

# MEMORANDUM

To: Nicole Knapp, Planning Section Manager  
From: Bobbi Roy, Planning Coordinator  
Date: **October 2, 2017**  
Subject: Agenda Update for the October 3, 2017 Board of County Commissioners Special Land Use Meeting

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*THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)*

**3. PDR/PDMU-15-10(Z)(G) – Long Bar Pointe, LLLP & Cargor Partners VIII, Long Bar Pointe, LLLP Rezone/Aqua by the Bay – 20150224 – MEPS451 – Quasi-Judicial – Stephanie Moreland, Principal Planner – Additional Public Comments attached**

Building and Development Services  
Public Hearings  
1112 Manatee Avenue West  
Phone number: (941) 748-4501 ext. 6878

## Bobbi Roy

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**From:** Nicole Knapp  
**Sent:** Sunday, October 01, 2017 9:55 PM  
**To:** Bobbi Roy  
**Subject:** Fwd: Herald-Tribune Column  
**Attachments:** Aqua by the Bay violates rules.docx; ATT00001.htm

Sent from my iPad

Begin forwarded message:

**From:** "JudyJohnson/StuSmith" <[jedit79@gmail.com](mailto:jedit79@gmail.com)>  
**Date:** October 1, 2017 at 3:21:24 PM EDT  
**To:** [sarah.schenk@mymanatee.org](mailto:sarah.schenk@mymanatee.org), Mitchell Palmer <[mitchell.palmer@mymanatee.org](mailto:mitchell.palmer@mymanatee.org)>, John Barnott <[john.barnott@mymanatee.org](mailto:john.barnott@mymanatee.org)>, Nicole Knapp <[nicole.knapp@mymanatee.org](mailto:nicole.knapp@mymanatee.org)>, [stephanie.moreland@mymanatee.org](mailto:stephanie.moreland@mymanatee.org)  
**Cc:** Betsy Benac <[betsy.benac@mymanatee.org](mailto:betsy.benac@mymanatee.org)>, [carol.whitmore@mymanatee.org](mailto:carol.whitmore@mymanatee.org), Stephen R Jonsson <[steve.jonsson@mymanatee.org](mailto:steve.jonsson@mymanatee.org)>, Vanessa Baugh <[vanessa.baugh@mymanatee.org](mailto:vanessa.baugh@mymanatee.org)>, [robin.disabatino@mymanatee.org](mailto:robin.disabatino@mymanatee.org), [priscilla.trace@mymanatee.org](mailto:priscilla.trace@mymanatee.org), [charles.smith@mymanatee.org](mailto:charles.smith@mymanatee.org)  
**Subject:** Herald-Tribune Column

In case you missed it in Sunday's Herald-Tribune.

<http://www.heraldtribune.com/opinion/20171001/smith-aqua-by-bay-violates-rules>

If the link is unavailable, the text of the column is attached - Stuart Smith

## **Aqua by the Bay violates rules**

*By Stuart Smith, Guest Columnist*

On Tuesday, the Manatee County Commission will decide whether to follow its development rules or turn its last pristine shoreline into one of the largest blocks of condominium towers on the west coast of Florida.

Carlos Beruff's Aqua by the Bay is up for a vote starting at 9 a.m.

The development, with more than a dozen high-rises, would be built at Long Bar Pointe — threatening the best mangrove and seagrass ecosystem on Sarasota Bay, its finest fishing grounds and a magnificent bird habitat.

Commissioners should deny it out of hand.

Most people are not opposed to developing this property. They are opposed to this project and its cynical disdain for the environment and the county Comprehensive Plan and Land Development Code:

### **Dredging**

Aqua's main feature is a 2½-mile, 120-foot-wide, 8-foot-deep lagoon dredged just above the mangroves. The problem is: Dredging is not allowed there. The Code defines dredging as "excavation by any means in the water or a wetland; also the excavation or creation of a waterbody that is, or is to be, connected to waters, directly or via excavated waterbodies or a series of waterbodies."

Beruff's plan runs stormwater from Aqua by the Bay through the lagoon, "where it is mixed with tidal water and slowly discharged into Sarasota Bay." The lagoon connects to the bay, so, as county environmental consultant Tom Pride testified to commissioners, "Whatever digging the applicant is proposing, is dredging."

Comprehensive Plan Policy 4.1.5.2 limits dredging in the county's Coastal Planning Area to existing channels, water-dependent uses, and correcting environmental problems. None of these exist at Aqua by the Bay, which happens to lie entirely within the Coastal Planning Area.

