Hillberg – You seen it Ted, and you remember it?

Ted Balke – Yes, that's what I've investigated and found it to be.

Mary Hillberg – I couldn't get to the maps.

Erin Sterk – I can find out and be sure to have that information for the Planning and Zoning Board, and I can distribute a copy if I can.

Ted Balke – Plus, you're more than 1,000 feet away from water services, so there's not water back there.

Chad Genoni – There's water along E. Crisafulli.

Ted Balke – There's water on E. Crisafulli, but they only run a 1,000-ft. line. That's a limitation that the water department has. I have flag lots behind me that have the same issue and they can't get down to run water. I don't know whether that's an extra charge.

Chad Genoni – For me to connect?

Ted Balke – For you to connect to that you would have to pay for that or you'd have to do wells.

Mary Hillberg – What we're talking about is the above sea level. We're talking about the elevation of the land itself.

Ted Balke – The water table there is very high and the soil is only Class II, so it's a non-drain type of soil, which is why that whole property is called grassland and Class II soils. It's not even AU, it's specifically taxed.....

Mary Hillberg – They have here on Page 8 of our summary, it has the different soil types of fine sand, limestone, wabasso complex, and there's some aquifer recharge soils along the long flag part, and that's where the supposed.....

Ted Balke – The tax assessor's office calls all of that area, that entire section in there, as Class II grasslands, and it's taxed accordingly. According to Cornell University it's a non-drain type of sand soil.

Mary Hillberg – This is the FEMA map and as you see, all this blue part.....

Chad Genoni – That's the flood zone area, correct.

Mary Hillberg – And all this part over here is very.....this is the flood zone here, so you really basically have the upland areas here and that's about.....

Chad Genoni – That's, for the most part, what we were hoping to avoid, the flood zone areas.

Mary Hillberg – What would you do for access?

Chad Genoni – There would be an access road off of E. Crisafulli coming down between that area there.....

Catherine Testa – Where the flood line is.

Chad Genoni – There's 30 – 40 feet of upland area.

Mary Hillberg – Who else has a question? I'm sorry, I should have explained the order of things. First, the applicant speaks and we discuss it with him, and then the audience comes up one at a time and speaks, and then the applicant comes back and does any rebutting, then it's closed, and then the board confers. Chris, did you have something? No?

Jack Ratterman – On this map, the long road right there, is that Joseph's Court? You've got Judson.....

Mary Hillberg – Judson is this long road right here.

Jack Ratterman – Can you look at this map and tell me if that's Joseph's Court or not? The other one's don't have any streets mapped. There's Judson, is that Joseph's Court?

Ted Balke – No, this property is all the way beyond Broad Acres.

Jack Ratterman – Yes, that's Joseph's Court right there, and the road that's going east to west at the end of Joseph's Court is Good Hope Road.

Mary Hillberg – This one down here?

Jack Ratterman – Yes, that's Good Hope.

Mary Hillberg –What about them?

Jack Ratterman – That's where the dump is.

Mary Hillberg – Are you aware, just to let you know, are you aware that this part here on the map, and over here, are you aware that there's a plan to pump muck from the Indian River Lagoon right there?

Jack Ratterman – 60 acres to a height of 10 – 15 feet they are telling us.

Chad Genoni – They're going to stockpile it there?

Jack Ratterman – And leave it. That's their current plan.

Mary Hillberg – We would like them to take it to the landfill, but we're coming up against someone with a big pipe that wants to go through from Kiwanis, through Ulumay, through the river, through North Merritt Island.

Chad Genoni – Whose land is it going to be on?

Mary Hillberg – There are a couple of different people that have land there.

Chad Genoni – And they want to have it put there?

Mary Hillberg – Evidently, they seem to be amenable to it. This is not cut in stone, this is just what we understand is the plan, so your owner probably needs to be aware of that and maybe wants to investigate some of that before he does any investing.

Chad Genoni – What was the name of the road that it was going to go off of?

Jack Ratterman – The north boundary is E. Crisafulli, the west boundary is Judson, the east boundary is Joseph's Court, and the south boundary is Good Hope Road. If you've never been there, Good Hope Road is a trip because all it is, is a sign and there's a gate there, and the property owner that lives right there owns the gate and the road and the only people he lets down the road are FP&L.

Catherine Testa – Is that the Crisafulli property?

Jack Ratterman – No, it's his property. He won't even let the County down it.

Mary Hillberg – She means the property it's going on.

Catherine Testa – It's going to be on Crisafulli's property?

Jack Ratterman – The dump?

Catherine Testa – Yes.

Jack Ratterman – Part of it's going to be on Crisafulli's property and part of it's going to be on Henry Minneboo's.

Catherine Testa – The reason I'm asking is it sounds like it backs up to my property.

Mary Hillberg – I think it might.

Jack Ratterman – That property in there has a layer of rock going across there.

Mary Hillberg – We just wanted you to be aware.

Chad Genoni – That's good to know, and I made a note to look into it.

Mary Hillberg – Does anybody have any questions of this fellow for about what he's planning to do on this piece of land?

Ted Balke – 81 homes?

Chad Genoni – 86, I think.

Erin Sterk – Let me clarify how the staff report evaluates that. There's a potential under RR-1 to do 110, but when we calculate the impact on the potential lot yield we're looking at taking roads out, stormwater, so we have an algorithm that takes the acreage down. In reality, if they were to do one-acre lots they'd get about 86 of them once you take the roads out, but the zoning will allow for 110, almost 111.

Ted Balke – Where is that water supposed to go?

Erin Sterk – That is not something that we evaluate.

Ted Balke – Every home there has some kind retention pond in its own back yard, so you're talking about one-acre lots that are not going to be able to put a big enough retention pond in to hold any of that water.

Chad Genoni – There would be some community retention.

Ted Balke – That's going to cut in on your 80-plus homes.

Chad Genoni – That's factored into the.....

Ted Balke – That's factored into the 110 acres?

Mary Hillberg – Yes, it is. Does anyone else have any more questions for this gentleman, now that we've cheered him up?

Chad Genoni – I wasn't expecting this.

Mary Hillberg – Well, people know about land here. We're just fact-finding, we're not.....no ulterior motive, and if your owner doesn't know.....

Chad Genoni – Yes, than you for letting me know.

Ted Balke – The environmental people have to come in and tell you how many potential homes you can have and how much property you can actually develop.

Mary Hillberg – If you're finished you can have a seat, but you can come back up and rebut if you want to make a note of any of the items that people speak about at the end of their talk. Who else would like to speak?

