

July 21, 2010

MINUTES OF THE MEETING OF THE
COLLIER COUNTY
HISTORIC/ARCHAEOLOGICAL PRESERVATION BOARD

Naples, Florida, July 21, 2010

LET IT BE REMEMBERED that the Collier County Historic/Archaeological Preservation Board, having conducted business herein, met on this date at 9:15 AM in REGULAR SESSION in Conference Room #610, Collier County Growth Management Division – Planning and Regulation Building, 2800 N. Horseshoe Drive, Naples, Florida, with the following Members present:

CHAIRMAN: William Dempsey
Vice Chair: Sharon Kenny
Pam Brown (Excused)
Patricia Huff
Elizabeth Perdichizzi
Richard Taylor
Craig Woodward

ALSO PRESENT: Ray Bellows, Planning Manager – Zoning Services
Glenda Smith, Operations Analyst
Steve Williams, Assistant County Attorney (Absent)

I. Call to Order

Chairman William Dempsey called the meeting to order at 9:17 AM.

II. Roll Call

The Roll was called and a quorum was established.

III. Approval of Agenda

Changes:

- **Ray Bellows** requested to add the topic of "Future Presentations" as "B" under "VI. - New Business."

Sharon Kenny moved to approve the Agenda as amended. Second by Patricia Huff. Carried unanimously, 6-0.

IV. Approval of Minutes – April 21, 2010 and May 19, 2010

Changes – April 21, 2010:

- Spelling corrected: **Elizabeth Perdichizzi** (throughout document)

Changes – May 19, 2010:

- Spelling corrected - **Elizabeth Perdichizzi** (throughout document)
- Spelling corrected – **Sharon Kenny** (at signature block on Page 8)

Sharon Kenny moved to approve the Minutes of the April 21st and May 19th meetings as amended. Second by Craig Woodward. Carried unanimously, 6-0.

V. Land Development Services Report - Ray Bellows, Planning Manager, Zoning Svcs.

A. Resignation of Staff Liaison, Ashley Casserta

- Ms. Casserta transferred to the Bayshore CRA. A replacement will be hired within the next two months, and Ray Bellows will fill-in temporarily.

VI. Old Business

A. Update: The Arlington of Naples at Lely Resort – Ray Bellows

(Copies of the Archaeological Investigation Report, dated June 2008, were distributed to the Members.)

Ray Bellows stated the Applicant's agents, David Hurst and Richard Yovanovich, Esq, were present to address the Members.

He cited from the Report's conclusions on Page 57:

"This assessment and subsequent monitoring during any subsurface disturbances associated with the development of 8CR747 and 8CR750 should act as mitigation for the loss of the site from pending development."

Craig Woodward stated his office represents the Seminole Nation and, due to a potential conflict of interest, he will not vote on this issue.

David Hurst, Wilson-Miller, gave a brief overview of the project.

- “The Arlington” is a Continuing Care Retirement Community (“CCRC”) which will consist of 43 single-family villas and a five-story residential facility for independent and assisted living. The facility will include a memory care unit and a skilled nursing unit. The amenities will include a pool, a fitness center, a club house, and restaurants.
- The recommendations of the Report to retain the services of an on-site archaeologist will be followed, as well as applicable State and local regulations.

Marie Carlson, Senior Vice President - Corporate Strategic Development, Lutheran Life Communities, stated there are 5 retirement communities established in Illinois and Indiana.

- Received phone calls from Lutheran Churches in Naples and Marco Island
- A 39-acre parcel was located within The Lely Resort
- Met with Chris Lombardo, a representative of the Seminole Tribe
- Committed to honoring “the agreement in place”

Ray Bellows stated the Site Development Plan for the project is in review and the H-APB’s comments will be taken under advisement by Staff.

