



WINDERMERE PARKS & RECREATION COMMITTEE
June 11, 2020 AGENDA

Town Hall
520 Main St
Windermere, FL 34786

In order to maintain a 1hour time schedule, the committee will address the monthly agenda items only unless time remains for New Business discussion at the end. Agenda items should always be submitted in advance for committee consideration.

1. **OPEN FORUM/PUBLIC COMMENT (3 Minute Limit):**
2. **OLD BUSINESS:**
 - a. **Events:**
 - i. **Windermere Pet Fest Sat. March 7, 2020**
 1. **Create subcommittee for next year's event**
 - ii. **18th Annual UMC Run Among the Lakes**
 1. **Approval of changing race date to Saturday, October 10**
 2. **Create subcommittee for next year's event**
 3. **Subcommittee to look at contracting with other event managers after race**
 - **Frank**
 4. **On target now to sell out at 1,000 runners**
 5. **Race Set Up**
 - **Need to get custom RATL masks for sponsors and volunteers**
 - **Dixie Cream will sponsor and supply all runners food – need to see if they are still willing to sponsor and how we restructure this**
 - iii. **Halloween Costume Parade and Hayride Saturday, October 31, 2020 (Doug)**
 1. **Windermere prep may be interested in sponsoring event – I told them we will follow up after race**
 - b. **Tennis**
 - i. **Tennis Report – Doug**
 1. **Adult Tennis Night –**
 - **Do we want to schedule for winter/spring?**
 - c. **Parks**
 - i. **CIP**
 1. **Central Park –**
 2. **Fernwood Park –**
 - **Change boardwalk platform to 20 feet in diameter?**
 - **Update on cleaning out lagoon**
 - **Update on boardwalk pricing**

- We have pulled the FRDAP grant from Fernwood Park as using any public funds would require everything in the park (including the boat ramp) to be open to the public. Clearly, opening up the boat ramp would be a huge problem for TOW residents, so we will not move forward with FRDAP funds. We can still move forward with the boardwalk, using a combination of P&R Funds and the TOW CIP funds devoted to P&R. This leaves us with options:
 - i. Leave the park as is and use only private funds for future development.
 - ii. Move the gate to the street, making all parking and ramp access available only to residents who have purchased a boat ramp key (see attached drawing) This will also require we use only non-public funds in the future. The area to the right of the boat ramp is park, and we would have a pedestrian gate for access.
 - 1. Would we want the boat dock to be included in the private, fenced off area?
 - 2. Problems with this include:
 - Traffic may back up onto streets for people launching boats.
 - People may park on residential streets.

3. Park Among the Lakes –

- Please close in really ugly electrical board

4. Lake Down

- Look at possibly adding signage showing park map- Scott to get costs/graphics
- Clear out east side of 5th Street dock to enlarge play area
- Cypress trees planted and look great

ii. Review & modify final plans from IDG for Lake Bessie & Lake Down pathways -

1. Tabled for near future

d. All Parks (General Discussion)

- i. Update from Scott on Park Walk Through items

Park Walk Through 2019

Central Park

1. Powerwash pavilion
2. Grind stumps in park – danger to people running through park
3. Dead pine tree behind MaryEllen Stones house – need to remove
4. Tree leaning on other trees behind MaryEllen Stones house – need to remove before it falls
5. Remove queen palms growing into oaks by Oakdale & 5th
6. Add benches at 4th Street end of park
7. Add pine trees/East Palatka Hollies along fence along Oakdale. Need to replace pines and add screen from parking.
8. Add understory tree(Dogwood) at corner of Oakdale & 5th.
9. Need irrigation for tree plantings?
10. Determined site of new exercise equipment

Palmer Park

1. Chinning Bar missing from playground equipment
2. Tether ball missing
3. Pressure wash wooden playground equipment and seal the wood
4. Dead pine tree near play area
5. Drains clogged and standing water in park

WRC

11. Repair/resurface floor of pavilion
12. Wood rotting on electrical box – replace
13. Dead pine tree along walkway to bridge – remove
14. Replant trees between tennis courts and pavilion walkway
15. Branch touching bathroom facility
16. Remove section of railing on dock; add cleats & ladder
17. Missing cap on walkway to dock
18. Fix volleyball court – add borders and sand. Add weed stop fabric under sand?
19. Bathroom flooring – Consider new or different top coating

Fernwood

6. Add berms/swales at end of roadway near lake
7. Add large oak tree in center of roundabout
8. Add border to roundabout so people don't park there
9. Add hedge along chain link fence (west side)
10. Consider adding gravel in circle driveway area

3. NEW BUSINESS

a. MINUTES

- i. Approval March Meeting Minutes (Attached-Committee Option)

b. GENERAL ITEMS FOR CONSIDERATION

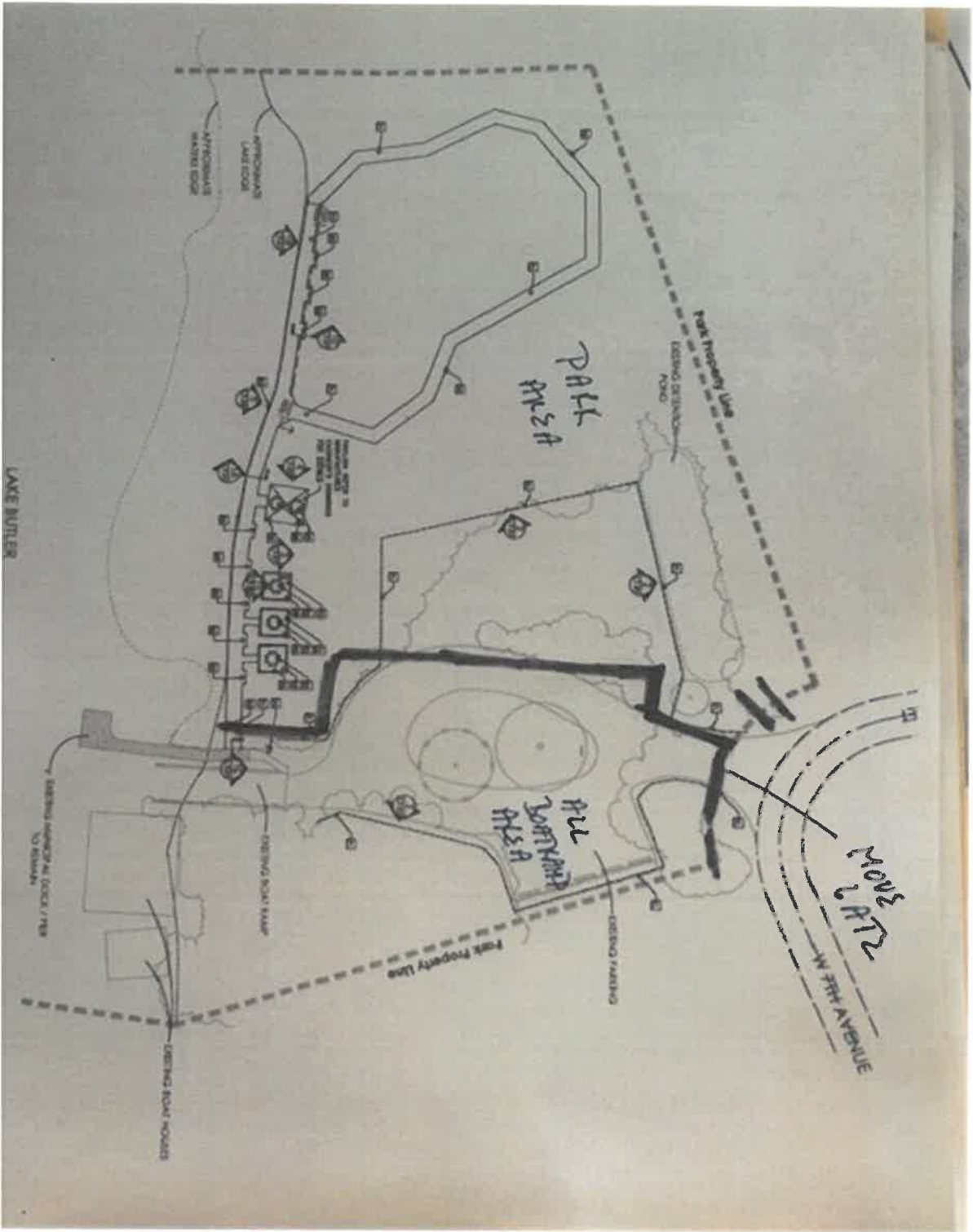
- i. Ward Trail Multiuse Trail Feasibility Study (Attached Report-Board Discretion)
- ii. Discussion regarding amendments to Park Pass and Tennis Pass agreements

c. Liaison Reports

- i. Councilman McKinley
- ii. Robert Smith
- iii. Scott Brown

4. NEXT MEETING DATE – Thursday July 9, 2020

5. ADJOURNMENT





**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: IDG Parks Landscape Architectural Services – Final Design Plans for Central Park & Fernwood Park

REQUESTED ACTION: Staff Recommends Approval

Work Session (Report Only) **DATE OF MEETING:** 08/14/2018
 Regular Meeting Special Meeting

CONTRACT: N/A

Vendor/Entity: Innovations Design
Group Inc

Effective Date: 08/14/2018
Managing Division / Dept:

Termination Date: Ongoing
Public Works

BUDGET IMPACT: TBD

Annual

FUNDING SOURCE:

FRDAP/Parks & Recreation/Tree
Mitigation Trust Fund

Capital

EXPENDITURE ACCOUNT:

001 5193 000 8460 – FRDAP
001 9150 454 5692 – Parks & Recreation
001 5191 000 7543 - Tree Mitigation Fund

N/A

HISTORY/BACKGROUND/RECOMMENDATIONS:

History

Mayor & Council,

On January 10, 2017, the Town Council approved awarding RFP 2016-03 Landscape Architectural Services to Innovations Design Group. These services encompassed the landscape design of 7 parks:

Palmer Park
Windermere Recreation Center
Fernwood Park
Lake Down Park
Central Park
Park Among the Lakes (aka Main Street Park)
Lake Bessie

Background

As the overall project of developing plans for these 7 Parks is time consuming and needs time to focus on details, the Parks & Recreation Committee decided to review the parks plans in groups in lieu of the entire package. With this, it was decided that pending FRDAP funds available the initial focus would be on Central Park & Fernwood Park.

