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**Planning & Historic Preservation Board**

Tuesday • January 28, 2020 • 7:00pm

**Minutes Regularly Scheduled Meeting**

1. Call to Order: 7:03 p.m.

2. Invocation & Pledge of Allegiance to Flag:

3. Roll Call:

Board Members

Ann Baird, Vice Chair -- Present

Vacant Seat -- *Vacant*

H. Grace Fuller -- Present

Stephen “Dakota” Warren -- Present

Fro Warren, Chair -- Present

Andrea Parker, Town Attorney -- Present

Patty Polk, Deputy Town Clerk -- Present

4. Agenda Approval:

***Motion made and seconded (Johnson/Baird) to approve the agenda as amended, moving Micanopy Cemetery from #9e to 9a; passed 4-0***

5. Approval of Previous Meeting Minutes: December 17, 2019 – Regular Called Meeting Minutes

***Motion made and seconded (Fuller/Baird) to approve the December 17, 2019 regularly called meeting minutes as submitted; passed 4-0***

6. Citizen’s Forum:

Rachel Vallejo, *(201 NE Tahota Avenue)* spoke about an accessory structure measuring 66’x80’x50’ high *(actual dimensions are 64’x75x20’)* that is being built on property across the road from her property. The structure is half a block from Cholokka Boulevard’s historic district and adjacent to the *Little School House*. Ms. Vallejo complained that there are no front street setbacks, that there are several existing structures on the property, and that the place is a mess. She requested a copy of the completed zoning compliance presented to obtain permission to build this building. It was her opinion that whoever approved this structure did not really think about the impact which would be caused because of the structure. It is her understanding that the building will be used as a warehouse for airboats and for airboat repair. There is already a lot of truck traffic on Tahota Avenue bringing airboats in and out of this property, and there will be more when the structure is completed. Ms. Vallejo claimed that the permit is not posted on the property, but she has a copy from the Alachua County Building Department website showing that no electric and plumbing are listed on the permit; and she voiced her opinion that it was very hard to believe. What can we do about this?

Chair Warren responded that the P&HPB had approved the variance of a 15’ rear setback, and if the building does not conform to our Land Development Code (LDC) then this should be reported to our Code Enforcement Officer. Vallejo stated *incorrectly* that the building is 66’x80’x50’ in height, it is a huge warehouse, and it is half a block from the main street. Chair Warren replied that it doesn’t matter how close to the historic district the building is. Further, the property is zoned commercial C-2 and doesn’t require a front setback. Vallejo answered that it should have been considered that you can probably see this warehouse from the main street. Chair Warren stated that the property owner has agreed to remove all other accessory structures on the property with their contents being stored in the new building. Attorney Parker confirmed that code enforcement is the proper procedure to follow and that our Town Administrator serves as the Code Enforcement Officer. Vallejo had thought that code enforcement was handled by Alachua County.

Grace Fuller questioned if that property is zoned commercial and she was answered that it is. She is curious if he is running a business there and it sounds like he is. How would a resident find out if he has a business? An occupational license is required for any business within the Town limits. Chair Warren answered that there was no mention of a business when the variance was requested from the Board, but businesses are permitted in commercial C-2.

Vallejo stated that the owner’s dogs are free to roam when the builders are going in and out of the fenced property. Two weeks ago, in the middle of the night, there was a huge commotion and the following day there was one dead and two injured dogs. Chair Warren stated that we have no control over the dogs; Alachua County Animal Control handles those matters. Chair Warren will check over his notes and discuss them with the Town Administrator soon.