Mary Watkins – I'm Mary Watkins and I'm in the corner of Broad Acres and Crisafulli, less than 300 ft. from [the subject property]. I have lived out there since 1996, Erin. It was not until 2005, after they started developing to the south of Broad Acres Street, that my property started flooding. For those of you that don't know, I worked with Erin for a number of years. This year, I spent over two months unable to get in and out of my house in less than waist-deep water. My house, the elevation certificate, is 6.98 feet above sea level. That is a registered elevation certificate. We need to look seriously hard about where this water is going to go. Having grown up on Merritt Island the water flows from Sykes Creek, it comes up around Pine Island Road south, and typically west. Where is the water going to go? I honestly think that it's a shame that you're not looking at water retention in your Planning and Development Office. You just made a statement that you weren't; I was not aware that you weren't. Please start considering that, because my house is not the lowest house, I had others on the street that could not get a 4x4 Ford F-150 out of their driveway for over two months. Thank you.

Mary Hillberg – Thank you, Mary. The next person?

Terry White – Terry White, I'm the guy that Jack doesn't like.

Mary Hillberg – What is your address?

Terry White – 5595 Joseph's Court. I'm the last house he's referencing on Joseph's Court.

Mary Hillberg – You're the one who has the gate.

Terry White – I have a lot of issues. To add to what she said, there is so much development on North Merritt Island that the existing County plans cannot get the water out. I've lived here for over 50 years; Jack and I went to high school together the day Merritt Island opened. In spite of all the things the deputy county manager, or assistant county manager took me around and showed me, all the new plans, still the County cannot control all the extra water we get. Retention is only planned for 1 – 2 inches from an afternoon storm. That doesn't cover the 4, 6, 8, inches that we routinely get out of some of these storms, or the 24, 26, 28, inches of rain that I've seen fall on North Merritt Island in two days. Something else has to be done about the water before we add a bunch more homes. When Chuck Nelson was County Commissioner he stood at a meeting at the church one night and told us they were not....the County was not going to approve the development of any more subdivisions like this gentleman is talking about until they get a school north of the barge [canal], until they had something to get the people evacuated in the event of a hurricane. I haven't seen either one of those approved yet. So we're constantly adding north of Hall Road, adding a bunch more, and the County is continuing to approve these developments without taking care of the existing population that's here on the Island. I'll listen to the rest of them and maybe step back up.

Mary Hillberg – This is your chance. Does anybody have any questions of this gentleman?

Ted Balke – You flooded where you are, right?

Terry White – Yes, sir.

Ted Balke – Could you get out around the bend to get out of E. Crisafulli?

Terry White – Because I have a raised 4-wheel drive truck and a John Deere tractor, I could get out. My wife could not get out in her car.

Ted Balke – The street was completely filled with water?

Terry White – Yes, sir.

Ted Balke – And the white stick.....the level of that was way up and the mail trucks are getting stuck.

Terry White – The mail trucks refused to come down Joseph's Court, they weren't even getting stuck, they refused.

Ted Balke – I pulled a mail truck out up on D'Albora because the water was that deep.

Terry White – They refused to come down Joseph's Court.

Ted Balke – You couldn't get around that bend to get to this property, or to Joseph's, or to.....

Terry White – Yes, sir, and the houses just past Judson had wakes coming in because of people driving down the flooded E. Crisafulli.

Ted Balke – They had a 'no wake' sign out there, didn't they?

Terry White – Yes, a very large one. As a matter of fact, I had to run the pump two weeks, 24 hours a day to move the water to drain the County road.

Mary Hillberg – Thank you very much for doing that. Who else would like to speak? Sir?

Bob Curry – I'm Bob Curry, I live down on Bishop Road, off of Broad Acres, and our elevation is certified at 5.4. During Irma our house was completely flooded, our property was completely flooded, so if you've got property that's below me, the only way they can build is they're going to have to build it up. And as I had two big developments to the back and to the west of me, they have built up and now there's sewer. When the water comes up it goes across our land – there's four of us who live back there – and north into Ron Jon's land, then out to the Judson canal through that canal. Again, where are we going to put the water? The properties that they developed behind us, they raised the water level by building retention lakes so all that did was raise our ground water to the point that it's 2 feet below the surface. And how do I know that? Because I just had a company come out and test bore behind my house, and that's where the water table was. It used to be 6 feet down, and I've got pictures with my tractor and a backhoe.

Mary Hillberg – I think that's the problem with some of the septic, too, because a while back they were 4 inches from the water table, but the table has risen.

Jack Ratterman - You said the water table now is what?

Bob Curry – The water table at my property is 2 feet below the ground level.

Mary Hillberg – What is your address?

Bob Curry – 1365 Bishop Road.

Mary Hillberg – Have you seen the LiDAR maps that they did after the big Fay storm?

Bob Curry - And they changed our flood zoning to AE, magically from X.

Mary Hillberg – For whatever reason we were all X north of the Barge Canal. Everybody was X and it didn't matter what it was. Even though you knew it wasn't, you see marshes and wetlands, it was all X. Then, after Fay, because of all the flooding they did the LiDAR study and all of a sudden FEMA said we weren't X at all. There's a basin, so the water that comes in just goes into this basin. Water knows gravity and there's nothing you can do other than completely fill the basin, but the people living down here is a problem. You'd have to elevate everybody up.

Bob Curry – Again, during Fay, we were flooded and lost everything in our house, so I can look forward to every year being flooded now. My only option is to sell it and don't tell the people it's now in a flood zone or at the bottom of a lake.

Mary Hillberg – Thank you, Mr. Curry. Does anyone want to speak to him? Next?

Pete Scabarozzi – My name is Pete Scabarozzi, I live at 5775 Joseph's Court and I have two issues. One is Crisafulli Road. Once you pass Judson it is a dead-end, sub-standard road that can't handle the traffic, and it needs to be brought up to standard. Plus, with all that property to the north of me wanting to be developed, these land owners should get together and they need to cut another road, either D'Albora or to Chase Hammock so we have a loop. We had a traffic accident a couple of years ago where a couple of kids got killed at nighttime and I couldn't get out of my house for 15 hours. Somebody has a heart attack down there, you can't get nobody to them. At worst case scenario, because of all these storms, we've got tree limbs and dead trees and vegetation through all that vacant land. If a fire starts at Chase Hammock, or actually at Judson, and the wind is blowing like it is now, blowing at us, nobody can evacuate; we can't go nowhere, we are trapped. When Roger Dobson was a commissioner, when Tommy Austin built that PUD down off of Bishop he tried to get a road cut in there, that way Judson can come around, we could go around. I mean, we're landlocked.