Recommendation

Both the Parks and Recreation Committee and Tree Board have reviewed these plans and recommend approval with the following conditions:

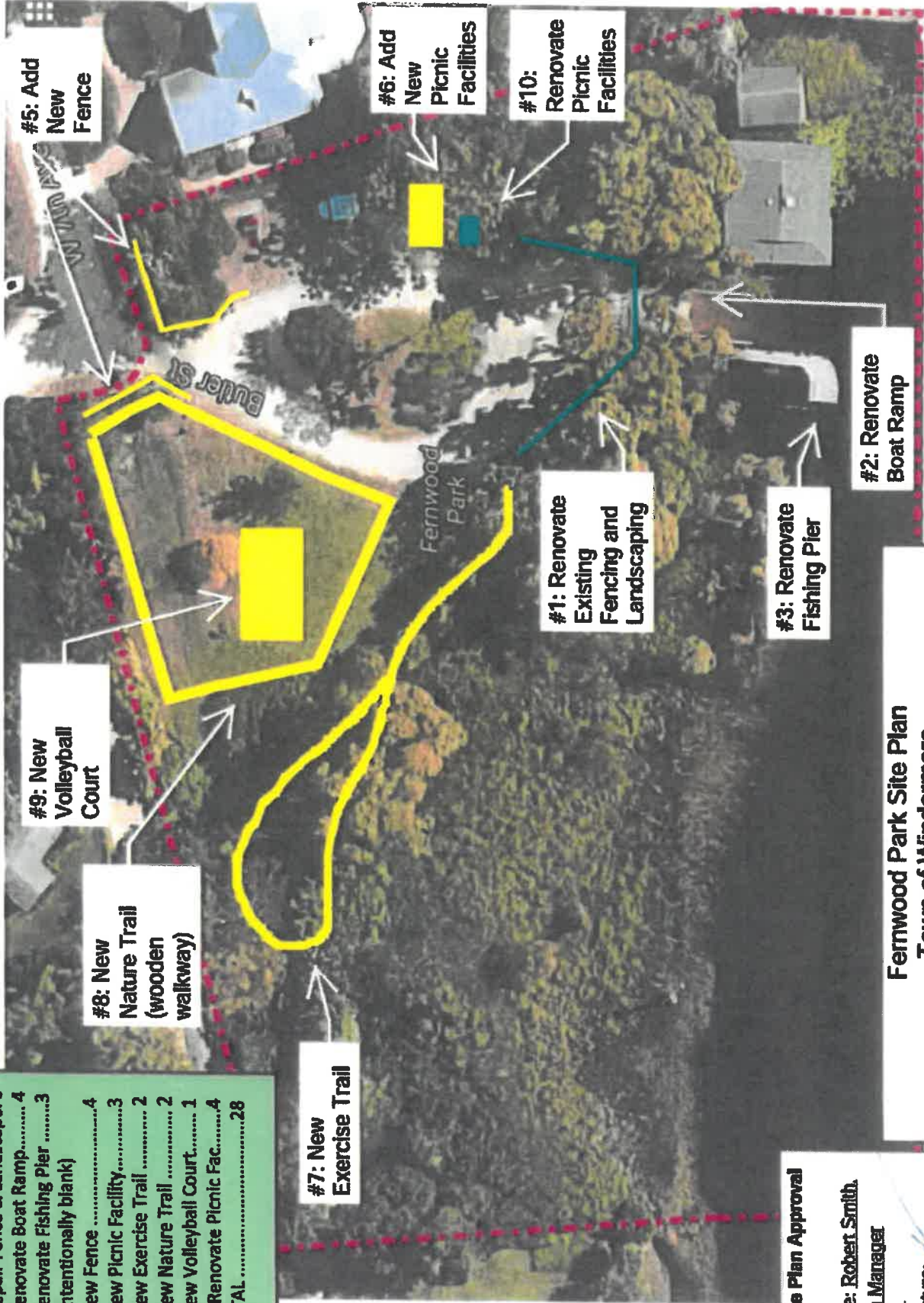
Central Park:

- No concrete Slabs
- Add irrigation or watering program until trees/vegetation survive
- Definitions or what defines a butterfly garden or alternatives for FRDAP matrix/points
- Pre-plant 5/6 Longleaf Pines
- Hickory Tree Replacement

Fernwood:

- Remove Ear Trees
- Replace with Wet Tolerant Trees

#	Item	Pts
1	Repair Fence & Landscape.	5
2	Renovate Boat Ramp.....	4
3	Renovate Fishing Pier	3
4	(intentionally blank)	
5	New Fence	4
6	New Picnic Facility.....	3
7	New Exercise Trail	2
8	New Nature Trail	2
9	New Volleyball Court.....	1
10.	Renovate Picnic Fac.....	4
	TOTAL	28



Site Plan Approval

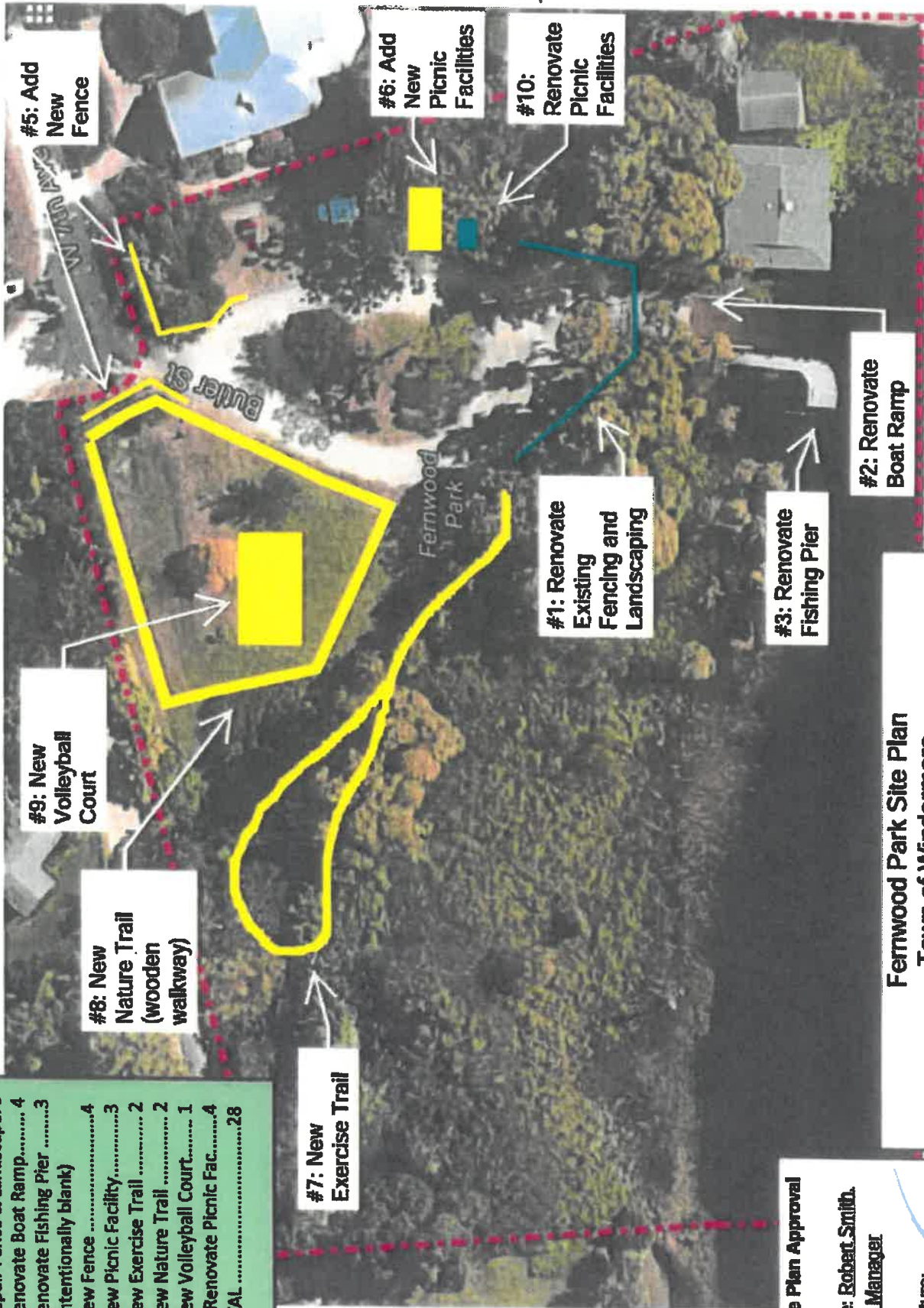
Name: Robert Smith
Town Manager

Signature: [Signature]

Date: 11/14/16

Fernwood Park Site Plan
Town of Windermere
Florida Recreation Development Assistance Program
Grant Application Deadline: October 28, 2016

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1	Repair Fence & Landscape.	5
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	TOTAL	28



Site Plan Approval
 Name: Robert Smith
 Town Manager
 Signature: [Signature]
 Date: 11/14/16

Fernwood Park Site Plan
 Town of Windermere
 Florida Recreation Development Assistance Program
 Grant Application Deadline: October 28, 2016



Florida Department of Environmental Protection
Florida Recreation Development Assistance Program
Commencement Certification

Required Signatures: Adobe Signature

Grantee: Town of Windermere

Project Number: A19069

Project Name: 2017-2018 Fernwood Park FRDAP Improvement Project

A list identifying the quantity and type of primary outdoor recreation areas and facilities and support facilities to be constructed, and cost estimate for each item. (50% of total costs must be in primary facilities)

Primary Facilities/Areas:	Estimated Cost:
Renovate picnic facilities	2,353.00
New exercise trail	4,706.00
New picnic facilities	9,412.00
New nature trail	17,647.00
Renovate fishing pier	2,353.00
Renovate boat ramp	3,529.00
New volleyball court	2,941.00

Support Facilities/Areas:	Estimated Cost:
Renovate fence	2,353.00
New fence	4,706.00

Total Project Cost **\$ 50,000.00**

The GRANTEE certifies that all final plans and specifications (i.e.; site, architectural, engineering) to be used in conjunction with the above referenced project will be prepared and certified by an insured, registered architect, engineer, or landscape architect (as appropriate) and will meet all applicable federal, state and local codes, and current engineering practices; that health, safety, durability and economy will be considered and incorporated in these plans consistent with the scope and objectives of the project; that equal access pursuant to the requirements of Federal law and Chapter 553 Florida Statutes, is incorporated in the design of all facilities for individuals with disabilities; that the proposed development is compatible with its surrounding environment; and that provisions have been made to insure adequate supervision of construction by competent personnel.