Beruff can't dredge there. So say the rules.

### **Wetland Impacts**

Comprehensive Plan Policies 3.3.1.1 and 4.1.2.2 and Land Development Code section 706 prohibit wetland impacts such as the lagoon unless no practical alternatives exist, and require a Wetlands Impact Study to prove that all other options were considered and that avoiding the impact would prevent reasonable use of the land.

Beruff never did a Wetlands Impact Study.

The lagoon will provide cheap fill to raise the development above the FEMA flood plain behind a 13-foot wall. But, as county Stormwater Manager Tom Gerstenberger testified, there is a practical alternative: a natural 4:1 slope would raise the property to 13 feet over a distance of about 50 feet (less than half the width of the lagoon) and “negate the need” for the wall.

Beruff claimed a slope would be hard to maintain, but according to the Code, that’s tough. He never presented any options. A slope gives him reasonable use of his land, and restores an ecosystem instead of replacing it.

Beruff is not entitled to a lagoon. So say the rules.

### **Building Height**

Beruff plans 16 96-foot towers, plus more 75-footers, but won’t say how many or show them on a map.

He justifies his heights using downtown Palmetto, Bradenton and even Sarasota, which allow up to 200 feet, but ignores Longboat Key, which hasn’t allowed a building higher than 65 feet for 20 years, and his own shore, where for 15 miles no building is taller than the tallest tree.

Long Bar Pointe is no downtown. Even one high-rise would destroy its unique character.

Section 402.7.D.9 of the Code requires that anybody building higher than 35 feet “shall provide, at the time of public hearing, elevations and plan views, showing the buildings and their relationship on the property.” Beruff’s had five public hearings since May, and hasn’t complied yet.

Such shenanigans are not allowed. So say the rules.

What will the commissioners say?

*Stuart Smith represents Suncoast Waterkeeper and the Sierra Club.*

## Bobbi Roy

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**From:** Robin DiSabatino  
**Sent:** Saturday, September 30, 2017 12:35 PM  
**To:** Earl Smith; Bobbi Roy; Sarah Schenk; Nicole Knapp; Sheri Smith; Marianne Lopata  
**Subject:** Re: Longbar

Received your email

Cordially Sent from my iPhone

"My door is open and my phone is always on, awaiting your important call!"

Robin Sue DiSabatino  
Manatee County Commissioner  
District 4  
941-685-5368

> On Sep 30, 2017, at 10:45 AM, Earl Smith <earl@keypackaging.com> wrote:

>

> Dear Robin,

> I am a Manatee County business and home owner. I am against the proposed Longbar project. No tall buildings, no loss of habitat, much lower density or scrap it all together. The people of this county do not want this project to proceed. Thank you for your consideration in this manner.

> Sincerely,

> Earl Smith

>

> Sent from my iPad

## Bobbi Roy

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**From:** Larry Grossman <pdclkg@hotmail.com>  
**Sent:** Friday, September 29, 2017 4:42 PM  
**To:** Betsy Benac  
**Cc:** barbara angelucci  
**Subject:** Aqua by the Bay Stipulations

I have read the additional stipulations proffered by the Applicant and would recommend the County Commissioners reject those stipulations as identified as Stipulation A-18 and Stipulation A-20.

**Stipulation #18** - Preliminary Site Plans are required for each phase of the development. Once the GDP is approved County reviews of the Preliminary Site Plans are ministerial or administrative and do not require further BOCC review and approval via a public hearing. What purpose would Commission and public review of a Preliminary Site Plan serve since the GDP overall development levels would have been vested with prior approved by the Commission? On what basis would the Commission have the discretion to reduce the number units or lower the heights of buildings or make any substantive changes to the plan at this level of engineered detail?. This begs the question of what the phrase “further approval” means legally as offered in the language of the applicant’s stipulation.

**Stipulation #20** – The applicant offers language that would allow the GDP to obtain County Commission approval without authorizing the infrastructure and environmental elements that are essential to what is being proposed namely, the retaining/seawall and the Estuary Enhancement Area/lagoon. This is like the Commission voting to approve a building without a foundation. The word “authorized” in the stipulation is odd since the Commission doesn’t authorize GDP applications – it approves or rejects these applications. The point is that what the applicant is proposing would seem to be legally questionable ( I’m not a lawyer) or just bad planning practice and certainly would set a regrettable precedent for piecemeal if not haphazard approvals of GDP applications.