Mary Hillberg – I understand that you're landlocked, but that isn't exactly what we're going to be.....

Pete Scabarozi – Still, when you start putting more and more people in harm's way.....right now we've got all that land in the northwest where we can cut a road to D'Albora. These big property owners should have foreseen this years ago, not put it on the taxpayers afterwards. The County Commission could go after NASA because Crisafulli Road goes down to Telefor, it used to go in there until they cut a ditch through and put a fence up. Well, that Telefor Road comes back around S.R. 3. There should be a gate there for emergencies so worst case scenario we can get the hell out of there.

Mary Hillberg – That's a good plan, but it doesn't specifically address this property.

Pete Scabarozi – You're still putting homes in there and we've got two more lots that they're going to be asking for this. And we've got property there that negotiated with them, might be able to put a road in. Secondly, with the flooding, alright, I've been out there 32 years and I've lived through the 5-year flood, I've lived through the 10-year flood, then I lived through the 20-year flood, and then I hit the 50-year flood, and last year, not this one, was the 100-year flood, and now I'm told by our County Commissioner, "Damn, you guys live in a bowl". Well, no shit. And every time they put a development in, the bowl keeps getting smaller and smaller. Plus, nobody realizes, everything from NASA Causeway drains south to us. They just filled all that land in up there by Blue Origin.....Google Map it, they're in a canal going out to the river from NASA, and everything comes to Pine Island, alright? That development that we approved on Hall Road, right after the storm, that hurricane, first thing, 6:00 in the morning, I got in my truck because I knew it was going to be wet out, went and got my neighbor so we could go look for the power poles down so we can mark them and call FPL. When I got to Crisafulli Road, my land, my pond, was up, but my driveway was dry. When I got to Matt's house and got onto Crisafulli Road, I said, "Oh shit, look at the road". The canal was coming up and the water was coming across the road, alright? It was the big toilet flush from all the high land around us. Four hours later I'm sitting 2.5 feet under water in my yard, alright? I went down, I have a house on Hall Road that I rent, and when I got to Hall Road, that development there that Mercedes Homes is developing, there was so much water coming off that, and I've never seen this before, but all the driveways to the south, the water was hitting their culvert and coming up over the top and rushing to the Kabboord Reserve. When you got to Osprey Village there, if you would have stepped out of your car you would have been sucked away. That's how much water was moving to the bowl that morning.

Mary Hillberg – That was an unusual storm, wasn't that the Fay storm you're talking about?

Pete Scabarozi – No, that was this year's storm.

Mary Hillberg – Oh, that was this year's 100-year storm?

Pete Scabarozi – This year. Every year, every storm....Fay dumped more rain than Matthew did by 10 inches, but we didn't have the height of the water, alright? With Matthew we had more water because the land is getting higher around us. Plus, Blue Origin filled that 500-600 acres and all that water rushed to us. If you look at Google Earth you'll see the pump stations up at NASA, and they're pumping water at us, alright? And them little dinky pumps we got out on Pine Island....it's a joke, and that pump you put on Hall Road, I can use a sippy straw in my pool and drain it faster, okay? I know they look massive, but do the calculations, every inch of water on an acre is 4,400 gallons, so when you get 10 inches of rain and you've got 3-6 inches higher property than anybody else, that's all coming at you fast. We flooded, like, 20-some homes last fall, and with Fay we only flooded, like, three. It's getting worse.

Mary Hillberg – Yes, it is.

Pete Scabarozi – It's getting worse and it's getting worse. First, we have to fix the flood problem, and that's where the County engineers have got to get their heads out of their duffle bags and start doing their job, okay?

I mean, these little pumps....one pump broke because it sucked in a stump. What happens when there's a power failure? They're all electric motors.....after a hurricane they're not running, we don't have generators to run them.

Mary Hillberg – Yes, they do, they bring generators in and they bring.....

Pete Scabarozzi – If they're running, but pumps

Mary Hillberg – They bring generators in.

Pete Scabarozzi – Okay, they have them.

Mary Hillberg – They do. We took a tour of it and they actually do. To your point, yes, you're right that as the ground rises in the different developments.....

Pete Scabarozzi – My house is way off the ground, it's going to take another 5 feet of water to get to me, okay? But the houses around me aren't. All the houses that were built in the '70s or before are in jeopardy of flooding. And if the County allows to keep going up with the real estate, the County should buy those people out and tear those homes down and let somebody else develop high on that land. We just can't allow those people that have 6 inches of water coming into their homes every two years, okay?

Mary Hillberg – You're right.

Pete Scabarozzi – Technically, all those homes should come with a warning from these people selling them that these homes have been flooded. We've got one right now that went up for sale two weeks ago and they want \$300,000 for it, and it's been flooded three times. Buyer beware. And that's a pretty piss-poor attitude that we take that we don't warn people coming to this area about where they're buying. It's horrible. First, we have to fix the problem. You drive down Crisafulli Road and you see steel plates on peoples' culverts, alright? Underneath the plate there is a big hole because the culverts have caved in. Them culverts are blocked and there isn't water coming to Judson right now at all. The County came out there and dropped plates on top so the person could get to their house, but they said they're not fixing the culvert.

Mary Hillberg – Is it the property owner's responsibility?

Pete Scabarozzi – Yes, but does the property owner do their responsibility? Some of the culverts are so small they're not standard anymore and they all need to be ripped out and put up to Code so you get the flow.

Mary Hillberg – I'm not making excuses, but I'm just saying the County can do so much, but they can't come in and take someone's property and do things to it. There has to be some sort of....

Pete Scabarozzi – There has to be give and take, but you can't sit there and start destroying....

Jim Carbonneau – All you've got to do is ask and they will say to go ahead and do it.

Ted Balke – The County hasn't even come and cleaned the canals. That's his problem. I mean, the debris and.....acknowledgement from the County Commissioner....

Pete Scabarozzi – Even with the debris they were.....

Ted Balke – There were trees growing out onto the street there.

Pete Scabarozzi – If they were perfectly clean it wouldn't....

Ted Balke – Well, I think they didn't run the pumps in advance of the storm.

Mary Hillberg – We're on this property here.....