Date 11/14/18

Project Liaison Agent [Signature]



Florida Department of Environmental Protection

CERTIFICATION OF INSURANCE FORM

Required Signatures: Adobe Signature

PROOF OF INSURANCE PROVIDED

Grantee: Town of Windermere

Project Title: 2017-2018 Fernwood Park FRDAP Improvement Project

Project Number: A19069

I Robert Smith REPRESENTATIVE FOR (city/county district) Town of Windermere

HEREBY CERTIFY THAT I HAVE ATTACHED PROOF OF GENERAL LIABILITY INSURANCE THAT IS CURRENT, IN GOOD STANDING AND SHALL REMAIN IN EFFECT THROUGH THE DURATION OF THIS FLORIDA RECREATION DEVELOPMENT ASSISTANCE (FRDAP) GRANT PERIOD.

Signature: [Handwritten Signature] Date: 11/14/18

- OR -

SELF-CERTIFIED ACKNOWLEDGEMENT

Grantee: na

Project Title: na

Project Number: na

I na REPRESENTATIVE FOR (city/county district) na

HEREBY CERTIFY THAT THE (city/county district) na IS SELF INSURED AND THIS COVERAGE SHALL LAST THROUGH THE DURATION OF THIS FLORIDA RECREATION DEVELOPMENT ASSISTANCE (FRDAP) GRANT PERIOD.

Signature: Date:

A

GRAY | ROBINSON
ATTORNEYS AT LAW

Truong M. Nguyen
Attorney At Law
407-843-8880

TRUONG.NGUYEN@GRAY-ROBINSON.COM

November 8, 2018

Town of Windermere
614 Main Street
Windermere, FL 34786

Re: Fernwood Park Title Opinion Letter

Ladies and Gentlemen:

We have reviewed that certain Title Search Report issued by Old Republic National Title Insurance Company (File Number: 18118969) attached hereto as Exhibit "A" (the "TSR") regarding the real property located in Orange County, Florida.

Based solely upon the TSR, we are of the opinion that as October 30, 2018 at 5:00 PM, fee simple property is vested in The Town of Windermere, Orange County, Florida, by virtue of Quit-Claim Deed recorded in Official Records Book 2080, Page 26, Public Records of Orange County, Florida.

Also, the property is free and clear of all encumbrances, except the following:

- a. Taxes for the year 2018 are due and payable in the gross amount of \$85.68 under Tax Parcel Number 17-23-28-9336-10000.
- b. Restrictions, Easements, Agreements, Options, and other matters affecting said property are:
 1. Matters shown on Plat of Windermere, a subdivision recorded in Plat Book G, Pages 36 through 39, Public Records of Orange County, Florida.
 2. Rights of public in and to the use of the park.
 3. Riparian and littoral rights.
 4. Those portion of the property herein described being artificially filled in land in what was formerly navigable waters, are subject to the right of the United States Government control over navigable waters in the interest of navigation and commerce.
 5. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands and lands accreted to such lands.

301 EAST PINE STREET
SUITE 1400
POST OFFICE BOX 3068 (32802-3068)
ORLANDO, FLORIDA 32801
TEL 407-843-8880
FAX 407-244-5690

BOCA RATON
FORT LAUDERDALE
FORT MYERS
GAINESVILLE
JACKSONVILLE
KEY WEST
LAKELAND
MELBOURNE
MIAMI
NAPLES
ORLANDO
TALLAHASSEE
TAMPA
WEST PALM BEACH

**GRAYROBINSON
PROFESSIONAL ASSOCIATION**

**Town of Windermere
November 8, 2018
Page 2**

- 6. Any portion of the parcel lying waterward of the ordinary high water mark of Lake Butler.**
- 7. The rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line, or other apparent boundary lines separating the publicly used area from the upland private area.**
- 8. Rights of others to use that portion of the insured land lying within the waters of Lake Butler.**

Please let me know if you have any questions regarding the enclosed.

Sincerely,

GrayRobinson, P.A.


Trong M. Nguyen

TMN/pv

Exhibit "A"

Land shown as Park on the Plat the Plat of Windermere, recorded in Plat Book G, Pages 36 through 39, Public Records of Orange County, Florida, Less right-of-way for road.

Old Republic National Title Insurance Company
2300 Maitland Center Parkway #140
Maitland, FL 32751

TITLE SEARCH REPORT

This title search has been compiled at the request of:

GRAYROBINSON P.A.
Gregg Lehrer, Esq.
301 EAST PINE STREET STE 1400
ORLANDO, FL 32801

and is provided for review and examination by you or your staff for the sole purpose of preparing and issuing an Old Republic National Title Insurance Company commitment or policy. Only the results of a search of the record title are reflected herein.

After an examination and review of this search you must:

- A. Request written authorization from Old Republic National Title Insurance Company to issue the Commitment if the amount exceeds your Agency limits.
- B. Include in the Commitment under Schedule B, any additional requirements and/or exceptions you find necessary from your analysis of surveys, prior title evidence or other relevant aspects of the transaction.
- C. Verify the status of corporation and limited partnerships with the appropriate governmental agency or authorities.
- D. Determine whether legal access exists.
- E. Determine if any unpaid municipal taxes or assessments exists, which do not appear in the public records.
- F. Determine whether any portion of the property is submerged, or a body of water, and whether riparian or littoral rights exist.
- G. Determine that the transaction to be closed is bona fide and arms-length and does not violate any lender's instructions, underwriting guidelines or advice of this Company.

This Title Search is issued to the above name Agent in conjunction with an application for an Old Republic National Title Insurance Company title insurance commitment and/or title insurance policy.

Date: November 07, 2018


Authorized Signatory

TITLE SEARCH REPORT

Schedule B - Section 1

1. **Deeds and Conveyances:**

Quit-Claim Deed from J. C. Palmer and Kate Palmer, husband and wife, and J. H. Johnson and Christine Johnson, husband and wife, to The Windermere Improvement Company, a corporation, recorded June 24th, 1911, in Deed Book 147, Page 267, Public Records of Orange County, Florida.

Indenture between W. E. McCaw, sole surviving Executor of the Last Will and Testament of R. H. Plant deceased, party of the first part, and The Windermere Improvement Company, an Ohio corporation, party of the second part, recorded March 16th, 1925, in Deed Book 268, Page 393, Public Records of Orange County, Florida.

Quit-Claim Deed by Bert T. Foster, a single man, to Town of Windermere, a Municipal corporation, recorded in March 22nd, 1971, in Official Records Book 2080, Page 26, Public Records of Orange County, Florida.

2. **Unsatisfied Encumbrances:**

None

A judgment search has been run on all parties in the chain of title covered by this report.

3. **Unsatisfied Judgments/Liens:**

None

4. **Taxes and Assessments:**

Taxes for the year 2018 are DUE and PAYABLE in the gross amount of \$85.68 Tax ID Number 17-23-28-9336-10000

5. **Miscellaneous Matters:**

Resolution dissolving The Windermere Improvement Company recorded July 31st, 1937, in Deed Book 501, Page 549, Public Records of Orange County, Florida.

Resolution dissolving The Windermere Improvement Company recorded July 31st, 1937, in Deed Book 501, Page 552, Public Records of Orange County, Florida.

6. **The following abstractor notes should also be reviewed before a commitment or policy is issued**

Provide the Company with a proper legal description and survey prepared by a licensed Florida registered land surveyor and certified to the Company for its review. The Company reserves the right to make additional requirements and/or exceptions, and to amend the legal description of the land described in Schedule A, upon review of the description furnished by said surveyor.

SCHEDULE B - SECTION II**Schedule B- Section 2**

The following standard exceptions should be made a part of any Commitment, unless evidence is presented which would eliminate the need for same:

1. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Facts which would be disclosed by an accurate and comprehensive survey of the premises herein described.
3. Rights or claims of parties in possession.
4. Construction, Mechanic's, Contractors' or Materialmen's lien claims, if any, where no notice thereof appears of record.
5. Easements or claims of easements not shown by the public records.
6. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled, and artificially exposed lands and lands accreted to such lands.
7. General or special taxes and assessments required to be paid in the year 2019 and subsequent years.

Easements, restrictions and other matters affecting title searched:

8. Matters show on the Plat of Windermere, a subdivision recorded in Plat Book G, Pages 36 through 39, Public Records of Orange County, Florida.
9. Rights of the public in and to the use of the park.
10. Riparian and littoral rights are not insured.
11. Those portions of the property herein described being artificially filled in land in what was formerly navigable waters, are subject to the right of the United States Government arising by reason of the United States Government control over navigable waters in the interest of navigation and commerce.
12. Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands and lands accreted to such lands.
13. This policy does not insure any portion of the insured parcel lying waterward of the ordinary high water mark of Lake Butler.
14. The rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff, extreme high water line, or other apparent boundary lines separating the publicly used area from the upland private area.
15. Rights of others to use that portion of the insured land lying within the waters of Lake Butler

ORT FILE NO. 18118969

AGENT FILE #: 73-16

REAL PROPERTY TAX INFORMATION

TAXES PAID THRU THE YEAR (S) 2017

TAX INFORMATION FOR THE YEAR 2018 AS FOLLOWS:

R.E.#	17-23-28-9336-10000
TOTAL ASSESSED VALUE:	1,142,378.88
GROSS TAX AMOUNT:	\$85.68
DUE OR PAID?:	Due
BACK TAXES?:	No

Ohio
STATE OF OHIO
County of Fulton.

KNOW ALL MEN BY THESE PRESENTS, That we, Kate Palmer, wife of the above named J. C. Palmer, and Christine Johnson, wife of the above named J. H. Johnson do by these presents, make and execute our separate and apart from our husband, and in the presence of R. B. Darby & F. L. B. Darby of Fulton County, Ohio severally each of us make herself acknowledge and declare that ~~we~~ a party to and executed the foregoing deed for the purpose of ~~relinquishing~~ relinquishing our dower and right of dower and any and all other rights in and to the lands therein described and granted, and that each of us did the same freely and voluntarily, and without any fear, apprehension or compulsion of or from our husband, the said J. C. Palmer and J. H. Johnson respectively.

IN WITNESS WHEREOF, I hereto subscribe my name and affix my seal, this 20th day of June, 1911.

Signed, sealed and acknowledged in presence of
R. B. Darby. } Kate Palmer (SEAL.)
F. L. B. Darby. } Christine Johnson. (SEAL.)