***Motion made and seconded (Fuller/Baird) to move the Micanopy Cemetery Lots to #7a after Public Hearings;***

***passed 4-0***

7. Public Hearings: None

7a. H. Grace Fuller presented that the Cemetery Association approached the Town commission regarding the cemetery; below is information from the December 10, 2019 Town Commission minutes:

*Micanopy Historic Cemetery Association (MHCA) – Town-owned Adjoining Cemetery Parcels*

*As discussed last month, the Town owns three parcels totaling over 4 ½ acres adjacent to the Micanopy Historic Cemetery. As the cemetery has only twelve remaining unsold lots, the Cemetery Association would need the Town to commit that acreage to the Cemetery Association. The Association had developed a two to three-year plan for which they might be in need of financial and physical help to develop those areas, including assistance with the creation of parking areas, service area, additional water distribution, burial design assistance, hiring a lot chairman, and landscape maintenance. The MHCA will be meeting on January 18th to discuss options. Town Administrator Gonano asked Claudia Larson if she had any estimates of cost for the items on the list; and Claudia did not. Additionally, the Administrator asked Claudia if the cemetery had funds to cover any improvement costs, and Claudia answered that the Association has invested funds in a long-term IRA in perpetuity, which had been reserved for future cemetery needs. Claudia asked for, and received, a verbal commitment of support from all five Town Commissioners for donation of the Town-owned acreage. Claudia will take this verbal offer of support back to the Association for discussion purposes. Homer Jack Moore voiced concern about possible construction on land on which an historic battle might have occurred. Mayor Aufmuth replied that all proper precautions would be taken.*

Following the December Commission meeting, Grace Fuller had approached Chris Monaco to obtain information about the possibility of battles having been fought on the property and Chris Monaco confirmed that there were battles fought there. Mr. Monaco had understood that the Cemetery Association would be here with a presentation to discuss this topic, but Chair Warren answered that the Association has been discussing the topic with the Town Commission. Warren suggested setting up a workshop with the Cemetery Association and the Town Commission to discuss this in more detail; he will make the request to the Commission.

Chris Monaco was happy to share his knowledge of Micanopy battlefields, stated that the information was highlighted in their report to the National Parks Service, and clarified that this is part of the battlefield protection program. Within the cemetery footprint is the site of the Battle of Micanopy, the Battle of Welika Pond, and the sites of Ft. Defiance, and Ft. Micanopy. Monaco summarized that no other town or city in Florida has such wonderful resources and that it really upset him to learn of the Cemetery Association’s request to improve the property behind the existing cemetery. Monaco stated that the Trust had deliberately been low key as to the location of the Battle of Welika Pond battle site, which was in opposition to the Battle of Micanopy which had been fought in Paynes Prairie. Because of the cemetery situation, it can be problematic as people are buried there and you can’t really mess with that. Fortunately, the segment of the original road, as reported by archeologist, Gary Ellis, is on town-owned property. Monaco thought that a preliminary archeological investigation should be finalized prior to any work being completed because you don’t know what you will find in a battlefield: iron implements, shots, or human remains. The historical site is a cultural resource for our town, and we should do right by that. Gary Ellis previously spent two years in Micanopy doing archeological work, and when he learned about this proposal, he wrote a report immediately from an archeologist point of view. He knows the Town and citizens take this seriously.

Baird asked if portions of the battle were fought on the existing cemetery site. Monaco does think so and stated that there are more and more historical sites that are now gone. The Seminole Indians are very interested in the outcome of this property. Fuller stated that this is an opportunity on two fronts: one is the upcoming bicentennial celebration, and she also viewed this as an educational opportunity about history and artifacts. Chair Warren will get the Town Commission involved by setting a separate workshop. Baird stated that Micanopy was well known, as she had done her dissertation on Spanish forts and fortifications, and while she was traveling with others in Europe group members had been well aware of Micanopy. Fuller thanked Monaco for joining us tonight.

8. New Business:

* Duke Energy Florida – Dorothy Pernu, Government & Community Relations Manager

Discuss the Battery Storage project, share tentative site plan, discuss permitting process, and ensure that Duke understands all items that need to be presented to the Town of Micanopy.