Pete Scabarozi – But this is part of the problem, everything is part of the problem. That new development on Hall Road is part of the problem, okay? Even when somebody builds one little lot it becomes part of the problem. Everybody around us, we raised our driveways. I raised mine another foot and a half and that pushed 1,000 gallons of water someplace else.

Mary Hillberg – Mr. Scabarozi, you bring up a lot of very good points. This item is coming before the P&Z, and if we could ask you to please go to the P&Z.

Pete Scabarozi – I will be there.

Mary Hillberg – And then it goes before the Commission, and if we could beg you to please go to the Commission.

Pete Scabarozi – I will be there, too. But it scares me that Crisafulli Road and Judson Road are dead-ends. It doesn't make sense. All these big property owners that own that land should have looked beyond their nose and said, "Well, we got this greening disease coming and we're not going to be able to claim Ag, so we're going to lose our shirt in taxes, so we have to sell". Well, somebody should have planned out the road grid, not just keep putting little cul de sacs in and building houses; all we're doing is we're quilting Merritt Island out, kind of like what Cape Canaveral did back in the '60s and they quilted their city out to what it is today: condos, houses, condos.

Jim Carbonneau – And trailer parks.

Pete Scabarozi – And trailer parks, alright? So, there was no foresight, and it's our time now to have a little foresight to plan North Merritt Island. RR-1 is great, as long as it's planned properly. The County says for the developer that he only has to hold the first 1 inch.

Mary Hillberg – We've heard.....

Pete Scabarozi – My question to the County is, is that 1 inch an hour, 1 inch a day, 1 inch a week, 1 inch a month?

Mary Hillberg – We've heard that they will hold their own water.....

Pete Scabarozi – They can't....

Mary Hillberg – But it's very difficult.

Pete Scabarozi – They can't, there's no way.

Mary Hillberg – I know.

Pete Scabarozi – It's all marrow rock out there and it ain't going nowhere but seeking the lowest level.

Mary Hillberg – Thank you, very much, Mr. Scabarozi, and we'll look for you at the meetings.

Pete Scabarozi – I'll be there.

Mary Hillberg – Another person? Everybody bear in mind that the other people need to speak, too.

Mike Hirkala – My name is Mike Hirkala and I've talked to this group before, and the simplest thing I can say is, "What he said."

Mary Hillberg – They need your address.

Mike Hirkala – 4618 Wood Stork Drive. I live at the trailer park he was talking about. It's a mobile home park, by the way. We're not causing any problem, but for your information, that ditch behind my house, that land used to be below my back yard; now, they put 4.5 feet of fill in there and raised everything up, so we look up at the houses now, and that ditch still has water in it. We never had it before. I mean, it would go down and drain, but now it doesn't drain. So, I'm sure there's a problem. I seem to remember at a North Merritt Island Homeowner's Association meeting where the representatives from the County who had to do with the pumps and everything, they flat out said, "We can't handle it".

Mary Hillberg – The water keeps moving around in a circle until it absorbs.

Mike Hirkala – If you can't fix it, and if you can't fix it then don't develop to it. Get the development down where it belongs.

Mary Hillberg – Thank you.

Mike Hirkala – And the same with the roads, you're going to have 8 lanes out here on Courtenay pretty soon if this keeps up.

Mary Hillberg – Thank you, so much, Mike, we appreciate it. Who else would like to speak?

Dave Henry – I'm Dave Henry, 5660 Joseph's Court. Like probably many of the others that spoke just recently, most of the items were kind of covered, but one of the things Pete brought up was the, you know, what happens in a major catastrophe and how do we get out, but the other problem is getting in and out anyway. I mean, Crisafulli is a death trap, it's windy and everything else. My wife, just a couple of weeks ago or so was almost hit head-on; she was in her lane, but these people, when they go around a curve, they don't want to go around a curve because that takes too much time, so they cut over into the other lane and they knocked her right off of the edge of the road and she almost went in the ditch. This is what goes on every frigging day up there, going and coming, morning and evening, it doesn't make any difference. It's a narrow road, it's very windy, and it's got a 90 degree turn twice, but after that you're straight all the way down. The number of houses that may be built in that area, you're looking at almost 200 more cars possibly, going down that same road that's killing people right now, and there have been some getting run off the road and everything else. That's one of the things I wanted to bring up. I mean, there's so many other things that were already brought up, like I'm on the same street as Pete and the water was up and we couldn't get out, except if you had one of those trucks with the big wheels. Seriously, I think one of you said one of these things isn't an issue for zoning and all that, but the trouble is that it's an issue.

Mary Hillberg – It isn't that it's not an issue, it's that this particular.....in Zoning, they've taken away the stormwater portion of it out of the Zoning realm. It used to be in.....

Dave Henry – How can you make a choice if you don't have all the pieces?

Mary Hillberg – That's true. We can consider it and hear it, but the County is saying that they don't plan the stormwater issues in their notes, they don't plan it.

Dave Henry – Because that way they can zone more property and get more taxes?

Mary Hillberg – No, the County isn't doing that, but what they're trying to do is, they have big departments, and the Zoning department is a big one, and Stormwater is a big one, so they have separate departments and issues. But you're right, it's heavy traffic and the water is very difficult.

Erin Sterk – The challenge that we have at this level is that a lot of times with zoning proposals we don't have the level of detail to assess that, and they're not required to provide that. So, the policy that we have, at the zoning level, that allows us to look at drainage, is Administrative Policy 7 that you have in the beginning of your packet, and that says that essentially, at this level there would have to be substantial competent evidence that there's a drainage issue that cannot be overcome through the site plan process. Now, I feel like you guys are expressing concerns about that, but there would have to be a very valuable, you know, thorough assessment that this cannot be overcome with stormwater treatment, but they are not required to submit that information to us to propose a zoning change. So, that's kind of.....unless somebody is out there calling in their own environmental assessment team, we usually don't receive that level of information opposing that location.

Dave Henry – So, they don't listen to us like you listen to us, they just do what they want to do, basically.

Erin Sterk – They, is that....you mean, the applicant or the engineer?

Dave Henry – The engineering people.

Erin Sterk – Right now we have a Small Area Study that's underway and there are a lot of folks that are getting their heads together, and I guess maybe at the end of the public comment I can speak to that separate process that's outside of this particular request. At the zoning level, that's the level of evidence that we would need to.....that the Board would need to deny a proposal at the zoning level, is that it cannot be overcome. And at this point we don't have any information that would allow us to make this determination. They're not required to submit that at this level, but it is assessed at site plan.