Ohio
STATE OF OHIO
County of Fulton.

TO ALL WHOM IT MAY CONCERN: Be it known that on this 20th day of June A. D. 1911 personally appeared before me, a Notary Public, in and for the County of Fulton, Ohio, the above named Kate Palmer, wife of J. C. Palmer, and Christine Johnson, wife of J. H. Johnson wives known as the parties respectively, and as the name persons, described in and who executed the foregoing deed each of whom did then separately and severally make and execute the foregoing acknowledgment, her name being with her own hand subscribed, and her seal affixed in my presence.

WITNESS my hand and seal at Wauwasan, Fulton County, Ohio, the day and year above written.
Ohio. Notary Public, Fulton County, Ohio. R. B. Darby. (SEAL)
STATE OF OHIO }
County of Fulton. } My commission expires April 18-1914. (notarial seal)

On this 20th day of June, 1911 personally appeared before me J. C. Palmer and J. H. Johnson to me well known as the persons described in, and who executed the foregoing deed, and acknowledged the same and each of them the same for the purpose therein expressed; whereupon it is prayed that the same may be recorded.

IN WITNESS WHEREOF, I have hereto affixed my hand and seal this 20th day of June, 1911. XXX

R. B. Darby. (SEAL)
Notary Public, Fulton County, Ohio.
(notarial seal)
My commission expires April 18-1914.

STATE OF FLORIDA, }
County of Orange. }
BE IT REMEMBERED, That on this 24th day of June, A. D. 1911, I. B. M. ROBINSON, Clerk of the Clerk Court in and for said County, have duly recorded the foregoing deed in the Public Records of said County.
IN WITNESS WHEREOF, I have hereto set my hand this day and year above written.
I. B. M. Robinson (L. S.)
Clerk Circuit Court.
By M. J. Hart Deputy Clerk.

R.R.

THIS INDENTURE, Made the 22 day of October, A. D. 1924 BETWEEN W. E. McGaw, sole surviving Executor of the Last Will and Testament of R. H. Plant deceased, party of the first part, and The Windexmers Improvement Company, a corporation existing under the laws of the State of Ohio, party of the second part,

WITNESSETH, That the party of the first part, under and by virtue of the power and authority granted to him in and by the Last Will and Testament aforesaid, and in consideration of the sum of One Dollar and other valuable considerations, lawful money of the United States, to him in hand well and truly paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, released, and confirmed, and by these presents does grant, bargain, sell, convey, release and confirm unto the said party of the second part and its successors and assigns forever all those certain lots, tracts or pieces of land situate in the County of Orange and State of Florida, described as

The West Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter, Section 17, Township 23 South, Range 28 East.

TOGETHER with all and singular the improvements, rights, liberties, privileges, hereditaments and appurtenances whatsoever therunto belonging or in any wise appertaining and the reversions and remainders, rents, issues and profits thereof, and also all the estate, right, title, interest, property, claim and demand whatsoever of the said R. H. Plant at and immediately before the time of his decease in law or in equity or otherwise of, in, to or out of the same.

TO HAVE AND TO HOLD the said granted premises, with the appurtenances, to the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF the said party of the first part to these presents has hereunto set his hand and seal the day and year above written.

Signed, sealed and delivered in the presence of:

Guy B. Taylor

W. E. McGaw (Seal)

C. Costelli

Sole Surviving Executor of the Last Will and Testament of R. H. Plant, deceased.

(50¢ I. R. S.)

STATE OF OHIO,

COUNTY OF HAMILTON.

BE IT REMEMBERED That on the 22 day of March A. D. 1925, before me the subscriber, a Notary Public, personally appeared W. E. McGaw, who I am satisfied is the individual described in, and who executed the foregoing deed as sole surviving Executor of the Last Will and Testament of R. H. Plant, deceased, and acknowledged that he executed the same as Executor as aforesaid, for the uses and purposes therein expressed.

WITNESS my hand and official seal at Cincinnati in said County and State, the day and year aforesaid.

(Notarial Seal)

Guy B. Taylor

Notary Public.

Hamilton County, Ohio.

Filed in office and recorded this 16th day of March A. D. 1925 at 11:20 A. M.

BY *Bennett*
L. H. Bennett

CLERK

D. C.

JK

423811

JUN 13 3 24 PM '71

20801 26

This Quit-Claim Deed, Executed this 22nd day of March, A. D. 19 71, by

BERT T. FOSTER, a single man,
first party, to
TOWN OF WINDERMERE, a Municipal corporation,
whose postoffice address is
Windermere, Florida 32786

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, male, female, corporations, and groups of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of \$ 1.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Orange State of Florida to-wit:

All of the lands located within the Town of Windermere, Florida, which lie in a park Southerly and Easterly of the following lines: Commence at the Southeast corner of Lot 9, Block A, of the MARSH SUBDIVISION as recorded in Plat Book H, Page 51, Public Records of Orange County, Florida, run thence Westerly along the South line of said Lot 9 and the Westerly prolongation or extension thereof a distance of 287.18 feet to its intersection with the East line of Government Lot 1, Section 17, Township 23 South, Range 28 East; run thence South along the East line of said Government Lot 1 to a point 220 yards South of the Northeast corner of said Government Lot 1.

It is not the intention of First Party hereto to convey or quit claim any lands in this vicinity which lie to the West of the East line of said Government Lot 1.

STATE OF FLORIDA

To Have and to hold the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, unto all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Cecil H. Brown

Bert T. Foster

Bert T. Foster

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared BERT T. FOSTER, a single man,

to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State aforesaid this 22nd day of March A. D. 19 71.

Cecil H. Brown

This instrument prepared by: Cecil H. Brown of Sutton & Brown
Attorneys at Law
P. O. Box 357
Orlando, Florida 32802

see Book 20801-26

35

RESOLUTION
NO. 4

WHEREAS The Windermere Improvement Company, is a corporation organized under the laws of the State of Ohio, and duly qualified to transact business in the State of Florida; and

WHEREAS the Secretary of the State of Ohio did cancel the articles of incorporation of said corporation on February 13, 1927, because of its failure to file annual franchise reports, and said cancellation is still in full force and effect and unrevoked, and said corporation has thereby been dissolved; and

WHEREAS said corporation is still possessed of considerable property and effects, and its principal assets consist of lots in the town of Windermere, Orange County, Florida, and other parcels of real estate in said County; and

WHEREAS it is the judgment and opinion of this Board of Directors of said corporation that said corporation should be completely and fully dissolved and wound up, and that its real estate and all other assets, effects, business and affairs of said corporation should be liquidated, disposed of, distributed, and sold; and

WHEREAS the President of said corporation is deceased, and the Vice-President is a resident of the State of Michigan and is not readily available for the purpose of transacting business; and Harry Lawson, of Toledo, Ohio, is the Secretary and F. C. Palmer, of Windermere, Florida, is the General Manager of said corporation, and both of them are familiar with its history and affairs; and

WHEREAS Section 8623-80 of the General Code of the State of Ohio now provides, in part, as follows:

"Any corporation which shall be dissolved and any corporation whose articles have been cancelled shall cease to carry on its business and shall be without authority so to do, but it shall continue for the sole purpose of paying, satisfying, and discharging any existing liabilities and obligations, collecting and distributing its assets and doing all other acts required to adjust, settle and wind up its business and affairs, and it may do all such acts and may sue and be sued in its corporate name;" and

WHEREAS Section 8623-83 of the General Code of the State of Ohio now provides as follows:

"The board of directors may, in its discretion, appoint or employ one or more persons or corporations to liquidate or wind up its affairs with all the power and authority of the board or such as the board may see fit to grant, and the title to all or any of the property and assets of such corporation may be conveyed and transferred to such liquidator or liquidators for that purpose;"

RESOLVED, THEREFORE, that said The Windermere Improvement Company, an Ohio corporation, is completely and finally dissolved, wound up and liquidated, and that all of its real estate, assets, property, business and affairs be sold, disposed of, and/or divided and distributed among its shareholders;

RESOLUTION

WHEREAS a special meeting of the Board of Directors of Windermere Improvement Company was duly held in the City of Tel on June 21, 1937, and, at said meeting, a certain resolution was by the unanimous vote of said directors, which resolution is in as "Resolution No. 4", and is referred to as "Resolution of the Directors of The Windermere Improvement Company adopted June 21 authorizing the General Manager and the Secretary to liquidate Corporation"; which resolution provides for the final dissolution, liquidation of said Corporation, and appoints J. C. Palmer, as General Manager, and Harry Levinson, as Secretary, to be the liquidators of Corporation and its assets, and authorizes said General Manager Secretary to convey any and all real estate of said Corporation

RESOLVED, THEREFORE, that said resolution and the act the Board of Directors of said Corporation in adopting the same the same hereby are, approved, ratified, confirmed and adopted by shareholders of The Windermere Improvement Company.



Harry Levinson
Secretary of The Windermere Improvement Company.

