

**Titusville Environmental Commission  
Regular Meeting  
January 7, 2004**

The Titusville Environmental Commission (TEC) of the City of Titusville, Florida, met in regular session in the Council Chambers of City Hall, 555 South Washington Avenue, on Wednesday, January 7, 2004

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Chairman Pettit called the meeting to order at 5:30 p.m. Present were Vice Chairman Rivera, Members Koromilas, Chamberlain, Ryba, Mills and Gutierrez. Member Gosselin arrived at 5:46 p.m. Also in attendance were Planning Administrator Keith Cunningham and Recording Secretary Tammy Holton. It was determined that a quorum was present.

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The first item of business was the approval of the minutes from the December 3, 2003 regular meeting. Member Koromilas moved to approve the minutes as corrected. Vice Chairman Rivera seconded the motion. There was a unanimous voice vote.

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**Presentations and Public Comments**

Walter Pine, SEAS Ordinance – An environmental working group established the areas. The group was not established with applications or qualification requirements. Conrad White chose those people at large; there was no application requirement or determination of conflict of interest. There was no questioning in regards to who would be on that committee. The determination of those areas and standards used were set by these gentlemen without regard to any conflict or financial benefit. Many of these people are the same people that work for or will be employed by organizations that would be required to produce the wildlife, mitigation or restoration plans. This clear conflict of interest in fact is wrong. No public records were created on the SEAS ordinance and how it is being done by the County. The intent was to take private property. There are many rumors and discussion going on about the SEAS Ordinance, there is very little about the ordinance. Most of it is in the minutes and emails. There are so many rumors going around in regards to the fines that would be imposed by the ordinance, we have been unable at this point to verify or deny this rumor. The rumor is that there would be a \$500 fine for 1/10 of an acre per day, meaning \$5,000 per acre per day. That would quickly exceed the value of the land. There is no reason for such an exurbanite fee if they are not going to be taking the land. All funds that are necessary for preservation are to be paid by the landowners under the SEAS ordinance. Wildlife management plan is to be paid for by the landowner, there is some discussion since there has been such an outcry if it would be subsidized by the State. At this time, those funds are not available and are no provisions in the near future. Mitigation and restoration will be required to be paid for by the landowner. If not done they will also be fined for that. Individuals that will be enforcing this are not in code enforcement they are in the department of natural resources, they report to Conrad White. This is all within one department under one man. Interesting enough Chairman Pettit has produced a webpage in support of the SEAS Ordinance, in coordination with Ms. Kennedy. The question is now this is being brought to you, now we have a link at the very least between some of the behaviors of the County and what may or may not result from this committee's proposals. The point is if we are looking for

stewardship and the proper maintenance of what the resources need, first we need to gather the facts, and so far, the County has not been able to produce one single fact that says the SEAS ordinance will substantially achieve the goal. If you look were some of these areas have had these practices done, there is a clearly divided opinion amongst the environmentalist. Some say it has been successful and some say it has not. What has been argued is that by establishing these areas without the proper consideration you give preference to one species over another. In the northeast, you find that deer have overrun many areas. The Institute of the Florida Everglades has researched this and found clearly that there has been a decrease in the diversity of wildlife in these areas. This particular management philosophy is construed in such a manner that it does not support diversity. The County cannot produce any facts that the SEAS ordinance works. Even the environmentalists in those areas where similar programs exist are fighting amongst themselves as to whether it works or not. I agree we need to preserve and do stewardship over the resources. We need to be certain the efforts and resources we spend which are becoming less and less are spent in such a manner that we get the greatest benefit. We know from experience that this type of program is not going to substantially achieve what we need to achieve, it will not maintain diversity. Species will be lost over increased development. Discussion followed.

Michael Myjack, 1615 South Carpenter Road - Neither. Has study the ordinance due to recent annexations in his area. Presented TEC a critical overlay map from Brevard County. Answered Ms. Pine's question, Brevard County Commissioners gave the authority to compile several complicated issues under one ordinance with cohesive pulling together. The chosen areas only encompass 3.5% of the entire county. Less even in the City of Titusville. That is what the ordinance is trying to do is save this pieces of property. One mistake that Mr. Pine made was that the County is not taking away lands. What they are actually doing is if you have an area that is currently zoned for one-acre homes; if you move into an area that is habitat and part of the critical habitat overlay, the County will allow you to reduce the minimum lot size of those homes provided that you set aside half of that land. Stated that there are many benefits for this type of ordinance from environmental to social and recreation benefits.

Member Koromilas made a motion to extend Mr. Myjack's time limit for three more minutes. Member Chamberlain seconded the motion. There was a unanimous voice vote. Discussion followed.

Chairman Pettit called for a five minutes recess.

Member Gutierrez made a motion to convene a committee of citizens to study the SEAS ordinance. There was no second. The motion did not carry.

Thelma Roper, 4475 Byron Avenue – Stated Mr. Myjack was very well spoken, but it was a repeat of the workers in the County office. Authority in question was the appointment of the working group and how they were appointed and chosen. They were not chosen in any official manner. Discussion followed.

Kathleen Burson, 385 Delespine Avenue – Neither. Commented on Mr. Pine's address, she agreed that education needs to be in place. Preservation design element is not a cure all. There is a very rare precious scrub habitat in Titusville that needs to be preserved. Gopher tortoises are being buried alive every day, just pay a fine and it is okay.

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**Reports:**

Member Gutierrez – Would like to start a new year, but had to address certain comments and statements made at the last meeting. Member Mills commented about regulation, people are not wanting or needed regulations, polls show that people distrust the government. Vice Chairman Rivera's comments were insulting, I did not ever bring up race in any way manner shape or form. Hispanic is not a race it is an ethnic categorization. Member Koromilas made a motion to table the discussion. Chairman Pettit seconded the motion. Voice vote (5) Yes (1) No.

Vice Chairman Rivera – Requested a summary of the SEAS ordinance. Keith Cunningham told TEC that they had not reviewed the ordinance as a group and he would provide the ordinance in the next TEC agenda packet.

Member Ryba – Arbor Day is January 17, 2004, presented plan for planting are along Harrison Street. Volunteers will met at YMCA at 9:00 a.m., several schools are volunteering to plant. Five hundred trees are being utilized. There will be an article in the paper.

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**Adjournment:**

The meeting adjourned at 6:34 p.m.