

TOWN OF ST. LEO
COMMISSION MEETING AND PUBLIC HEARING
February 13, 2012
7:00 PM

OPENING Mayor Hamilton

INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Pro Tem DeWitt

ROLL CALL Donna DeWitt, O.S.B. - Mayor Pro Tem
Richard Christmas - Commissioner
William Hamilton - Mayor
John "Jack" Gardner - Commissioner
Robert Courtney - Commissioner

STAFF Joan Miller - Town Clerk
Patricia Petruff, Esquire - Attorney
Jan Norsoph, Planner
Andrea Calvert - Assistant to the Clerk

GUESTS James Hallett, O.S.B. Tom Wieland
Peggy Prather James Wells
Robert Inslee Frank Mezzanini - SLU
Deborah Brown, Esquire Peter Hubbell - Water Resource Associates
Leigh Ann Lunz - DIRT & Assoc.

MINUTES **MOTION: TO APPROVE THE MINUTES OF COMMISSION MEETING OF JANUARY 9, 2012.**
MOTION BY: Commissioner Christmas
SECOND: Commissioner Gardner
Discussion.
VOTE: Unanimous for Approval, 5/0

EXPENSES AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED FEBRUARY 13, 2012.
MOTION BY: Commissioner Christmas
SECOND: Commissioner Gardner
Discussion.
VOTE: Unanimous for Approval, 5/0

MAYORS REPORT

ORDINANCE 12-02- Final Reading

Mayor Hamilton read the ordinance by title only. **AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA AMENDING THE SCHEDULE OF PROJECTS IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 PURSUANT TO FLORIDA STATUTES, CHAPTER 163, PART II (163.3177); AMENDING PART III LAND DEVELOPMENT CODE OF THE TOWN OF ST. LEO CODE OF ORDINANCES AS CONTAINED IN THIS ORDINANCE; AMENDING ARTICLE XVIII, DEVELOPMENT IMPACT FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

The Public Hearing was opened.

Planner Norsoph indicated that minor changes were made to CIE Table A.

MOTION: TO APPROVE ORDINANCE 12-02 AS READ.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval 5/0

WORLD ROTARY DAY PROCLAMATION 12-01

Mayor Hamilton read **Proclamation 12-01**, recognizing Rotary International and World Rotary Day on February 23, 2012. The proclamation was handed to Mr. David Waite, the President of the Rotary Club of San Antonio.

PUBLIC HEARING FOR SLU, PROPOSED REMOVAL OF GRAND TREES TRP#11-B, MOD #1 AND ENVIRONMENTALLY SENSITIVE LANDS SETBACK REQUEST SPR/VAR #11-F, MOD #2

All participants that intended to speak were sworn in en masse. Those people included:

Jan Norsoph	Frank Mezzanini
Peter Hubbell	Leigh Ann Lunz
Tom Wieland	James Wells

Part I

Jan introduced the agenda item. Frank Mezzanini immediately apologized for the accidental removal of two grand oak trees on the project site.

Peter Hubbell discussed the reasoning behind the variance and tree removal request. The NE and SE project areas for the retaining walls and spreader swale were of primary focus because of requirements by SouthWest Florida Water Management District. In addition, after the fact permission to remove the two “grand oak” trees, and permission to remove an additional 7 protected trees was requested. Leigh Ann Lunz presented the tree removal and replacement plan.

Commissioners Christmas and DeWitt and Courtney asked questions.

Public Comment was opened.

James Wells and Tom Wieland asked questions about actual dimensions of the area wetland area, and requested that additional trees to be planted. East of the reclaimed water pond, 33 new trees will be planted with native species. Leigh Ann Lunz spoke briefly about the type of trees that will be planted, but added that the planting plan will be brought to the Town for approval at a later date.

Attorney Petruff reviewed Violation and Penalties (Article XI, Sec. 12.6.11) and Enforcement, Penalties and Remedies (Article XVII, Sec. 17.5), of the Land Development Code. The code allows a fine, penalty or imprisonment, to be imposed for the violation of certain trees being removed without a permit. Discussion included the consideration for the penalty to equal the number of additional trees to be placed in the area to the east of the future Reclaimed Water Pond.