Mary Hillberg – What she's saying is correct and these are the Administrative Policies, and we do refer to these quite often, and they cover all kinds of things, from historical land uses to the character of the land, and the impact of the zoning on the projected traffic patterns, and that sort of thing. Administrative Policy 7 says, "Proposed uses shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b), significant, adverse, and unmitigatable impact on significant natural wetlands, water bodies, or habitat for listed species." So, what she's saying is you need competent and substantial evidence to press on that, to use for that. So, what you're saying here is historical information and this is good, and I appreciate it.

Dave Henry – By the way, something came up about the pumps, and NASA does have two pumps: a 36-inch and a 24-inch that pumps the water down into Pine Island.

Mary Hillberg – Thank you.

Catherine Testa – Are they new pumps?

Dave Henry – No, they've been there for years.

Catherine Testa – But they're just pumping more water at this point?

Pete Scabarozzi – Blue Origin filled the big swamp, okay? I don't know how many hundreds of acres....

Mary Hillberg – We can't talk here, we've got to go by the rules.

Catherine Testa – I asked a question about the pump, because this gentleman mentioned the pump, the 36 and 24-inch pump.

Dave Henry – They are relatively new and the Assistant County Manager is aware of them because he told me both pumps are pushing the water out.

Catherine Testa – Thank you.

Mary Hillberg – Do you want to say something, Chris?

Chris Cook – I want to, but I think I'll wait to the end, but I just want to say that we're here to look at the zoning.

Mary Hillberg – That's what we're looking at.

Chris Cook – These guys are kind of preaching to the choir here. We're all very much aware of the flooding issues because we live here, we know it. The problem is, in a kinder and gentler age the County Commissioners are the ones that approve these zonings; it's not us. We can recommend, "Absolutely no, hell no, don't do it", and they'll say, "Yeah, let's do it". And there's nothing we can do about it. In a kinder, gentler age the Commissioners down south would always just say, "Hey, it's your district, you're responsible for those boards, and I'll just vote with whatever you do with that, Commissioner, you've got to face those people, because I don't live there and I don't know it." But these days, it's not like that anymore. They see tax revenue coming in from property values going up, and they get campaign contributions from people who don't even live in their districts, and it's a whole different ball game, so you need to be heard and seen at those County Commission meetings. The other thing that's horrible that people don't want to think about is that it may be time to start thinking about incorporating, and that would protect us that way, too. I know there's a lot of negatives to that, but we're being held hostage by the Commissioners down south.

Gina Lindhorst – They don't care about us.

Mary Hillberg – That's kind of a different issue, but I agree with you, thank you. Is there anybody else who would like to speak to this zoning issue? Sir, come on up.

Don Wagner – My name is Don Wagner, I live at 5535 Broad Acres.

Mary Hillberg – 5535?

Don Wagner – Right. At the very end of September I finally got my Ford F-150 out of the garage and out to the road. What I'm here to talk about is, the first thing you've got to do is identify the problem, and the problems here have been thoroughly identified, okay? Once you find the problem you fix things, and there are ways to fix things. It's going to make some people unhappy, it's going to make some people happy, but it can damn sure solve the problems, okay? I would like to make a suggestion to start with: identify every property owner north of the Barge Canal and up to the NASA line, property owner. I don't give a damn if he owns 150,000 acres, or he owns 150 feet, the owner. Identify those and list them. Identify the owners, identify the presently approved zoning and how many people that's going to involve. Identify the potentials, how many that's going to involve. Make a list of these things and get them out. It's going to be one hell of a number. It's going to be up in the 1,000's. Now, can you fight it? Sure. Can you fight it alone? No. I've fought these big people before, and done a pretty good job of winning, but there are times I never drove to work the same way twice, and I never go home the same way twice.

Mary Hillberg – Are you for, or.....do you recommend approving this or not doing it?

Don Wagner – I'm recommending let's fix it. It's a problem, lets fix it.

Mary Hillberg – But this particular property, this zoning property, this item.

Don Wagner – I'm saying all the property from the Barge Canal to the NASA line, identify by owner, not by how many acres he owns, not how big his house is, whether it's a pasture or whether it's a castle, identify the owners. Once you've done that and make up that list, somebody around here ought to go and find out what a Development of Regional Impact is. You ever heard of it? Do you know what it is? Do you know what it takes to do it? By damn, I know what it takes to do it and it's a book about that thick. What you're talking about, these people here, when you make up that list, there's folks who are going to be very unhappy. You're not fighting individual owners, you're not fighting a few thousand dollars, you're fighting millions and millions, and I know it because I've been there, and I shut some of them down. I'm not here for shutting down, I'm too damn old to do this.

Mary Hillberg – Thank you, very much, for coming.

Don Wagner – You haven't take the action item yet. All I did was identify. There's two things: I identify problems and I fix things, that's how I made a living. I'm through fixing things, I'm too old for that. And I'm living here by choice, not because I have to. But if you do the things that I just mentioned and identify these owners, make a list of them, identify the Development of Regional Impact, and that involves schools and roads, and churches, and it identifies children, it identifies access....access from this Island, this place is suicidal, take a look at it, you're going to lose a bunch of people one of these days. And then who is going to own up to it? The Commission? Hell no. Get the Development of Regional Impact and you'll shut that Commission down. If it don't shut them down, it will sure hit the slow button. Approving these developments is just another 100 acres. You ain't going to win it that way. You're going to win it when you cover the whole damn thing from that Barge Canal up to the NASA line, and that's what you got to take on, and if you can't handle that, give up. But if you do handle it, there are probably.....it's been identified here....if you stopped the development yesterday, every problem that's been identified here today, these people will work together and they will solve their problems on their own properties, and everybody will live happy, and you ain't going to get run over. You know what it's going to take to get off of Crisafulli Road onto S.R. 3 when these developments are passed, and try to cross that bridge? You ain't going to get out of here for an hour and a half. You can't even get to the grocery store. That's what you're looking at, and you better look at it. Has anybody got a copy of the Development of Regional Impact? Have you read it?

Mary Hillberg – We know what that's about.

Don Wagner – Yes, I know what it's about.

Mary Hillberg – That's not what we're in charge of.

Don Wagner – Yes, well, that's what you get in charge of. That's what you're sitting here to do now.

Mary Hillberg – We are recommending approval or denial to the Planning and Zoning Board. The Planning and Zoning Board then subsequently hears everything and they recommend to the Commission. This is the system we have now. I agree with you that the DRI is a good idea.

