



Lakes & Waterways Board Regular Meeting Minutes

September 10, 2024 at 12:00 PM

City Hall Commission Chambers

401 S. Park Avenue

Present

William H. Swartz Sr., Ed Webman, Clark Sprinkel (Virtual), Justin J. Vermuth, George T. Vietor, David F. March

Absent

Matthew Johnson

Staff Present

Director of Natural Resources and Sustainability Gloria Eby, Assistant Director of Public Works Don Marcotte; Public Works Engineer Shannon Monahan, Lakes Manager Joseph Cordell; Administrative Assistant Victoria Tabor

1. Call to Order

Justin Vermuth called the meeting to order at 12:04 p.m.

2. Consent Agenda

- a. Approve the minutes of August 13, 2024

Motion made by Mr. Webman to approve the minutes, seconded by Mr. Vietor. Motion carried unanimously with a 6-0 vote.

3. Public Comments (for items not on the agenda)

4. Public Hearings (Public participation and comment on these matters must be in person.)

- c. Boathouse/Dock Application (BLDR-2024-0678) 201 Osceola Ct.

Mr. Cordell presented the permit application BLDR-2024-0678 for a new dock at 201 Osceola Ct. Mr. Cordell clarified that a variance is not needed. Staff recommended approval.

Motion made by Mr. March to approve new dock permit BLDR-2024-0678; seconded by Mr. Webman. The motion carried unanimously by a 6-0 vote.

- a. Boathouse/Dock Application (BLDR-2024-0692) 2250 Venetian Way

Mr. Cordell presented new boathouse, permit Bldr-2024-0692 at 2250 Venetian Way.

Motion made by Mr. March to approve new boathouse permit BLDR-20240692; seconded by Mr. Vermuth. The motion carried unanimously by a 6-0 vote.

b. Seawall Revetment Application (SAP-2024-0013) 2250 Venetian Way

Mr. Cordell presented the seawall revetment permit SAP-2024-0013 at 2250 Venetian Way, an existing structure. No revetment and no revegetation would be required. Urban Forestry required contouring around the cypress trees. Staff recommended approval. Applicant Sheila Cichra verified they will build around the cypress trees.

Motion made by Mr. Vermuth to approve permit SAP-2024-0013; seconded by Mr. Vietor. The motion carried unanimously by a 6-0 vote.

5. Action Items

a. Shoreline Permitting Fees

Ms. Eby reviewed the change in the Violation of Shoreline Protection Code fee from \$500 to \$1K. The term "2nd" was added to the Dock site plan review fee wording and explained that the first plan review is at no charge to builders and homeowners. Question arose as to the meaning of letters C versus M that are located next to the fees on the Winter Park fee schedule document. It was explained that the letters next to the fees are the types of pricing, C - based on cost, M - based on market comparison and S - stipulated by State of Florida Statutes.

Ms. Eby explained that shoreline alteration covers vegetation improperly removed and boat docks, seawalls and revetment modifications without proper permitting. Ms. Eby advised that vegetation is required and the maximum fine is charged at staff's discretion. Residents could be warned before a fine is imposed on a case by case basis unless there is blatant disregard of environmental regulations. Staff has drafted, for educational purposes, a shoreline permitting guide that includes city regulations. Mr. Vietor suggested a guide for new homeowners living on the lakes in Winter Park. Staff is receptive to creating a "welcome to your lake" informational package.

It was pointed out that floating eelgrass does not require a permit. However, removing rooted eelgrass requires a city permit and maybe an FWC permit if over 160 acres. When asked how violations are reported to Lakes Division, staff responded they observe the vegetation being removed during routine inspections or neighbors often report it. Maintenance on the lake usually requires a permit. The permit is free so that staff can educate homeowners on what can be removed before negatively affecting the shoreline. For lakes under 40 acres, no city permit is required.

Motion made by Mr. Vermuth to increase the Violation of Shoreline Protection Code fee and add "2nd" to Dock site plan review; seconded by Mr. Vietor. The motion passed by a 5-0 vote 1 opposed.