Dorothy Pernu, Duke Energy, presented. They first brought this information source to the Town Commission back in September 2019 and had given the Commission an overview of what battery storage is, why Duke felt it was important to help support the reliability and resilience of electricity, and why Duke felt it was important here. They have identified a parcel of land to utilize for the battery storage facility. Adam Nygaard, Duke Systems Development Manager and Shawn Harrington, Engineer, were present. Adam Nygaard introduced himself and presented some information on the parcel: approximately 2½ acres, the fenced battery storage would take up about a ½ acre or 26,000 square feet. Battery storage containers and equipment would be in this area and the customers closest to the storage unit will benefit the most from this. The closer to the reclosers, the better for the battery storage facility. Nygaard stated that the purpose for being here is to get feedback and have some questions answered. Duke understands that this parcel is zoned C-2, they believe that this is a permitted use, and they don’t see anything that would prohibit the battery storage plant.

Chair Warren stated that people are worried that these batteries may blow up and cause fire. Nygaard answered that with anything there is always risk, but that Duke has been using batteries for over 10 years and they use the top battery vendors. Duke conducts formal training with the local fire department before issues arise. The landscaping will be similar to sub stations, but some trees will need to be removed. Nygaard stated that he knows that tree preservation is very important in Micanopy. Chair Warren stated that we do have protected trees but he doesn’t think there are any on that property. The map shows that the plant is next to the animal hospital; but location is flexible. Duke has completed a phase one environment site assessment. Baird ask if the lines are underground and was answered that they are until they reach the power pole. Fuller asked if there is a risk of the underground power in a wet area, but Nygaard doesn’t think there is a risk or they wouldn’t have gotten this far in the planning. The lot is deep and the fence is 50’ – 75’ back from US Hwy. 441. As Duke would like to install a 7’ tall fence, they will need a variance to build a fence over 6’ in height. Pernu stated that the goal is to have a tree buffer in front of the chain link fence; if you ask to modify this plan then they can put up a privacy fence inside of the chain link fence. They will landscape to the Town’s preference if necessary.

Chair Warren discussed the checklist received from the Town’s land planners. He handed out a check list which he has been using for several years. Nygaard has the most current Land Development Code (LDC) requiring landscaping to have a water supply. If you are planting plants that need irrigation then you will need to provide water. Discussed the parking requirements and Chair Warren doesn’t see a requirement such as retail stores would need. Attorney Parker read in our Code Section 6.01.05 whereby a reduction in parking spaces would be allowed. Fuller is concerned that without obvious parking spaces, there may not be established parking places, the situation may arise that many trucks might be needed there, and that vehicles would park wherever they wanted to park. Shawn Harrington assured her that there will be plenty of safe places to park.

Stoney Slaton, *(104 NE*  *Seminary Ave*) questioned what batteries will be used; lithium ion, storage capacity is 8.25 megawatts. Nygaard was instructed to provide the completed application to the Town Administrator.

9. Old Business:

1. Micanopy Cemetery Lots (moved to 7a. under new business)
2. Town Entrance Triangle on NW Seminary Ave and CR 234 - tabled
3. Accessory Building & Recommendations - tabled
4. Airbnb/Short Term Rentals – Legislative session is now in and they are working on two bills that will take away all local authority of Airbnb’s. Proposed by Diaz and Fisher.
5. Bicentennial Celebration 2021 – Keep this in mind.

10. Board Member Comments:

* Dakota Johnson – He has learned a lot.
* H. Grace – Thank you to Tom Brady for his many many years of knowledge and serving. Board member empty seat announced at the last Town Commission meeting. Applications will be accepted until the Thursday before our next Town Commission meeting. David Massey has applied for the empty seat.
* Ann Baird - Nothing
* Fro Warren – Good meeting. He will talk to the Town Commission about having a workshop.
* Attorney Parker – The triangle on NW 234 and NW Seminary Ave; do we need anything from the Town Attorney and the answer is not yet.

11. Adjournment: 8:25 pm

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MINUTES APPROVED:

As submitted\_\_\_\_As amended\_\_\_\_ at Planning & Historic Preservation Board Meeting\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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JP Warren, Chair Patty S Polk, Recorder