Staff report for the TRP #11-B Mod #1, and Resolution 12-07 Alternative #2 will have an additional condition for approval to be as follows:

6. Require the planting of four (4) additional replacement trees as a penalty for removal of the two (2) Grand Trees without a permit. These trees shall be planted east of the Reclaimed Water project site along the boundary adjacent to the Lake Jovita development. The Applicant shall submit for approval by the Town Planner a revised reclaimed Water Project Tree Replacement Plan depicting the location of the four (4) new replacement trees.

MOTION: TO APPROVE RESOLUTION 12-07, A RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION APPROVING THE SAINT LEO UNIVERSITY INC. TREE REMOVAL REQUEST (TRP #11-B: MODIFICATION #1) WITH ADDED CONDITION #6, REQUIRE THE PLANTING OF FOUR (4) ADDITIONAL REPLACEMENT TREES AS A PENALTY FOR REMOVAL OF THE TWO (2) GRAND TREES WITHOUT A PERMIT. THESE TREES SHALL BE PLANTED EAST OF THE RECLAIMED WATER PROJECT SITE ALONG THE BOUNDARY ADJACENT TO THE LAKE JOVITA DEVELOPMENT.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner DeWitt

Discussion

VOTE: Unanimous for Resolution 5/0

Part II

Environmentally sensitive lands setback request SPR/VAR #11-F, Mod #2.

MOTION: TO APPROVE RESOLUTION 12-08, A RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION APPROVING SAINT LEO UNIVERSITY INC. SOCCER/LACROSSE FIELDS AND PARKING GARAGE SITE PLAN/VARIANCE REVIEW SPR/VAR #11-F MODIFICATION #2 WITH CONDITIONS.

MOTION BY: Commissioner Courtney

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for Resolution 5/0

COMMISSION REPORT - none

PLANNERS REPORT

Reclaimed Water Pond Project

This project was administratively approved in-house and is being presented at this meeting to update the commission. Based on code, since no grand trees are being removed, it did not spike the need for a public hearing.

The Reclaimed Water Pond Project is a joint project that Saint Leo University, Pasco County and the SouthWest Water Management District share. The project connects the reclaimed water line along SR 52 to a 320,000 gallon water pond to be located to the east of the tennis courts. There will be minimal tree removal. All the replaced trees are going to be planted on the eastern edge of the pond along the Lake Jovita Development. The pipeline will have two construction methods. From SR 52 to the wetland boundary the pipeline will be trenched, and from that

section to the pond the pipeline will be completed by directional boring underneath the wetlands. Other conditions are included in the document. The tree replacement plan will be delivered to the Town at a later date.

James Well spoke of his displeasure and disappointment that this project was not discussed publicly prior to the in-house approval. He said that the tree removal will impact residents of Lake Jovita and it is his impression that it was stated sometime last fall that this would be a future topic for public discussion.

Discussion.

Attorney Petruff stated that the comments by Mr. Wells are duly noted. Mr. Wells was offered copies of the Reclaimed Water Pond documents.

Commissioner Christmas asked that he would prefer that large projects be discussed prior to in-house approvals.

ATTORNEY REPORT - none

CLERKS NOTES

Saint Leo University Spring Fling

The Student Activities group would like to have the Annual Spring Fling on March 2 and 3. They have submitted an application and request approval from the Town for this special event.

The town commission gave **approval**.

Saint Leo University Student Alumni Fireworks

The Saint Leo University Student Alumni wish to provide a fireworks display during the Spring Fling event. They have submitted a complete application and request approval from the Town for this special event.

The town commission gave **approval**.

Town Truck

The truck may be sold this weekend. The commission decided that each commissioner should look for appropriate vehicles for town purchase in the dollar range of 5 to 10 thousand dollars.

OLD BUSINESS

Holy Name Monastery sale update - none

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 8:55 P.M.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner DeWitt

VOTE: Unanimous for Approval, 5/0

Respectfully, Joan Miller, M.M.C.