Property Record - 17-23-28-9336-10-000 Orange County Property Appraiser • <http://www.ocpafl.org>

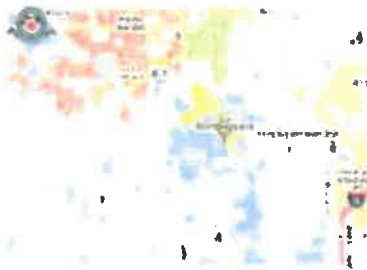
Property Summary as of 11/06/2018

Property Name
Park
Names
Town Of Windermere
Municipality
WND - Windermere
Property Use
8970 - Recreation Tracts

Mailing Address
614 Main St Ste A
Windermere, FL 34786-3503
Physical Address
232 W 7Th Ave
Windermere, FL 34786



QR Code For Mobile Phone



Value and Taxes

Historical Value and Tax Benefits

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	Assessed Value	
2018	\$1,117,378	+ \$0	+ \$25,000	= \$1,142,378 (0%)	\$1,142,378	(0%)
2017	\$1,117,378	+ \$0	+ \$25,000	= \$1,142,378 (.85%)	\$1,142,378	(.85%)
2016	\$1,107,755	+ \$0	+ \$25,000	= \$1,132,755 (0%)	\$1,132,755	(0%)
2015	\$1,107,755	+ \$0	+ \$25,000	= \$1,132,755	\$1,132,755	

Tax Year Benefits	Other Exemptions	Tax Savings
2018	\$1,142,378	\$18,732
2017	\$1,142,378	\$18,383
2016	\$1,132,755	\$18,639
2015	\$1,132,755	\$19,127

2018 Taxable Value and Certified Taxes

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	Taxes	%
Public Schools: By State Law (Rle)	\$1,142,378	\$1,142,378	\$0	4.0510 (-4.05%)	\$0.00	0 %
Public Schools: By Local Board	\$1,142,378	\$1,142,378	\$0	3.2480 (0.00%)	\$0.00	0 %
Orange County (General)	\$1,142,378	\$1,142,378	\$0	4.4347 (0.00%)	\$0.00	0 %
Town Of Windermere	\$1,142,378	\$1,142,378	\$0	3.7425 (15.15%)	\$0.00	0 %
Library - Operating Budget	\$1,142,378	\$1,142,378	\$0	0.3748 (0.00%)	\$0.00	0 %
South Florida Water Management District	\$1,142,378	\$1,142,378	\$0	0.1209 (-5.18%)	\$0.00	0 %
South Florida Wmd Okeechobee Basin	\$1,142,378	\$1,142,378	\$0	0.1310 (-5.35%)	\$0.00	0 %
South Florida Wmd Everglades Const	\$1,142,378	\$1,142,378	\$0	0.0417 (-5.44%)	\$0.00	0 %
Wind Wtr & Nav Cntrl Dist	\$1,142,378	\$1,142,378	\$0	0.2528 (0.00%)	\$0.00	0 %
				16.3974	\$0.00	

2018 Non-Ad Valorem Assessments

Levying Authority	Assessment Description	Units	Rate	Assessment
-------------------	------------------------	-------	------	------------



Florida Department of Environmental Protection
DEP BUDGET-COST ANALYSIS FORM

Required Signatures:

Original Ink

PROJECT TITLE: PEANWOOD PARK ROAD IMPROVEMENT PROJECT (DOWN OF WINDYHURST) (DEP PROJECT #A150621)

BUDGET DETAIL

COST ANALYSIS

Budget items below to be provided by the Contractor. See attached instructions.

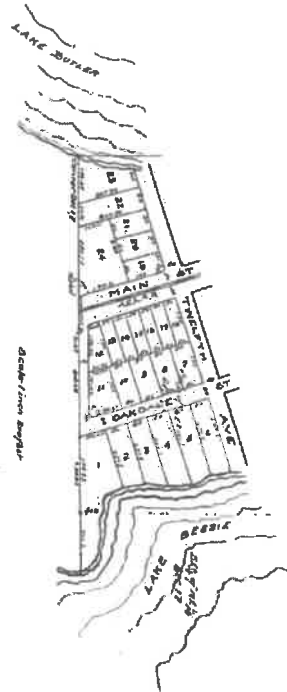
Cost Analysis to be completed by the Department Contract Manager. See attached instructions.

1. PERSONNEL EXPENSES		Hourly Cost (\$)	Hours	Totals (\$)	% Allocation	Allowable	Reasonable	Necessary	COMMENTS (Base for Decision)
A. Salaries - (Name/Title/Position)									
B. Fringe Benefits (Genosys * Total salaries applicable)									
Total Personnel Expenses (A+B)									

2. Contractual Services		Fee/Rate \$	Quantity	Totals \$	% Allocation	Allowable	Reasonable	Necessary	COMMENTS (Base for Decision)
Renovate picnic tables		\$2,000.00	1	\$2,000.00	4.00%	yes	yes	yes	Costs were determined to be allowable because they are authorized by the FDDMP grant & previous. Costs were determined to be reasonable because they do not exceed what a prudent person would incur in similar circumstances.
New concrete trail		\$8,000.00	1	\$8,000.00	16.00%	yes	yes	yes	
New athletic facilities		\$15,000.00	1	\$15,000.00	30.00%	yes	yes	yes	
New rubber trail		\$2,000.00	1	\$2,000.00	4.00%	yes	yes	yes	
Reconstruct fitness center		\$3,000.00	1	\$3,000.00	6.00%	yes	yes	yes	
Reconstruct soccer court		\$2,500.00	1	\$2,500.00	5.00%	yes	yes	yes	
New volleyball court		\$2,000.00	1	\$2,000.00	4.00%	yes	yes	yes	
Reconstruct fence		\$4,000.00	1	\$4,000.00	8.00%	yes	yes	yes	
New fence		\$1,500.00	1	\$1,500.00	3.00%	yes	yes	yes	
Project adm.		\$7,500.00	1	\$7,500.00	15.00%	yes	yes	yes	
Total Supplies				\$50,000.00	100.00%	yes	yes	yes	

3. Travel		Days	Per Diem \$	Mileage	Totals \$
Purpose/Destination					
Total Travel					

4. Equipment		Unit Cost \$	Quantity	Totals \$
Description				
Total Equipment				



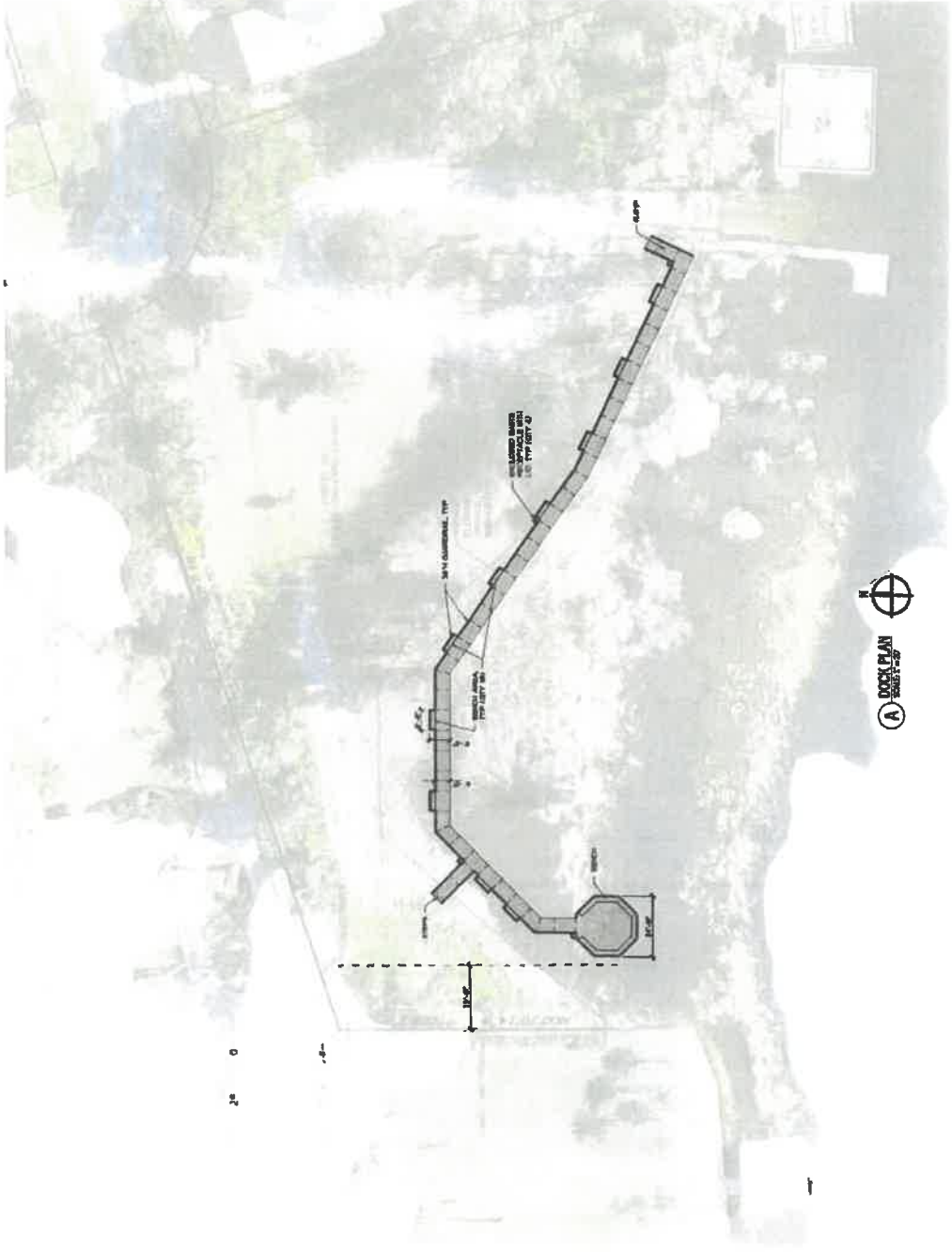
W. J. ...
 ...
 ...