When questioned concerning an “agreement” with the Seminole Tribe, Ms. Carlson stated there was no formal, written agreement. She met with Mr. Lombardo on behalf of the Seminole Tribe, who indicated he supports the Project, is willing to work with the Lutheran Life Communities, and requested to be included in the dialogue with the archaeologist hired by the LLC.

David Hurst explained the location of the development, referencing the Site Development Map. He stated the zone where items of potential archaeological significance were found is located on the eastern edge of the development.

Robert Carr, Director – Archaeological and Historical Conservancy, Inc., stated:

- State Statutes require an archaeologist to be on-site when there are ground disturbing activities which might uncover significant archaeological remains, including human burials
- If the event that human remains are discovered, work will stop at that location only
- The State and the Miccosukee Tribe are to be notified within 72 hours of such discovery, as required by Statute 872.05, “Unmarked Human Graves Act”
- He recommended monitoring the site during pre-development excavation
- A final report will be issued concerning what was found and the work that was done

He noted Site 752 is a “hammock island” within the Wetlands Preserve and is the location for re-internment of human remains. The Tribe is consulted by the State concerning their wishes. (The location of the site is not publically identified.)

[Background Note: The *Seminoles* were an alliance of Northern Florida and Southern Georgia natives who banded together in the 1700's to fight European invaders, and included people from the Creek, Miccosukee, Hitchiti, and Oconee tribes. Today, the Seminole Nation is a united sovereign nation whose people speak two languages and have different cultural backgrounds. The Seminole Nation has five different Florida reservations, all governed by the same tribe.]

Any discovered artifacts will be washed, catalogued, and photographed. The final disposition of artifacts will be at the discretion of the property owner(s). The Conservancy encourages donations of such items to local museums.

There was discussion concerning the excavation of the site and the possible use of limited blasting.

Chairman Dempsey called for a vote to support the Report. Motion carried, 5-“Yes”/1 – “Abstention.” Craig Woodward abstained. (Staff will forward the Recommendation to the Board of County Commissioners.)

B. Update: Cultural Arts Village at Bayshore

(A document was distributed to the Members.)

Chairman Dempsey stated the documentation was not very helpful, i.e., dark photograph.

Ray Bellows explained the County is the Applicant. An application was submitted for a Waiver for the project due to the low potential for historic/archaeological sites since the property had been significantly excavated and disturbed. The opinion of the CRA's Staff is the bulk of the property is outside the probability area.

Tracts “F” and “G” were identified as Preserve tracts. It was noted if the Preserve is sitting on top of the impacted area, there should be no problem to grant the Waiver.

Chairman Dempsey stated the CRA's proposition is there are no probability areas within the boundaries of the property but the materials provided contradicted the position. He noted it seemed as if the eastern-most portion of the property (30 to 40 feet) spilled into the probability area. He asked if that portion of the property would be preserved.

(Comments were made off-microphone.)

Mr. Bellows cited the official description of the project:

“The Cultural Arts Village at Bayshore is a mixed-use project within the Bayshore Gateway Triangle Redevelopment Overlay comprising a maximum of 40 residential dwelling units and 48,575 square feet for commercial uses including retail, offices, and medical offices.”

He noted the Cultural Arts facility, which is the County's project, is included in the total square footage.

Question: *Will the portion of the site that falls within the probability area be preserved?*

Chairman Dempsey stated if the probability area portion of the site is preserved (no excavation, digging, or grubbing), a Waiver would be appropriate. The question needs to be resolved first.

Mr. Bellows noted Glenda Smith left to pull the large map.
(Further discussion was tabled until Ms. Smith returned.)

VI. New Business

B. Future Presentations – Tamika Seaton, Collier Metropolitan Planning Organization (“MPO”)

(Copies of newsletter and “Save the Date” cards were distributed to the Members.)

The Members were invited to attend the Long-Range Transportation Planning Workshop to be held on July 28th from 5:00 to 7:00 PM at St. Elizabeth Seton Parish Center in Naples.