Don Wagner – What you've got to do is go tell the Commission, "Here is the Development of Regional Impact" and they'll follow it. And that stops this nonsense. Otherwise, you're going to get run plumb off this Island. I don't have to live here; I'm here by choice.

Ted Balke – That's all part of the Small Area Study that's continuing.

Mary Hillberg – That's supposed to be part of it.

Don Wagner – That's what I'm saying.

Ted Balke – We've done the Small Area Study twice now, and the impact is identified there, and.....

Don Wagner – The Development of Regional Impact?

Ted Balke – The entire North Merritt Island impact.

Don Wagner – No, it hasn't, you haven't heard a one of these people talking.

Ted Balke – I've heard all of those people.

Don Wagner – You haven't heard a one of them.

Ted Balke – A different group meets about that.

Mary Hillberg – The County is going to be speaking to the Small Area Study afterward.

Don Wagner – Shove it under the table if that's what you want to do, but I'm sure that's not what these people came here to do.

Mary Hillberg – We don't want to do that, sir. Mr. Don, we don't want to do that. What we want to do is listen to everybody and address what we're obliged to address as this particular zoning request right now. That's our job.

Jack Ratterman – That's all we can do tonight.

Erin Sterk – I can speak to some other processes.

Don Wagner - But you can start a change tonight, and if you don't, it will be next week before you start, or a month after that.

Mary Hillberg – Don, thank you.

Don Wagner – There's people that aren't going to be happy to hear me.

Mary Hillberg – Our Zoning representative, Erin, would be glad to speak to the Small Area Study and some of your ideas. You can come to the meetings and tell them. They're the ones who will be doing that. We are unable to do that. We're only allowed to do this.

Erin Sterk – But don't leave, because that's underway and we're meeting soon.

Don Wagner – The word, 'can't' doesn't belong in my vocabulary.

Mary Hillberg – Good for you.

Jack Ratterman – Good.

Don Wagner – I'm too damn old, I ain't taking this on. I'm in my 80's, I'm ready to sit back.

Mary Hillberg – I'm right close to you.

Don Wagner – But do something about it. You've got the people here; you've got the knowledge. All you've got to do is use it.

Mary Hillberg – Okay.

Don Wagner – I do two things: I identify problems and I fix things, and I made a damn good living at it.

Mary Hillberg – Well, you've spoken well, and I thank you.

Don Wagner – And I told you how to fix this. Are you going to do it, or are you going to sit around and let it flow?

Jack Ratterman – Okay.

Don Wagner – Thanks for your time.

Mary Hillberg – Thank you, very much.

Jack Ratterman – Thank you.

Mary Hillberg – Is there somebody else that needs to speak?

Kim Smith – I'm here representing the North Merritt Island Homeowners Association. My name is Kim Smith and I'm going to present a recommendation of their board voting on this particular issue. Their mailing address is PO Box 542372, Merritt Island. Regarding this W.K.& R. zoning request from AU to RR-1, the North Merritt Island Homeowners Association has concerns of environmental impacts, such as Scrub Jay endangered species habitat, and existing wetlands protection on the property as considered under Admin Policy 3.C.1., historical land use; Admin Policy 4, characteristics of the area; Admin Policy 6, conservation element; Admin Policy 7, aggravation of un-mitigatable impact on significant natural wetlands or listed species habitat; Admin Policy 8(1), land use character; 8(3), impact of rezoning on the established character or surroundings. In Factors to Consider, (1), the character of the surrounding land use; (3), the impact on the established character; (4), the compatibility with the existing land use; and (5), the appropriateness based on land use regulations. They are also concerned about other environmental constraints regarding past excessive flooding in the general area of the property, considered in Admin Policy 4, rezoning adversely affecting the area's character; Admin Policy 6, consistency with coastal management and conservation in surface water elements; Admin Policy 7, aggravation of drainage problems on surrounding properties; Admin Policy 8, consideration of (1) land use character; (3), impact on established character of surrounding properties; (4), compatibility with existing land use; (5), appropriateness based on consideration of public health, safety, and welfare. Therefore, the North Merritt Island Homeowners Association board recommends a CUP [sic] limiting development to no more than 80 residences and requiring sewer hook-up.

Mary Hillberg – Does anyone have any questions? Are there any further questions from anyone? Okay, we close this down now to the audience and it stays closed. Okay, it's back to the board. Would the applicant like to come up.

Chad Genoni – I'd just like to say I heard all the concerns this evening and we're going to continue to ask for this rezoning request, and I just don't want to let everybody think that we're not listening to the concerns, they will be addressed at a later date. We wouldn't be able to develop this if we were impacting or creating drainage issues. We just wouldn't be able to do it, but what allows us to move forward is if we know we had the zoning request. I've listened this evening and we're very sensitive to the concerns.

Mary Hillberg – Thank you. Okay, it comes back to the board. What is your pleasure? Don't everybody speak at once.

Ted Balke – I think based on the conditions that exist in the area and some of the notes that Kim brought forward about health and welfare, and those issues pertaining to that, water levels, I would reject the application.

Mary Hillberg – You recommend a denial?

Ted Balke – Denial, yes.

Mary Hillberg – Is that a motion?

Ted Balke – That's my motion.

Jim Carbonneau – I second.

Gina Lindhorst – I'd like to add more. I'd like to recommend denial of this submission according to the Administrative Policies 3.A., road compatibility that would cause significant adverse safety issues; Administrative Policy 3.B., would cause reduction of adjacent, and the entire Crisafulli Road property value degradation; Administrative Policy 7(a), substantial diminished drainage and surrounding properties would be significant and quite adverse; and Administrative Policy 8(3), regarding the impact of the increased traffic pattern and water sewage systems that would be significantly, adversely, affecting the whole area.

Mary Hillberg – Ted, are you.....?

Ted Balke – You can incorporate all those elements into that denial because those are the factors that we use for zoning.

Jim Carbonneau – I concur.

Mary Hillberg – So, this is a revised motion. Discussion?

Chris Cook – Madam Chairman, I have a couple of things here that I want to get into the record that wasn't really brought up. One, from the notes and a little bit of research of my own, I found out that since '77 all the zonings in this area have gone the other direction to AU from RR-1 and from PIP, so the area, I think, has been designated as it's not going to be a heavily....just by looking at that. Two, I think it's really important that the Small Area Study be done before we do any major rezonings like this, because it's supposed to come out in a couple of months. I think people can wait a couple of months before that comes out, and I think it will make things a little clearer about the issues that are involved. I thought there were really good issues brought about the rising water table and I'd really like to see some data on that, because I really think that's an issue, because I've noticed that, too. Things just stay wet now, they don't dry out. We haven't had rain in a long time and if you stick your foot in the ground it's not dry. I had to bury something and I only had to go down a couple of feet. Again, the Small Area Study, and the area going to AU in the past years.