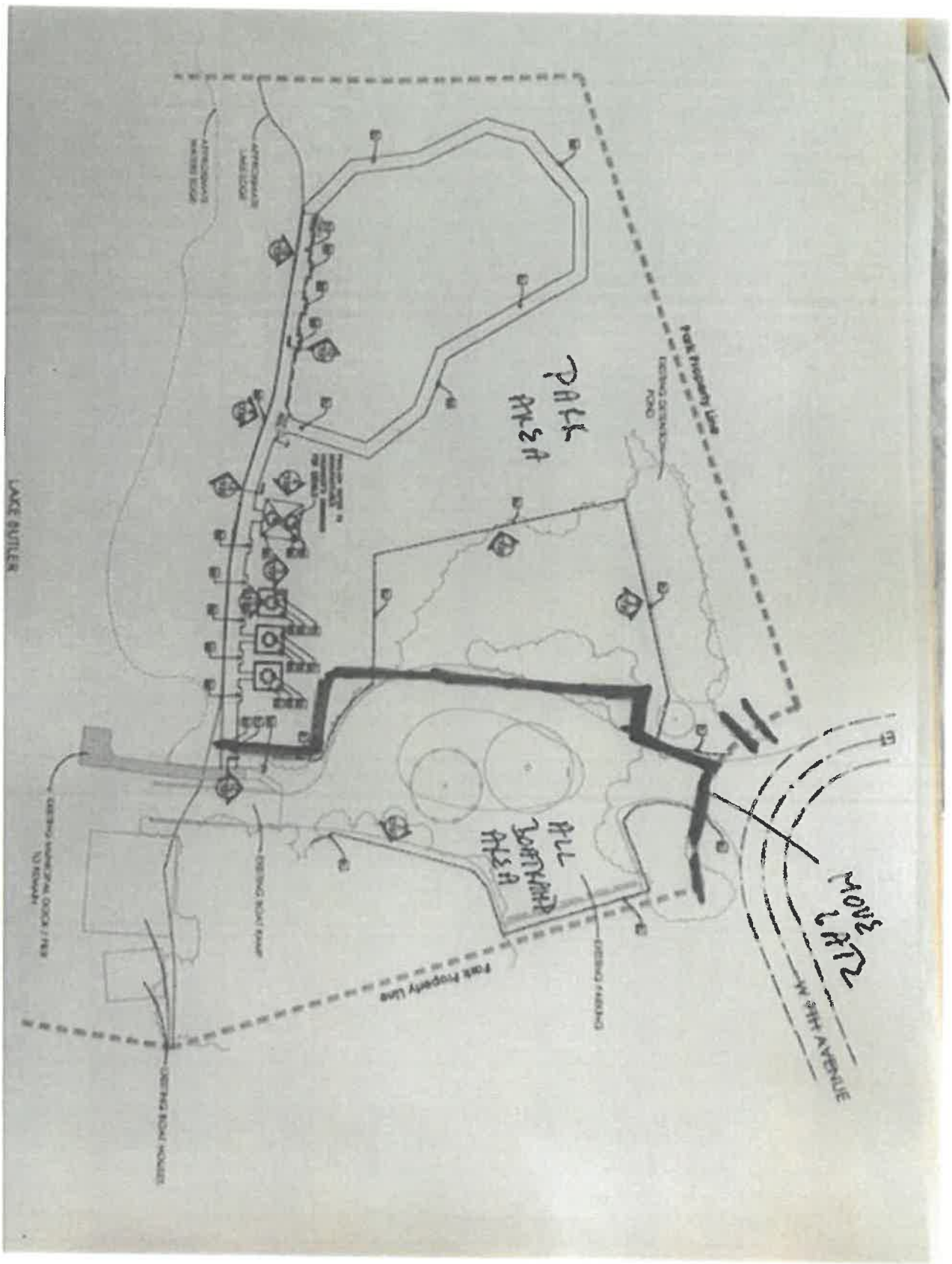
DATE: 02/25/10
SCALE: 1"=100'
PROJECT: FERNWOOD PARK GARDEN
DRAWN BY: [Name]
CHECKED BY: [Name]

TOWN OF WINDERMERE FERNWOOD PARK GARDEN CONCEPT PLAN

NO.	DATE	DESCRIPTION

PAVER
1184 CAMP AVENUE
MOUNT DORA, FLORIDA 32757
PH: 352-259-2000





LAKE BUTLER

RESTROOMS / LAUNDRY / POOL DECK

DRIVEWAY

DRIVEWAY

POOL DECK

RESTROOMS

LAUNDRY

ELECTRICAL ROOM

Hill Property Line

CHERRY DRIVE

POOL PROPERTY LINE

DRIVEWAY

W 5TH AVENUE

PARK APARTMENTS

HILL APARTMENTS

DRIVEWAY

Dear Jim and Members of the Town Council,

The purpose of this letter is to express my concerns about Fernwood Park. As a direct abutter for 33 years, I have seen a steady increase of undesirable incidents in the park. In just the past few months, these have included a violent brawl involving several teenagers, reckless driving, underage drinking, a dangerously intoxicated and unconscious 16 year old, trespassing, littering, loud music, profane language/gesturing targeted at a resident, frequent public urination and unlawful parking...and these are just the events that I have personally witnessed. The Windermere police, who are frequently called to Fernwood, have told me on multiple occasions that the individuals involved are not residents of the town.

It is important to know that the above situations are not isolated incidents but instead characterize what has been occurring in the park in recent years. The boat dock, simply known as 'police dock' to many area kids, is a well-known and publicized conduit to the lakes. People leave their vehicles in the park and are shuttled to and from Bird Island by a steady stream of boats and jet skis. Sometimes they swim out and back and other times they hang out on the dock and in the park. Alcohol, underage drinking, loud music, foul language and disrespectful/unsafe behavior are commonplace.

Several months ago, I learned that there was project in the works to build a boardwalk at Fernwood. In November 2019, I attended a Parks & Rec meeting and shared my observations regarding the evolution of activity over the years and expressed my concerns regarding potential/likely problems related to adding this boardwalk. I also conveyed my dismay that, as a long-term and directly adjoining resident, I was not notified of this project. In early March 2020 I saw a set of plans for the first time, shared with me by a neighbor. To my surprise, these plans were dated June 2018. I was further surprised to learn that this project includes an extensive boardwalk, a 24' x 24' platform, multiple benches, several picnic tables and extends into an ecologically sensitive wetland area.

Based on the activity already occurring in the park and the changing nature of our surrounding area, I believe that the addition of the above amenities will exacerbate existing problems, create new ones and will result in irreversible consequences. I think of Lake Street and I am worried. There are a number of my neighbors and town residents who share these same concerns and, as I am finding out, there are many others who still don't know about this project at all.

Fernwood has long been a boat ramp and a passive park and should remain so to allow access to the lakes for the residents of Windermere. The use of the boat ramp is being impacted by much of the above and it would be most appropriate to consider measures to protect and support this amenity for all of our residents.

Thank you in advance for your time and careful consideration of all facets and implications related to modifying Fernwood Park. I welcome all opportunities for further input and dialogue.

Sincerely,

Annamaye Clonts

Robert Smith

From: James G. Willard <JWillard@shutts.com>
Sent: Thursday, May 28, 2020 10:28 AM
To: Robert Smith
Subject: Fernwood Park concerns

Robert,

After multiple discussions and further consideration of the Fernwood Park issues, my current thoughts going forward are as follows:

1. The driving force behind the law enforcement problems at the Park is Bird Island and the attraction it is to young people, often underage, as safe haven to party and drink. We've all known that for years. The Park merely serves as the jumping off point to get on the lake and to Bird Island.

Focusing specifically on Bird Island, I've had discussions with our District County Commissioner, Betsy VanderLey, Liz Johnson with County EPD and Captain Bruce McMullen who heads up the County marine patrols. As of right now, there are 2 efforts proceeding simultaneously:

-The first is a new County ordinance I've requested the County, via Betsy, to sponsor per F.S. Sec. 327.46(1)(c)(3) which would allow creation of a "vessel exclusion zone" of approximately 50' around Bird Island to prohibit motorized vessels. Only canoes, kayaks, sailboats and fishing with trolling motors would be permitted in this area. This state statute allows local governments to create such regulations on waters of the state for public safety reasons, which can be easily substantiated in this location. Any ordinance would also require FWC approval. Betsy has turned this over to County Legal to review and I'll follow up with her and the County Attorney's office.

- The second effort is County EPD's ongoing attempt to have Bird Island designated by FWC as a "Critical Wildlife Area" under State law. This is primarily focused on protecting the birds and other wildlife on the island since it is already a designated bird sanctuary owned by the Audubon Society. However, a secondary, but important benefit of this designation is that it would allow a similar buffer zone to be established around the island to prohibit anchoring and impact to the protected wildlife. This process also goes through FWC but would not require a separate County Ordinance. For several reasons this may be a more expedient solution since we could avoid public hearings at the County level. I've offered to help County EPD with the processing of this request with FWC since I have some contacts there.

A 50' boating exclusion zone around the island, created via either of the above methods, would substantially reduce the likelihood of continued large armada's of boats gathering adjacent to the island – usually on weekends. If they had to anchor that far offshore the water is simply too deep to easily disembark and go from boat to boat as is the case now. Plus, enforcement of trespass on the island itself would be easier and much more visible at a glance. No more boats tied up to cypress trees or beached on the shore of the island itself, let alone chairs, coolers and beach games.

2. My point above is to focus on solving the base cause of the law enforcement incidents at Fernwood Park. It may not eliminate them, but it would certainly substantially reduce the problems. If this was done, the concern about resident vs. nonresident park use becomes moot since the Park would no longer be the attraction it currently is to so many non-Town residents.
3. I no longer desire to gate the Park at the road. The current ramp gate requiring a key and pass for residents only use is sufficient. The park should continue to operate as it has for most of the 35 years I've lived next to it. I

would, however, suggest we re-designate it as the “Fernwood Park Boat Ramp” to place emphasis on its historic and continued purpose as a ramp to the lake for resident only use. There will be little to attract nonresident usage if they can’t use the ramp and Bird Island loses its appeal as an unsupervised aquatic playground.

4. Which leaves us with the Parks Committee proposed improvement plan for Fernwood Park. Bob McKinley has recently been hearing from myself and adjoining neighbors and knows our concerns. He’s been an attentive listener. My own view on the proposed boardwalk improvement is:
- Until we see some positive conclusion in sight to reducing the nuisance activity around Bird Island, I would like to postpone the boardwalk construction effort. Any boardwalk constructed today would merely attract substantially more nonresident use (including swimming and boating use- whether intended for that purpose or not) and the underage drinking, public urination, fighting and all the other problems that come with it. There should be no rush. We’ve waited this long we can wait a bit longer.
 - Subject to addressing the Bird Island situation adequately, I have no objection to a modest boardwalk along the lake extending westerly from the existing dock by the ramp and including several park benches. It would be a nice amenity with good lake views intended to primarily benefit Town residents. However, the version previously circulated was too large, included far too much seating capacity and intruded too close to the Tegler residence. Just because the Town can build something doesn’t mean it should. Historical use of the existing dock bench and bench by the ramp is extremely limited. I simply don’t see the need, nor has anyone suggested a good reason, why such a significant and costly boardwalk/seating project is needed. Now that the immediate neighbors are fully apprised of the improvement plans, I am confident that myself and the others most directly impacted and the Parks Committee can eventually come to agreement on a mutually acceptable boardwalk design.

Thanks.



James G. Willard
Partner

Shutts & Bowen LLP

300 South Orange Avenue, Suite 1600 | Orlando, FL 32801

Direct: (407) 423-3200 | Fax: (407) 849-7209

[E-Mail](#) | [Biography](#) | [V-Card](#) | [Website](#)

FERNWOOD PARK PROPOSAL

- Windermere Has 11 public Parks
- 2 Public Tennis courts
- 2 Public Little League Baseball / Softball Fields
- 2 Boat Ramps
- A Town Hall Building That Is Regularly Rented Out For Special Occasions
- A Public Farmers Market Every Friday
- Public Food Trucks Once A Month
- Numerous Special Public Events Every Year
- Thousands of people come to Windermere To Enjoy This Towns Amenities

- * fernwood park has more police / emergency responses than all the other parks combined.
- in addition to more orange county sheriffs office helicopter responses
- almost every emergency response has a direct correlation to the “activity” occurring on bird island
- this has been an ongoing problem for several years and has gotten progressively worst
- the Windermere police department has several “plans” in place and are doing and have been doing the best they can to help remedy this situation
- there are some things that we can control and there are some things that we cannot
- This brings me to my suggestion for a possible solution that may help our community and benefit all of the residents who utilize fern wood park

* This is solely based on unofficial conversions with first responders

Every weekend large crowds of people park their cars at different locations throughout Windermere.