- Subject: Regional Long Range Transportation Plans (“LRTPs”) to 2035
- Collier and Lee MPOs are developing respective Plans for each County
- The Plan is a “blue print for the future” of the County’s transportation systems
- All modes of transportation are considered (roadway, bus, rail, bicycle, air, and pedestrian)
- Goal: to efficiently manage and operate the systems
- Coordinating with various transportation environmental agencies is ongoing along with outreach to the community
- The proposed new town of Big Cypress (new town) and development in the areas East of 951 are included

Ms. Seaton will return to give an updated presentation to the Members in the near future.

VI. Old Business (*Continued*)

B. Update: Cultural Arts Village at Bayshore

Mr. Bellows referenced the large Site Development Plan map. He stated Tracts “F” and “G” are located at the eastern edge of the property line. He pointed out the areas reserved for easements, including drainage easements, and stated no structures will be allowed in the areas. The tracts are designated for open space, conservation, preservation, and passive recreation (i.e., walking trails). Tract “E” is for boardwalks and public recreational use.

Craig Woodward moved to approve the PUD subject to the impacted area in Tracts Tracts “F” and “G” remain as a Preserve. Second by Sharon Kenny. Carried unanimously, 6-0.

(Staff will forward the Recommendation to the Board of County Commissioners.)

(Chairman Dempsey left at 10:16 AM)

(Vice Chairman Kenny continued the Meeting.)

C. Historic Brochure: Status Report – Patricia Huff

(Copies of the Brochure were distributed to the Members.)

Patricia Huff stated she incorporated the changes recommended at the last meeting as referenced in the May 19th Minutes. She noted there are a few more revisions to be made to Everglades City along with narrative and photographs to be provided by the Members.

- The Collier House (page 9) is under construction. No pre-construction picture was taken, and a search will be made for an historic photograph.
- Brochure Cover
 - Title was changed to “Guide to Historic Sites of Collier County”
 - Logo will be revised to change from the ampersand to a diagonal line between “Historic” and “Archaeological”
- Pages Two and Three – the number was changed
- Re: Immokalee Cemeteries - There is limited space for the narratives
- The narrative for the Otter Mounds (page 10) will be revised.
- Indian Hill will be added
- A photograph of Pepper Ranch is important

Ms. Huff asked the Members to review the pages and provide narratives, better addresses, and/or photographs for each location (such as Naples City Dock). She noted the Legend (last two pages) should be updated to reflect the changes and asked Mr. Bellows to follow-up with the County.

Suggestion: Omit “Background on the Organization” from the bulleted points on the Brochure cover.

Suggestion: Reverse positions of the Logo and the photographs giving prominence to the photographs and add more pictures.

Suggestion: Include references to books that people can read for additional, in-depth information (space permitting).

New deadline: August 10, 2010

Ms Huff requested members provide comments and information via email to Glenda Smith and Ray Bellows who will forward the information her.

Discussion ensued regarding possibly expanding the Brochure. The criteria is to include historic sites clearly visible from roadways without including areas in private developments.

VII. New Business

A. Amendment – Annual Ethics Memo and Pamphlet

Mr. Bellows noted there were no substantive changes to the Code of Ethics.

VII. Public Comments
(None)

VIII. Board Member Comments/Announcements:

- The Museum on Marco Island is open on Wednesday and Saturday afternoons.
 - The Florida Cowboys exhibit photography is impressive

- Everglades City:
 - Children's Art Exhibit took place
 - In September, the Boy Scout Exhibit will take place
 - New lights have been installed but are not yet operational
 - Some of the older lights are being repaired

Next Meeting Date: (To be determined)

There being no further business for the good of the County, the meeting was adjourned by Order of the Vice Chairman at 10:40 AM.

Historic/Archaeological Preservation Board



~~Sharon Kenny, Vice Chairman~~

William Dempsey

The Minutes were approved by the Board/Committee on 9/15/10,
as presented _____, or as amended ✓.