Mary Hillberg – You said from RU-1 [sic].

Chris Cook – To AU, and PIP to AU. The trending is going to AU, it's not going the other way in this area, according to the staff notes.

Ted Balke – The problem is there are lots of things that will not grow on this particular type of soil, including oranges, and that's another issue even with the AU. The avocado growers won't go into the area. It's cattle grassland, that's all it is.

Jack Ratterman – Crisafulli cows.

Ted Balke – Yes, cattle grassland, that's all it is, and this was all his property to begin with until '67 and they haven't been able to do anything with it since.

Mary Hillberg – Ted, if you're saying it should go to cattle, cattle aren't happy with wading in water.

Ted Balke – The cattle on the north side of East Crisafulli are standing in water every time it rains.

Gina Lindhorst – All the sewage.....

Ted Balke – Correct, it's all sewage water because people couldn't flush their toilets because septic tanks were below water level on their lawns.

Catherine Testa – Cattle don't mind water, if you ever take any airboat rides on the St. Johns River, while you're in the middle of the river, so are the cows.

Gina Lindhorst – They don't have litter boxes, so their poop goes everywhere, too, and that's all floating around everywhere.

Ted Balke – I have cattle that go into the canal at night to get away from mosquitoes. The water does not bother them.

Mary Hillberg – I think I was thinking of hooved horses, that they don't like water.

Ted Balke – Horses have a major problem with their hooves.

Mary Hillberg – Okay, back to the subject. We have a motion and a second, and now Chris has added this.

Ted Balke – You can incorporate Chris's comment.

Mary Hillberg – Ok.

Chris Cook – Just the Small Area Study and the.....

Mary Hillberg – We recommend denial.....can we say this over again? Recommend denial on these issues that Gina mentioned, and until a Small Area Study is finished, and because of rezonings, so that's three items.

Gina Lindhorst – Historic zoning trends and these Administrative Policies.

The Chair called for a vote on the motion and it passed unanimously.

Mary Hillberg – So we recommended denial for those three points. The next meeting for this is coming up at the Planning and Zoning Board on Monday, March 19th, at 3:00 in the afternoon. If you care, if this is important to you at all, you really need to try to come to this Planning and Zoning meeting, which is a much larger group than ours, they time your talks, so you'll have three minutes, I think, so it can't be a ramble-on. There won't be anyone allowed to speak up or talk, or interject, or anything; it's much more formal than we are. We're kind of relaxed here, but it's much more formal, and it's in the same chambers that the County Commission meets, in

Building C, in the Commission Chambers, and it's on March 19th at 3:00 p.m., the P&Z Board, and it's a large board, okay? So, if you come to that and you speak the way you've spoken tonight, only shorter, and get your point across, then the P&Z will hear that and then they look at our recommendation, and then they consider that along with what you say, and then they recommend to the Commission. Then after that – nothing is easy here – then after that, April 5th is when the County Commission decides on this issue. There are five commissioners; we only have one commissioner from this district, district 2, one commissioner, one commissioner does not a decision make, right? You need at least three commissioners to make a decision like this, so it's a majority vote on the Commission. The idea is to reach out to your commissioners prior to this meeting and send your emails and your letters, and your pictures and your cards, and whatnot, and call on the phone, and leave messages.....however you deem that is your way of communicating, and then also come to the meeting. You can do it more than once at each of those so they understand, all of them understand, your district 2 commissioner is the only one from this district, but the other commissioners don't know, they don't live here, they don't know about it, so they need to understand what the difficulties are. This is where the rubber meets the road and this is where you need to really show your stuff here to convince them. We're recommending to deny for very good reasons, and if you present this well to the P&Z, perhaps they will as well. I don't know what they'll do, they make their own decision, but the one who makes the final decision will be the Commission, so I urge everyone to contact your commissioners, and contact the P&Z if you want to, beforehand, but certainly be there because if they have a recommendation to deny from us, and a recommendation to approve from the P&Z, it's unlikely that the former will beat the latter, if you know what I'm trying to say. The P&Z needs to be your focus next, and then after that, April 5th is the County Commission meeting.

Erin Sterk – If you send your public comment to us in writing we can convey that to both of those boards, and they do specifically review all of the written public comment as well.

Mary Hillberg – Where would they send this?

Erin Sterk – They can send it to me.

Jennifer Jones – To Erin or myself.

Erin Sterk – I'll give you a card. My email address is erin.sterk@brevardfl.gov. All of those get to be flagged items that are in the record that everyone else looks at the item sees as well. If we're done with the item I can speak to the Study.

Jim Carbonneau – I'd like to make one comment to the audience about the importance of attending these meetings. It's a personal comment made by, I believe, Commissioner Isnardi is out of Palm Bay, and made a comment in a meeting last year dealing with the rezoning of a piece of property at the end of.....the east side of Smith Road, whatever that is....Smith Road. Her comment was, "We know what's best for the people". That's all I'm going to say, and that's stuck in my craw. It was a developer from the south part of the county. Your voices need to be unified, need to go forward as a team.

Gina Lindhorst – You all need to write letters; handwritten is good, and emails are nice. The more you write and the more you contact frequently, they get it that way.

Jennifer Jones - Please try to get your letters in before the day of the meeting.

Mary Hillberg – They probably won't be read if you email the day of the meeting or the day before.

Jennifer Jones – It's hard to get them to the board members the day of the meeting.

Mary Hillberg – You’ve got to get them in early enough so that there’s a big volume, so the Commission says, “look at all these”. It can’t be, like, 12 people, it has to be a lot, so get your friends and your neighbors, everybody work up how you’re going to.....you can call, and email, and send a letter, so that there’s nothing missed and your point gets across. Now, Erin wants to speak to everybody about the Small Area Study.