With loaded coolers they walk to the dock and get shuttled over to Bird Island.

After a day of “partying” at the island they walk back to their cars and drive home.

This would not be a problem except that in this process their have been many incidents that have resulted in arrests, fights, accidents and sometimes death.

In almost all of these incidents it is someone who has walked to the park, caught a ride to the island, partied all day and caught a ride back to the park.

In almost every instance it is when they are back at the park at the end of the day when most of these “incidents” occur.

The Windermere police department can only do so much and have done an incredible job keeping our community safe.

It is now our responsibility to give them more tools they need to improve this situation.

PROPOSAL

- 1- Redesign the gated access to the park.
- 2- Replant fragile “marsh area”.
- 3- Eliminate current proposal to build “boardwalk and gazebos” with “grant” money.
- 4- Designate Fernwood park as a BOAT RAMP only.

1 - Redesign The Gated Access To The Park

- Relocate vehicle gate and pedestrian gate to create a “safer” environment for both drivers and pedestrians.
- Establish a designated parking area for Vehicles, golf carts, bicyclist and pedestrians.
- Require a “resident only” key for both gates.
- Dramatically reduce Police and Fire Department response by eliminating the “pick up and drop off” point for Bird island.
- Establish an “emergency vehicles only” parking area.
- Reclaim this park as a peaceful destination for the residents of Windermere and not the number one location for Police and Fire Responses.

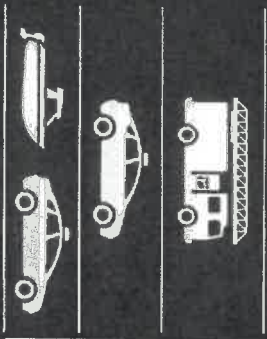
Ramp

Boat Launch Lane

Vehicle Gate

Golf Carts

Emergency Vehicles

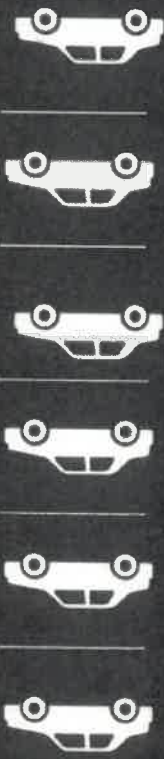


Walk In Gate

Bicycle Parking



Resident Vehicle Parking



Environmentally Sensitive area
Replanted With Indigenous Water
Filtering plants

2 - Replant Fragile "Marsh Area"

All the water from all directions from Seventh Ave and Forest and from Butler Street and Sixth runs downhill toward Fernwood Park.

The water is eventually captured in a natural sand bottom basin that effectively filters the water before it reenters the aquifer.

If the water overflows the basin it runs toward the lake and (used to be) effectively filtered by a natural tree lined march area.

This was a very effective "natural" method that is the best possible way to naturally filter rain water.

This area has systematically been "stripped" down to almost nothing but "filler dirt".

This has resulted in almost no natural filter for the water run off.

I have been informed that it has been stripped because the trees and plant were not "indigenous" and that it clears a path for a "boardwalk" and gazebo.

If we replant that entire natural marsh are with indigenous plants and trees, we will reestablish a natural water filter and help to preserve our natural outstanding waterways.

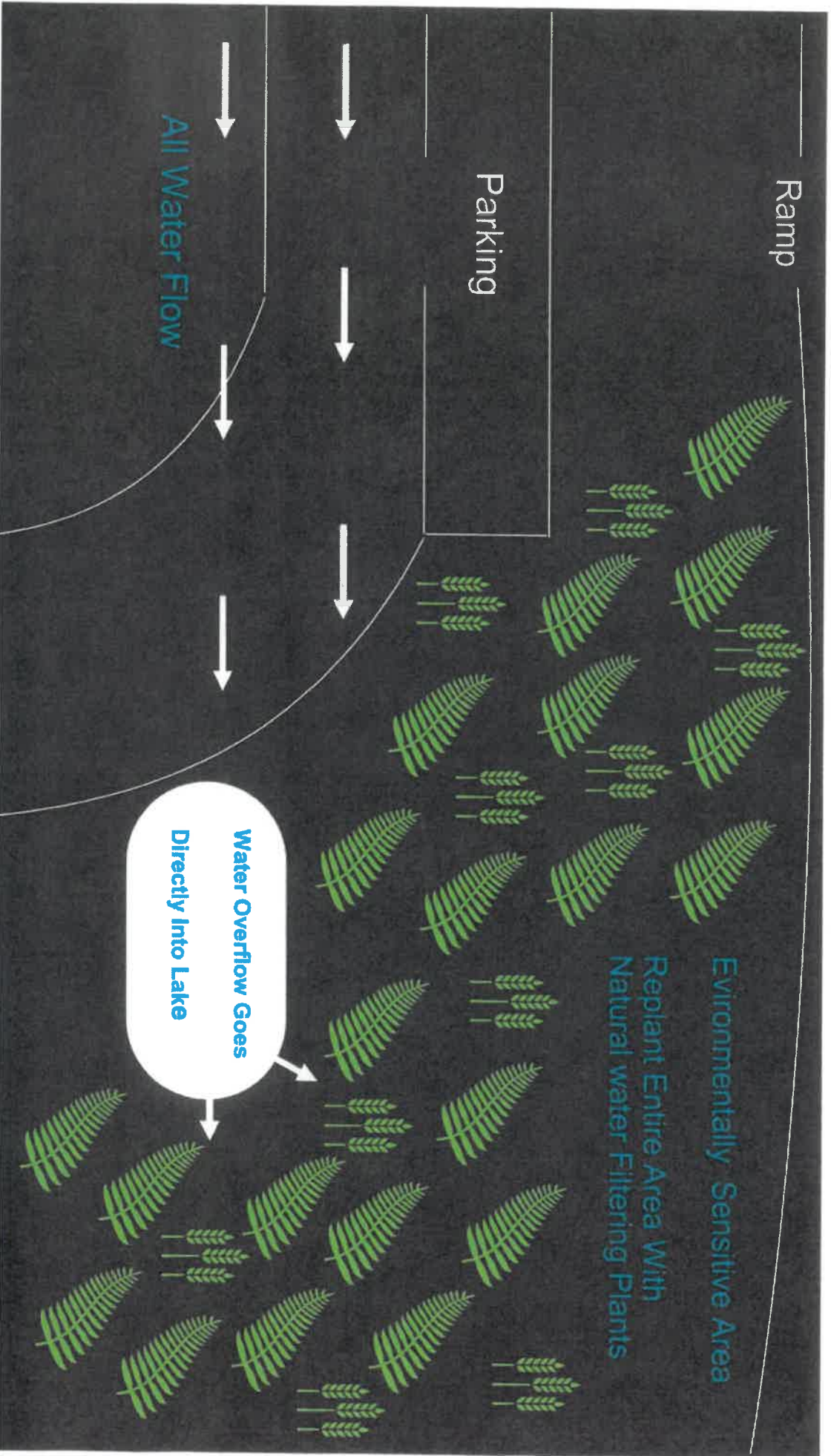
Ramp

Parking

All Water Flow

Water Overflow Goes
Directly Into Lake

Environmentally Sensitive Area
Replant Entire Area With
Natural water Filtering Plants



3- Eliminate Current Proposal To Build Boardwalk And Gazebo With Grant Money

- Every Police Officer or Marine Patrol Officer I have spoken to has agreed that the current park situation and the construction of a boardwalk and gazebo will only exasperate the current problems occurring at Fernwood Park.
- The current situation has become a public safety issue and more access will only increase the activity.
- Once the town of Windermere accepts “public” money it can no longer regulate this park in the best interest of Windermere.
- All public funds come with stipulations that control how you utilize those funds.
- In essence you can potentially lose control of future decisions concerning that property.
- A “mulch” pathway winding through the natural shoreline area is much more practical and less intrusive and harmful to the environment.

4 - Designate Fernwood Park As BOAT RAMP Only

This WILL NOT limit the park access to any of the Windermere Residents.

The combination of excessive pedestrian traffic and boat activity is a public safety issue.

The reduction of pedestrian activity by designating this park as "boat ramp only" will greatly reduce the likelihood of boater / pedestrian accidents.

By eliminating this dock as a pick up point for the "island shuttle" we will also greatly reduce excessive boat activity once again reducing potential for boating accidents.

The boat ramp only designation and specific designated parking areas will also expedite boat launching for the residents of Windermere.

The single lane boat ramp only access lane will mean that all other vehicles remain outside of this area in the designated parking area. This will free up the launching lane for boat drop off only.



DRAFT REPORT



Ward Trail

Multiuse Trail Feasibility Study



June 2020

Kimley»Horn

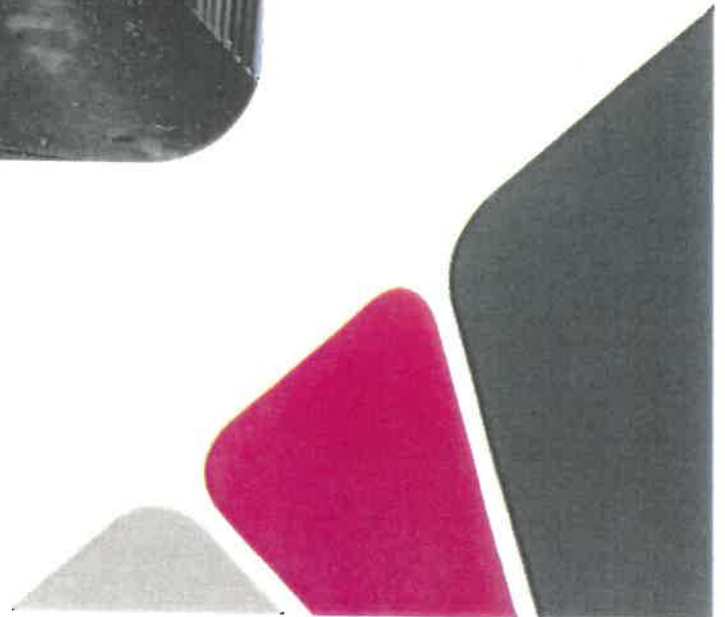


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Appendices

- Appendix A: Drainage Conditions Information**
- Appendix B: Environmental Conditions Information**
- Appendix C: Proposed Alignment Plan Sheets**
- Appendix D: Public Workshop Meeting Materials**

1.0 INTRODUCTION

The Town of Windermere is studying the feasibility of constructing a ±0.6-mile paved multiuse trail located along Dirt Main Street and Lake Butler Boulevard between North Drive and Park Avenue.