If the Commission has reservations about the infrastructure and environmental elements at the GDP review level, then these issues need to be addressed now and not later. Although a land use and building location plan can be conceptual there is nothing conceptual about the wall and lagoon. These elements must be engineered and thoroughly studied to demonstrate that they will not harm the public’s interest prior to consideration to approve the GDP, not after such approval is granted.

Appreciate your consideration of my comments.

Larry Grossman

Sent from [Mail](#) for Windows 10

## Bobbi Roy

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**From:** nancy wolff <nf1725@icloud.com>  
**Sent:** Friday, September 29, 2017 3:34 PM  
**To:** Betsy Benac  
**Subject:** Aqua Bay - Cortez Deveopment- AGAINST!!!

I am writing to you as a concerned citizen living in the San Remo development off of Cortez Road.

I beg you to vote to Deny Longboat Point Aqua on the Bay Development plan.

The reason people move here is because there has been natural environments left natural, there is wildlife, and a healthy environmental protection to the coves and bay areas.

This Development goes AGAINST environmental protection laws already in place, how can our county allow these to be removed?! Not even mentioning the current traffic issues to, from and on Ana Maria Island!

What about another disastrous storm, living on a canal myself if the wall is allowed in this new development my property is sure to be flooded and damaged, perhaps even beyond affordable repairs since we opted to live in an older home and update it because we love that lazy old Florida feel. Sarasota is the place to go if you want high rises, and ruined environments from over Development.

The reason our county will continue to be small town mentality is the lack of good zoning, bending laws for big developers and poor county management. I feel it is up to our local government to bring in tax bases for revenue with new businesses, enough with the wing houses and fast food. Why don't we get some benefits of larger more desired companies... Trader Joe's work work great in the abandoned Albertsons that has been an empty space since I've moved here. That's certainly harder to create than having a developer build property tax bases homes in a cluster or high rise.

And why would our local government not demand prior to any development that any roads, bridges and necessary evacuation routes be developed and enlarged/redesigned to the necessary degree to accommodate the 3000+ more dwellings in a 2 mile radius by the developer at their cost??

I am so sickened by this development being allowed at all that if the further voting coming up is not denied I will be begging my husband to move.

That isn't a concern to Manatee county because someone else will just take our spot, but GIVE A HOOT ABOUT THE LITTLE NATURAL ENVIRONMENT FRIENDLY AREAS WE DO HAVE and stop bending laws and regulations for greedy developers who don't care about the land, the animals(where are they going?) and the natural beauty we all love about bradenton. Don't further the ignorance and greed by allowing this!!!

Sincerely,  
Nancy & Peter Wolff  
Very concerned Citizens

Sent from my iPad

## **Bobbi Roy**

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**From:** Cindy <csevans47@gmail.com>  
**Sent:** Friday, September 29, 2017 2:12 PM  
**To:** Priscilla WhisenantTrace; Charles Smith; Stephen R Jonsson; Robin DiSabatino; Vanessa Baugh; Carol Whitmore; Betsy Benac  
**Subject:** Aqua By the Bay Development

I urge you to deny the Aqua By the Bay Application. There is no benefit to our community with such a huge development, and the environmental impact would be devastating.

Cindy Evans  
3210 Southern Parkway W.  
Bradenton, Florida 34205



## Bobbi Roy

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**From:** Olivia Smith <ows426@gmail.com>  
**Sent:** Friday, September 29, 2017 1:04 PM  
**To:** Betsy Benac  
**Subject:** Aqua By the Bay

Dear Ms. Benac,

I have been a homeowner in NW Bradenton for 13 years and have already seen too much development in the areas closest to the coast. But never in my wildest dreams, did I think that we might look like Miami with Aqua By the Bay. It seems unthinkable that the County Commissioners might pass this plan and change forever our beautiful coastal Bradenton area. If this is being done for economic development, please re-think your decision and consider other viable options. Do we really want Bradenton to look like another high rise city?!

Please vote NO.

Thank you,

Olivia Smith

8110 8th Terrace NW

Bradenton, FL 34209

941-795-1242 (H)

941-773-4887 (C)

## Bobbi Roy

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**From:** Dbfabisiak@Aol.C <dbfabisiak@aol.com>  
**Sent:** Friday, September 29, 2017 12:42 PM  
**To:** Bobbi Roy  
**Subject:** Damaged wetland and conservation area on the Legends Bay property lot #38  
**Attachments:** IMG\_0933.PNG

Dear Ms. Roy,

As for our telephone conversation please provide this additional information to the Honorable Board of Manatee County Commissioners.