6. Non-Action Items

7. Staff Updates

a. Winter Park Police Department

Sgt Hofer's monthly report included 12 patrols on the water, issued 7 citations, 81 safety inspections, 86 vessel stops, towed 2 vessels as one floated away due to high water. Residents are being reminded to tie their boats and raise the cradles to prevent boats from floating. Labor Day holiday was busy and Staff had to remind some parents via citations to put personal flotation devices (PFD's) on children under the age of 6. The number of complaints regarding wake boats and property damage have increased because of the high water. Sgt Hofer cited the Florida Statute for the careless operation of a vessel: Vessel, wake and shoreline wash, resulting from the reasonable and prudent operation of a vessel absent negligence does not constitute damage or endangerment to property. Action will be taken if staff observes the carelessness and negligence while using a vessel that results in property damage. Lakes belong to the State of Florida and the City manages them. To manage the high water, the City closes public docks, but not the lakes.

b. Lakes Management

Ms. Eby displayed slides updating the lake closures of the chain of lakes and Lake Sue. Flood waters coming into the Loch Haven chain of lakes significantly impacts the entire chain downstream into Seminole County. There was misinformation circulating that the NRCS work being conducted, from Lake Sue to Lake Virginia, is causing flooding upstream. The Lakes Division has improved flow by removing storm debris and stabilizing eroded banks of Howell Creek. The debris removal in Howell Creek, from Howell Branch Road to Lake Waumpi, has been completed and replanted. Presently, work is halfway complete from the segment from Lake Sue to about Alice's pond in Mead Gardens.

Mr. Marcotte advised that he will check on the status of the study with regards to lengthening the weir in Lake Maitland. MLK pond is being lowered to help with minor flooding. The Lakes Division is actively managing the lake systems in accordance with the Flood Management Guide.

Slide and an in-person sample of the Asian Swamp eel was shown to board members. The Asian Swamp eel is profuse throughout the system and a sizable invasive species. Staff is conducting a biological and life history monitoring of the Asian Swamp eel. It was asked how the Asian Swamp eel was introduced to the chain of lakes. Mr. Cordell advised FWC's theory is from releasing captured eels purchased from local live markets. The eels are purchased live for consumption and or certain religious ceremonies.

The aquatic plant of the month presented is the carnivorous Bladderwort (*Utricularia sp.*). This plant consumes tiny zooplankton that exists in the lakes.

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Water quality data presented on all lakes including Sue, Berry, Killarney and Baldwin, stemming from hurricane Ian shows an increase in nitrogen and phosphorus and an increase in trophic state index. With the increase in nutrients comes a decrease in water clarity. Decreases in water clarity reduces sunlight available for aquatic plants to thrive. Lake Maitland has a decrease in aquatic vegetation coverage. Staff will continue to monitor, sample and detail lake activity. The Lakes Division is invested in having a nutrient and hydrologic study conducted for the chain of lakes, for the purpose evidence related to nutrient sourcing and projects that can help mitigation nutrients loading in the future. Lake Berry is stable, with an increase in clarity over the past 2 years. Lake Killarney has increases related to hurricane Ian. A question arose on the status of the aeration work on Lake Virginia and the trophic index. Ms. Eby advised positives with clarity increasing in Lake Virginia and submittal for the innovative technology grant using the nano-bubble technology.

c. Past & Upcoming Events

- Howell Branch Clean-up - 8/24 9a @ 2917 Temple Trail
- Fix it! Don't Pitch It - 9/7 9a @ Winter Park Events Center
- Orange County Lake Killarney Advisory Board Meeting - 9/12 5p @ Public Safety Building (500 N Virginia Ave)
- Paddleboard Clean-up - 9/14 9a @ Kraft Azalea to Dog Island
- Wood Duck Box Workshop - 9/14 9a @ MLK Jr. Park
- Sustainability Fair & EV Car Show - 9/21 9a @ West Meadow
- Get Hooked! - 10/5 7a @ MLK Pond
- 2024 Backyard Biodiversity Day - 10/19 9a @ Mead Garden
- Lake Shoreline Restoration - 10/19 9am @ Temple & Tuscany

The Board members were invited to the upcoming events. Mr. Cordell informed the board of the Lake Watch event at the library on the 24th.

d. Stormwater Management

Ms. Monahan informed the repair of Lake Bell weir is almost complete. Mr. Marcotte highlighted the New York Ave exfiltration system located under the fairway. The exfiltration system was the result of a 2006 grant received by the city.

8. Board Comments

- a. Discussion of Public Comments Received

9. Upcoming Agenda Items

- a. Discussion of Upcoming Agenda Items

Mr. Sprinkel inquired on a plan for and how eelgrass is treated.

10. Adjournment

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The meeting adjourned at 1:05 p.m.

Approved by the board on December 10, 2024

/s/ Bahiyyah Layton, Board Coordinator