Erin Sterk – Currently, the Planning and Development Department is spearheading a Small Area Study at the direction of the County Commission for North Merritt Island, so that’s everywhere north of the Barge Canal, all of the County only, outside of the Federal land, and we’re examining that. A couple of the board members here are also on the appointed citizens committee; it’s a public process, just like this board is, and all other items are, and the assessment is reviewing all of the factors in the area: environmental factors, infrastructure availability, soils, wetlands. We’re looking at everything from a factual basis. The other thing that we are doing that Don, you spoke to, is we are looking at every property owner that is there, every parcel that is there, every acre that is there, and we’re looking at the build-out potential that’s in the area, and we’re trying to present those facts to the Commission so that they can determine whether or not the infrastructure or the land can support the land use that’s proposed. The way we’re evaluating that and use is, most of you are so familiar with this because you’re such an involved citizens group, but not a lot of folks are.....there’s two layers to land use planning, and that’s the Comprehensive Plan, the Future Land Use Map, and then the Zoning. The way that the Board evaluates zoning proposals, which actually dictates the lot size, the house size, and those types of details, is it has to be consistent with the Comprehensive Plan and the Future Land Use Map, which regulates the density. The real impact that you can make is changing the Comprehensive Plan and the Future Land Use Map, and that’s one of the recommendations that the committee members have made. They are looking at suggesting and recommending to the Commission that any property that is Residential 1 today and has AU zoning.....AU zoning allows you to have a 2.5-acre lot; Residential 1 Future Land Use allows you to have one-acre lots. The Comprehensive Plan, the way that it is now, in line with those AU zoned properties, would allow a proposal like this to come forward and seek a zoning classification that allows for denser development, up to one-acre lots, which is exactly what came before you today. If the Comprehensive Plan were to be changed, a proposal like this would not be allowed to be heard, because it would be inconsistent with that Comprehensive Plan and Future. What we’re evaluating and trying to present factually to the Board is whether or not the density at the build-out that is currently dictated by the Comprehensive Plan is appropriate, and they will make those decisions. Some of the things that we’re doing.....we’re evaluating even platted lands that are not yet built on, we’re evaluating those as if they could be built on more densely than they’re platted today, but up to what the Comp Plan would allow them to do, because they could come back in, they have already platted, and they haven’t sold their lots, and they could re-plat and become smaller, so we’re even looking at those kind of defunct type subdivisions that came through the process before the recession, so we’re really in the weeds with it right now. We have gotten through, I guess, the first part of the report that we’ve brought through the committee is looking at the population, the demographics and things like that. The second part that we’ve gone through is we’re getting to the point where we’re evaluating the build-out potential and we’re going to bring that through the committee shortly. We just met this past Tuesday; those meetings are in this room, and we’re almost done. The next critical point that you all have to be able to participate is on April 3rd, down at the County Commission Chambers, excuse me, not in the chambers, but on the second floor of the same building that the commission chambers are in, we are bringing together some staff from Natural Resources, Public Works, Flood Plain Management, and they’re all coming to present information and to hear the public on the matter, so that will be incorporated into the report, which will then go to the Commission and then they’ll make some decisions about whether or not they want to change the Comprehensive Plan, which really could ultimately make an impact. That is already underway, many of the folks here are participating in that, so I’d encourage you to come on April 3rd, which is before April 5th that coincidentally that this item goes before the Commission, and you can be heard there.

Mary Hillberg – 1:00 p.m.

Erin Sterk – 1:00 p.m. to 4:00 p.m.

Mary Hillberg – If you can come to the April 3rd meeting.....I know this seems like a lot of pressure, but this is how it gets done.

Erin Sterk – And really, we are at an impasse with the direction of North Merritt Island, and it's really a critical point that you chime in and we encourage you to do that.

Mary Hillberg – Getting done is showing up, that's the first thing.

Jack Ratterman – And this has not been a quick process. How long has this been going on?

Mary Hillberg – This is the 2015 Small Area Study that's still continuing.

Jack Ratterman – You come to one board meeting here, we've been coming to the Small Area Study board meetings all along since 2015, up until now. If you're interested in your homes and your community, you have to put some time in, too, just like we do. It's not going to be solved in one night.

Erin Sterk – We are committed. Your current Commissioner has elected not to re-run, and the citizens committee, along with other residents that aren't on the committee, have requested that the Study be completed before he leaves office, and that we allow enough time for the land use recommendation to be considered before he leaves office as well, and that is the goal. We expect to have the Study to the Commission in May, so we're very close to the completion of it, and for you all to hear about what Public Works and Natural Resources is doing, which is the level beyond what we in Zoning manage, April 3rd is a really good time to be there. Although I don't want you to show up with pitchforks.

Ted Balke – This meeting is supposedly open for comments.....

Jack Ratterman – Every meeting.

Ted Balke – To add to what the Small Area Study has put together to date, before it's released to the Commission.

Erin Sterk – I can tell you that I would encourage you to allow them the time to present information to you, because they are very well aware of the concerns that you have, and they are aware of the conditions that you're experiencing, and they are aware of the parameters that government has to work in, and the impacts we can make. I'm hoping of that 1:00 to 4:00 meeting that we don't have two hours of public comment and only one hour for the experts to speak. I'm hoping we can allow them to present information and then when the study comes forward we can debate whether or not it's sufficient, because ultimately the Commission will make that decision.

Mary Hillberg – Know, too, that these people on the Small Area Study are not just people that are picked from different areas, these are people that live here in North Merritt Island that have for 30, 40, and 50 years.

Gina Lindhorst – Volunteers, right?

Mary Hillberg – They're all volunteers, like Jack here, Jack's on it.

Ted Balke – And me.

Mary Hillberg – And Ted's on it. They're all volunteers, but they're part of the community and they know, they've been here most of their lives and they know.

Jack Ratterman – One last comment, I think we're very fortunate to have a wonderful County staff that puts up with all of North Merritt Island, through all these meetings, never complains, and drives up.

Mary Hillberg – We're pretty good, aren't we good?

Jack Ratterman – And we have a brand new.....what's your new title?

Erin Sterk – Almost, not quite yet, May.....well, I don't want to jinx it. I've been interviewed to be the Planning and Zoning Manager, but I don't know how it will go. Nobody ran against me, so I've got to be doing something really wrong if I don't make it.

Mary Hillberg – Well, that's all that we have for tonight.

Erin Sterk – And I'm willing to stay and answer any questions you have for me about that.

Unidentified speaker – Do you know if these developments are required to do a soil bore analysis like I just had to do for an addition to my house? You'd be amazed at what's 30 feet under your property.

Erin Sterk – I'm not sure what happens at that engineering level, but I do know that solutions like compensatory storage are difficult.

Unidentified speaker – Beware of development when they say highest and best use.

Mary Hillberg - Yes, we got that. Okay, we're adjourned, thank you so much for coming.

The meeting adjourned at 7:31 p.m.