The attached image of the damaged wetland and conservation area on Legends Bay provides a clear answer why my property lot number 38 was significantly damaged during the hurricane IRMA.

I strongly believe that the wetland in the past was providing shelter for our properties. Now the damaged conservation area created a tunnel for the wind and distraction.

My damages due to hurricane IRMA are profound from swimming pool cage to the roof.

At this point, I still have a very difficult time to understand why the county allows the developer to destroy our homes, our properties, and our lifestyle without any recourse!

Thank you,

Dr. Fabisiak 941-773-3211

-----Original Message-----

From: Daniel <dbfabisiak@aol.com>  
To: dbfabisiak <dbfabisiak@aol.com>  
Sent: Fri, Sep 29, 2017 9:44 am

Sent from my iPhone



## Bobbi Roy

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**From:** Rusty Chinnis <rustychinnis@comcast.net>  
**Sent:** Friday, September 29, 2017 10:58 AM  
**To:** Betsy Benac  
**Cc:** Carol Whitmore; Priscilla WhisenantTrace; Charles Smith; Stephen R Jonsson; Robin DiSabatino  
**Subject:** Aqua On The Bay

Dear Commissioner,

As a long time resident of Manatee County and an avid angler I want to encourage you to deny the General Development Plan being considered by the Commission for Aqua On The Bay. Manatee County has been a leader in protecting vital environmental assets and this proposal runs counter to that intent. Any development of this area should at the least follow all rules including height limits and environmental protection. Don't let this proposal ruin what you have helped establish as an important legacy.

Best Regards

Rusty Chinnis  
7091 Longboat Drive East  
Longboat Key, Fl. 34228

**Bobbi Roy**

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**From:** Marian Vassello <mvassello577@gmail.com>  
**Sent:** Thursday, September 28, 2017 11:07 PM  
**To:** Robin DiSabatino  
**Subject:** Aqua by the Bay

Please help to save Florida. I've been following this since the very beginning of Longbar Point, going to meetings and applauding when the court denied the plan. The same with Aqua by the Bay. I hope the Board denies this terrible plan which threatens the shore front forever. Not to mention the traffic and other side effects. Thanks for whatever you can do. Marian Vassello 941-761-2905

## Bobbi Roy

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**From:** JudyJohnson/StuSmith <jedit79@gmail.com>  
**Sent:** Thursday, September 28, 2017 10:50 PM  
**To:** Sarah Schenk  
**Cc:** Mitchell Palmer; Betsy Benac; Charles Smith; Robin DiSabatino; Vanessa Baugh; Stephen R Jonsson; Carol Whitmore  
**Subject:** Dredging

Dear Ms. Schenk – Please make it clear at Tuesday’s hearing that dredging is not allowed in the Coastal Planning Area, where Aqua by the Bay is located. Like the variable width buffer, the proposed dredging will not stand up to the strict scrutiny principle in Snyder, and as you advised the Planning Commission, "we would be open to a 163.2315 citizen's challenge and the county would not prevail."

The Land Development Code defines dredging in Chapter 2. Definitions as “excavation by any means in the water or a wetland; also the excavation or creation of a waterbody that is, or is to be, connected to waters, directly or via excavated waterbodies or a series of waterbodies.”

Aqua by the Bay will run stormwater through its lagoon, “where it is mixed with tidal water and slowly discharged into Sarasota Bay,” according to the Planning Department staff report. The lagoon connects to the bay, so, as county environmental consultant Tom Pride testified to commissioners, “Whatever digging the applicant is proposing, is dredging.”

Comprehensive Plan policy 4.1.5.2 restricts dredging in the Coastal Planning Area to “operations which facilitate the continuing use of existing channels, operations associated with appropriate water-dependent uses, or operations which correct environmental problems caused by limited tidal circulation or other deficiencies of the environmental system.”

None of these exist at Aqua by the Bay, so dredging is inconsistent with the Comprehensive Plan and Land Development Code

*- Stuart Smith – for Suncoast Waterkeeper and Sierra Club*

## Bobbi Roy

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**From:** susan garrison <shgar2000@yahoo.com>  
**Sent:** Thursday, September 28, 2017 8:51 PM  
**To:** Betsy Benac; Carol Whitmore; Charles Smith; Robin DiSabatino; Priscilla WhisenantTrace; Stephen R Jonsson; Vanessa Baugh  
**Cc:** Marianne Lopata; Sheri Smith  
**Subject:** Aqua by the Bay

Dear Manatee County Commissioners and staff:

I cannot attend the Oct. 3 meeting on the subject development. I am a Manatee County voter. I ask you to honor the Manatee County Comprehensive Plan and Land Development Code.

Do not violate Manatee County rules on dredging and wetland impacts.

Do not enable more coastline flooding of neighboring properties from storms and hurricanes by this development.

Protect our environment, follow the code, vote NO on ABTB.

Sincerely, Susan H. Garrison

## Bobbi Roy

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**From:** Frank Gidus <fgidus@ccaflorida.org>  
**Sent:** Thursday, September 28, 2017 4:02 PM  
**To:** Priscilla WhisenantTrace; Charles Smith; Stephen R Jonsson; Robin DiSabatino; Vanessa Baugh; Carol Whitmore; Betsy Benac  
**Subject:** Aqua by the Bay Clarification

It is our understanding that there will not be public comments allowed at the October 3<sup>rd</sup> continuation special land use meeting. It is also our understanding that the plans for the development have changed since the August 23<sup>rd</sup> meeting. We read that Commission Chairwoman Betsy Benac stated at the August hearing that the continued proceeding would be closed unless there was a substantial change in the developers' application. Can the commission please confirm this information and explain the process to us please? What is considered a substantial change?

Thank you,

Frank J. Gidus, II  
Director of Habitat and Environmental Restoration  
Direct: (407) 401.7673 | Main: (407) 854.7002

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## Bobbi Roy

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**From:** Larry Grossman <pdclkg@hotmail.com>  
**Sent:** Wednesday, September 27, 2017 5:48 PM  
**To:** Betsy Benac  
**Subject:** Aqua by the Bay Consideration

One of the burdens of Commissioners making land use decisions is seeing how those decisions play out over 10-20 years of more for better or for worse. This is why decisions have to be made with the best information and evidence available to judge the merits of an application.

The opinion of the citizens and expert testimony of environmentalists and marine biology experts is that the Aqua by the Bay application will have dire consequences for the Sarasota Bay shoreline and the survivability and health of the mangroves. All the services that mangroves provide to fish, marine life and shorebirds and in filtering pollution and mitigating storm surges will be compromised and debilitated.

Armoring the shoreline to raise the development out of the FEMA 100 flood plain and then dredging a lagoon are highly intrusive and risky. Please do not approve in concept what might not be a public benefit in reality.

I ask that the Commission deny the application for lack of completeness, non-compliance with the buffer required to protect the mangroves and the questions surrounding the impact of the wall and the lagoon on Sarasota Bay, the mangroves and adjacent properties.

In the larger picture, as a planner, I prevail upon the Commission to actually do proactive planning rather than reactive development application reviews that bake in generalized land use development levels that are no longer appropriate. There should be a West Bradenton Plan that encompasses the three major development properties and comprehensively address all the issues attendant toward their development in the context of the West Bradenton neighborhoods including the Barrier Islands. The Commission has approved a small city's worth of development on the coastal edge without assessing the cumulative impacts these levels of development would have on resources, infrastructure and public safety especially concerning hurricane events.

With sea level rise and with warming and expanding bodies of water already in evidence as well as the likelihood of more extreme weather events, we cannot plan the future as if it were the past. The past is past. The climate is not the same. Planning is about recognizing changed conditions that must be addressed; otherwise planning become an end state rather than a process for change, adaption and innovation.

Larry Grossman

Sent from [Mail](#) for Windows 10

## **Bobbi Roy**

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**From:** duck.one2@verizon.net  
**Sent:** Wednesday, September 27, 2017 4:48 PM  
**To:** Priscilla WhisenantTrace; Charles Smith; Stephen R Jonsson; Robin DiSabatino; Vanessa Baugh; Carol Whitmore; Betsy Benac  
**Subject:** Could Manatee County become victim of another "Harvey?"

Dear County Commissioners,

The Representatives of the Citizens' Group in the segment below are bringing up similar issues to ours in Manatee County. We do not want to become another Harvey. The development being proposed by Aqua by the Bay would be displacing water elsewhere. Would you want your home flooded like those citizens in Houston?

Please keep this in mind when making your imminent decision regarding Aqua By the Bay.

Thank you,  
Margie Motzer

<https://www.cbsnews.com/news/hurricane-harvey-60-minutes-a-fluke-or-the-future/>

## Bobbi Roy

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**From:** Larry Grossman <pdclkg@hotmail.com>  
**Sent:** Wednesday, September 27, 2017 2:45 PM  
**To:** Betsy Benac  
**Subject:** Aqua by the Bay Ex Parte Communications

At the August 23<sup>rd</sup> public hearing on Aqua by the Bay, Commissioner Jonsson stated that he did not read emails concerning this application and in fact deleted the emails. Citizens were upset when this was disclosed because Commissioner Jonsson seemed dismissive of citizen input on a very important and controversial subject. He also gave the impression that reading the emails was somehow a conflict and prejudicial to his ability to judge the merits of the application before the Commission.

However, MCBOCC Resolution No. 05-179 states that ex-parte communications regarding a quasi-judicial matter before the Commission were not prejudicial and could be conducted without the presumption of a conflict of interest. These communications become part of the record and are disclosed prior to consideration of a quasi-judicial proceeding.

We expect all the Commissioner's to read written communications from their constituents and as cited in the Resolution., there is no prohibition in doing so. In this respect, Commissioner Jonsson's dismissal and deletion of the ex-parte communications in his email account is disappointing.

I would ask that you clarify this point at the October 3<sup>rd</sup> continuation hearing. Citizens should not be left with the impression that Commissioners are legally prohibited from having written or oral ex-parte communications with their constituents on a quasi-judicial land use application.

Thank you

Larry Grossman

Sent from [Mail](#) for Windows 10

## **Bobbi Roy**

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**From:** Carol Nelson <2338carol@gmail.com>  
**Sent:** Wednesday, September 27, 2017 1:40 PM  
**To:** Stephen R Jonsson  
**Subject:** Aqua

I am a resident of paradise bay and am very concerned about mr Beruffs overbuilding. did he plan on open spaces. No . He wants to build very tall buildings how many units will he build? Each unit will have a car Cortez road will be a parking lot. I hope that on October 3rd you will question this overbuilding. Don't forget the tiny houses going up by the seafood shack. When will the bridge on 53rd st be built so that we can drive on Cortez red. Thank you remember tall buildings overcrowding is not what the people of Bradenton want. Snowbirds pay taxes & bring money

Sent from my iPad

## **Bobbi Roy**

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**From:** David Cartee <pro.announcer@hotmail.com>  
**Sent:** Wednesday, September 27, 2017 1:31 PM  
**To:** Charles Smith  
**Subject:** Please oppose Aqua by the Bay development

Dear Commissioner,

As a resident of Bradenton I am very concerned about the negative impacts of the proposed Aqua by the Bay development.

Our waterfront must be protected from over development such as what is proposed by Carlo Beruff's plans which you will be hearing on October 3.

I urge you to reject the scope of this huge intrusion and change to the coast of Sarasota Bay. To be specific: Its lagoon and seawall threaten the mangrove coast, its lagoon and seawall violate multiple county codes and state guidelines, the plan is incomplete and conflicts with plans submitted to other agencies and, especially, its building heights violate the Land Development Code and are incompatible with the area.

Please oppose this excessive intrusion until it complies with the letter of ALL county rules and dredging and wetland impacts.

Thank you,  
David Cartee

## Bobbi Roy

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**From:** David Brown <djbrown48@icloud.com>  
**Sent:** Wednesday, September 27, 2017 11:54 AM  
**To:** Robin DiSabatino  
**Subject:** Aqua

Robin:

I live in Sunny Shores. Traffic is so bad now, I can't get out of my development. You know all of the negatives of this project. I don't know of any positives except increased ratables, which we don't need. Just say no based on the environmental impact alone. Make the developer go back to the drawing board and do his diligence. Your vote is extremely important to us and we expect you to do the right thing for the people.

Dave Brown  
Sunny Shores  
609-636-1768

Sent from my iPhone

## **Bobbi Roy**

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**From:** Barbara Angelucci <B4mgh@live.com>  
**Sent:** Tuesday, September 26, 2017 5:25 PM  
**To:** Betsy Benac; Robin DiSabatino; Priscilla WhisenantTrace; Charles Smith; Carol Whitmore; Vanessa Baugh; Stephen R Jonsson  
**Subject:** AQUA Impacts the Future of Manatee County

I would like to remind the Commission that over 6,000 citizens and voters signed a petition to preserve Manatee County's treasured resource

and over 1,000 attended the August 6, 2013 meeting at the Civic Center. The new Commissioners should know that the meeting started

on a Tuesday and ended around 3 AM on Wednesday morning. The Sunday, August 4, 2013, edition of The Bradenton Herald was filled

with opposition letters and the editorial board of the paper recognized that, "*On Long Bar project, hit the pause button*". "*Too many*

*questions remain*".

Here we are in 2017 and there are still too many unknowns. The Board needs to require a detailed site plan and an environmental impact study

developed by independent experts from outside of Florida. As the Herald stated, "*There is too much at stake and too little is known*."

*Too few concrete facts have been put forth. Too much vague language and promises are in play.*

*A fully informed and deliberate decision is required since this impacts the future of Manatee County."*

In order to make an informed decision on your part, you must look at the whole picture to determine what potential threats there

may be to the health of the Bay, jobs for our fishermen, tourist, and enjoyment by citizens and all creatures that call the Bay their home.

Every effort must be made to ensure that any developer-submitted application/stipulations conform strictly to all related rules and regulations

of this County, i.e. Comprehensive Code and Land Development Code, and no special or specific approvals be granted.

The Commission does not have to grant these approvals and why it has become commonplace is egregious and must stop.

If Irma had not jogged to the east, the Manatee coastline would have seen, as reported, a nine foot storm surge.

As it was, with the heavy rains we experienced the end of August, there were reports that El Conquistador Parkway flooded

(Monday, August 28) from 34<sup>th</sup> Street W to the end of the developments up to LBP. Mother Nature is not happy with the way

we are destroying Creation and she is not done telling us so. You took an oath to 'protect the safety and health of the

people of this County'. You will be violating your oath if this is approved as submitted.

The two Archaeological sites 8MA1232 and 8MA1234 which contain the Aboriginal Indigenous Sacred (Holy) Places

and Aboriginal Indigenous Ancient Relatives Human Beings Remains and their Belongings were not adequately

discussed and practically dismissed. These Midden locations are sacred grounds to the Miccosukee Simanolee Nation Aboriginal Peoples.

The developer is planning to raise the property by thirteen feet (13) so how does he construct a 50 foot buffer zone around each site,

as Janus Research suggested, or does he further bury the remains under 13 feet of fill. Additionally, a buffer strongly identifies the sites and

more than likely would encourage 'relic hunters' at the least. How do the families visit their ancestors in their Sacred Grounds if the complex is gated?

Why should an appointment be required for each visit.

Commissioners, answer this question: How would you feel if your parents', etc. graves were within a development, buried under 13 feet of fill or ringed by a buffer, and your visitations had to be scheduled??? This is shameful.

You owe it to your constituents to see that development of this area is meticulous and precise.

Your names will be forever linked to this project. The citizens and the Bay await your decision.

Barbara A. Angelucci



## Bobbi Roy

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**From:** Rainer Hentschel <roharh@hotmail.com>  
**Sent:** Tuesday, September 26, 2017 3:30 PM  
**To:** Betsy Benac  
**Subject:** Aqua by the Bay Project

Dear Ms. Benac

I know your commission is meeting soon to vote on the this project by Carlos Beruff. I certainly hope that you and your team of Commissioners have been listening to the people of Manatee county (and possibly other areas) who do NOT want this project to move ahead.

Carlos Beruff does not care about the people in the surrounding area, the wild life that will be displaced, nor the environment. He does care about \$\$\$\$\$\$.

He definitely proved that when he voted for Pat Neal to build his family compound, rip out mangroves, and immediately left the committee. And, now we have Pat Neal writing to help Carlos expand his empire.

Really, you mean to tell me there aren't other ways to productively use this land, make it beautiful, and maybe even return some cattle to the area. Do we need that many more tall buildings, concrete (look what happened to Houston recently), new homes? He promised a lot when he completed the Cascades but instead just nicked and dimed the residents.

I think it is about time the Commissioners began to think about what is best for the people in Manatee County, the wild life, and quality of life. Quality of Life does NOT mean having more concrete, more buildings, more traffic and making a millionaire more rich.

I hope you are all ready for some big time backlash if you vote for this project. It's about time someone had the guts to stand up to the developers & say ENOUGH.

Sincerely,

Ann Rubin-Hentschel