This report identifies the existing conditions, opportunities, typical sections, drainage conditions, existing natural and human environment resources, project recommendations, and an opinion of probable construction costs. The study area is shown on **Exhibit 1**.

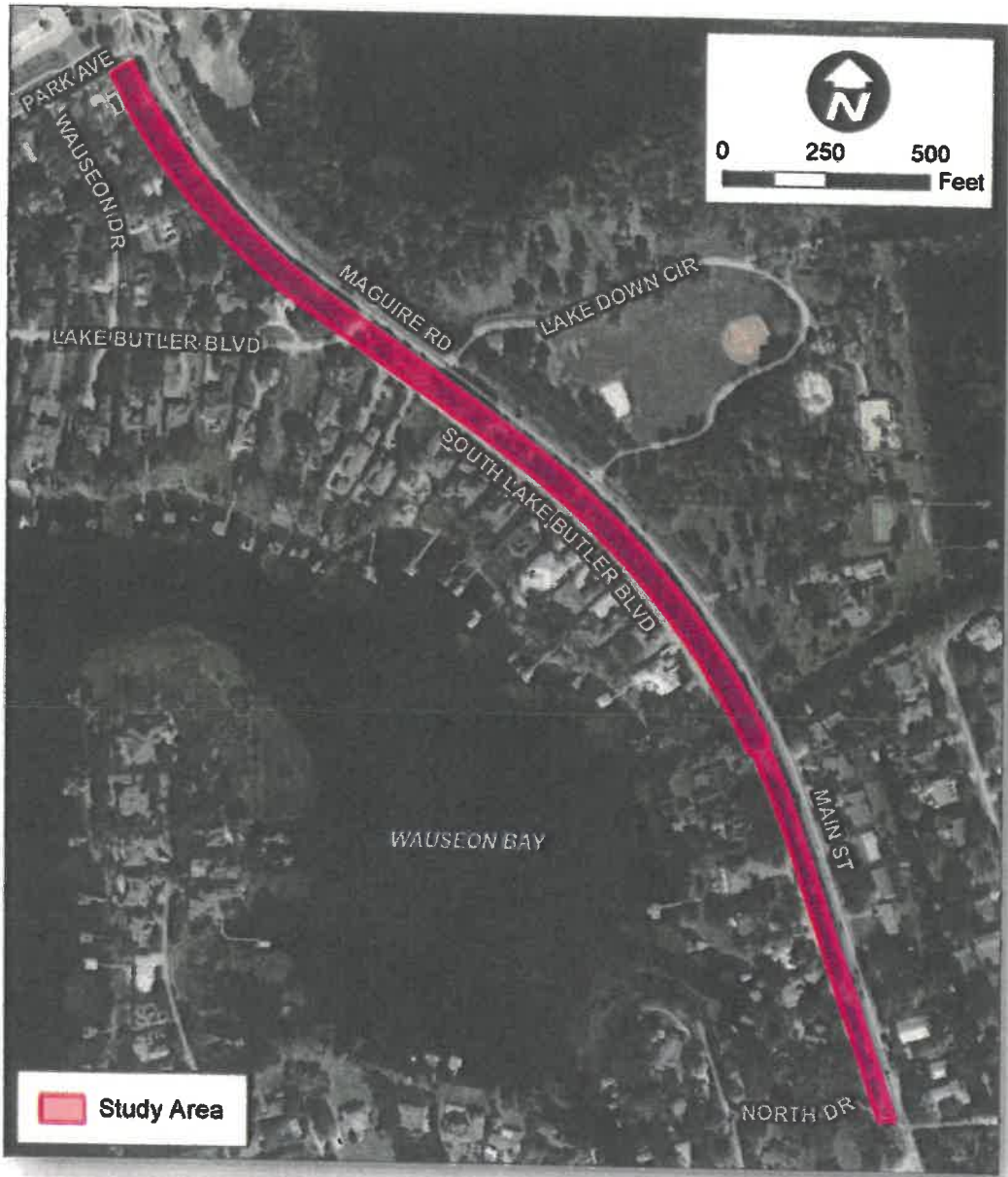


Exhibit 1: Study Area

2.0 PROCESS

The assessment of existing conditions was multi-disciplinary, including analyses of drainage impacts and permitting, a review of design elements, public involvement and stakeholder coordination, landscaping conditions and opportunities, connections to other systems, and an environmental analysis.

The feasibility study began with a desktop assessment of known conditions, followed by on-site reviews and stakeholder coordination. Once the existing conditions and trail objectives were understood, the project team developed conceptual plans and typical section graphics that were shared with staff, stakeholders, and the public to obtain input. Concept plans were then finalized based on comments, and an engineer's opinion of probable construction costs was developed. This process is show graphically on Exhibit 2.

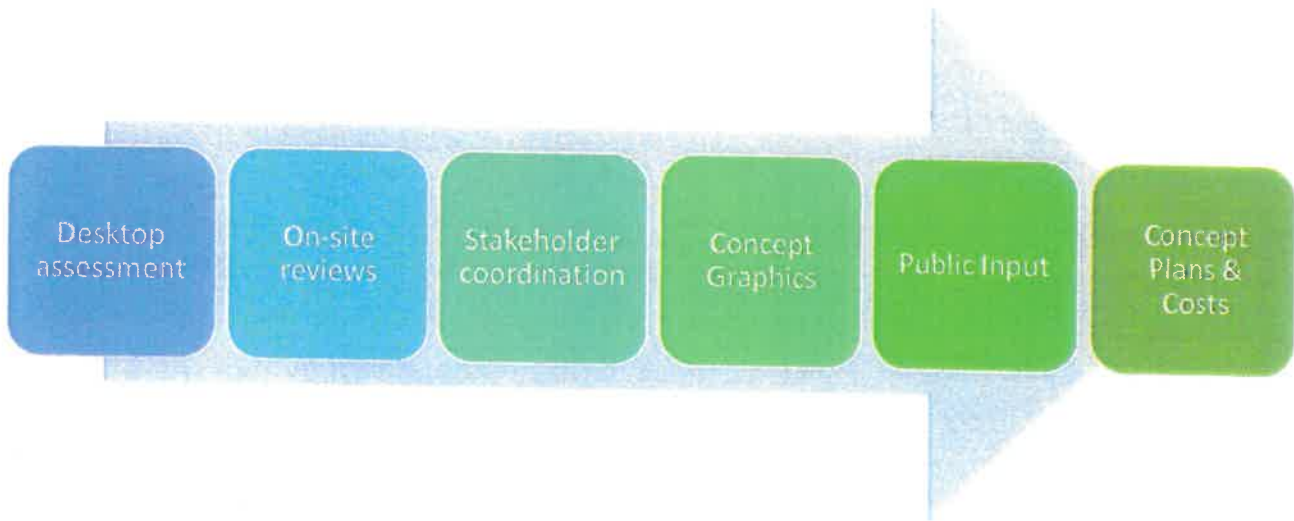


Exhibit 2: Feasibility Study Process

Background data was collected from the Town, from the Orange County Property Appraisers website, from aerial photography, and from previous projects within and near the study area. Roadway edge-of-pavement elevations along Main Street were surveyed to determine whether it is feasible to convert to curb-and-gutter.

The drainage assessment includes identification of basins, outfalls, potential impacts, and identification of opportunities to improve water quality.

The assessment of natural and human environmental features within the study area includes the review of several habitat, species, historic, and resource databases.

3.0 SITE VISITS

A field reconnaissance of environmental features was conducted on February 20, 2020. A site visit was conducted March 23, 2020 with roadway design, drainage design, landscape architecture and trail planning staff, to observe visible constraints and opportunities. The potential alignment for the trail includes several different existing typical sections:

SOUTHERN LIMIT TO CANAL

This portion of the trail is shown in photographs on **Exhibits 3 and 4**.

- This section is relatively open, with increasing separation from Main Street as the alignment heads northbound.
- While traveling northbound, the ridge/berm of the old railroad increases in elevation.
- There is a ditch of varying width and depth between the old railroad berm and Main Street.
- There are existing trees of varying size, quality, and location. There are no alignments that could completely avoid impacts to trees, though mitigation measures are possible in most locations.
- The southernmost portion (between 1st Avenue and North Drive) is not owned by the Town and is therefore not included in this analysis.
- Visible utilities consist of overhead electric, fiber optic communication, water, and drainage facilities (as described in the drainage section).



Exhibit 3: Southern Portion, Looking Northbound



Exhibit 4: Southern Portion of Trail, Looking Northbound Near Canal

CANAL TO 400' SOUTH OF LAKE BUTLER BOULEVARD

- This section is difficult to review in the field due to dense vegetation, as shown on **Exhibit 5**.
- The general typical section is characterized by a surface water ditch adjacent to Lake Butler Boulevard, then a raised wooded section that's approximately 15' wide, that slopes more gradually down to the east, followed by a cleared area of varying widths adjacent to Main Street.
- The wooded portion is relatively dense for an urban area.
- The surface water is described further in the environmental section of this report, but it is not considered a protected waterway or wetland. The edges of the canal and surface water are, however, within the FEMA floodplain.



Exhibit 5: Heavily Wooded Portion of Trail, Looking North along S. Lake Butler Boulevard

400' SOUTH OF LAKE BUTLER BOULEVARD TO LAKE BUTLER BOULEVARD

- As the route approaches Lake Butler Boulevard, the elevation of the berm decreases, and the vegetation becomes significantly less dense, as shown on **Exhibit 6**.
- This short section is relatively open and relatively flat and is likely the least challenging portion of the trail from a design perspective.
- There are likely opportunities to add significant landscaping along this portion.



Exhibit 6: Open Section, Looking South from Lake Butler Boulevard

LAKE BUTLER BOULEVARD TO PARK AVENUE

- This section has an existing 5' wide concrete sidewalk, as shown on **Exhibit 7**.
- The trail should likely follow the general path of the sidewalk.



Exhibit 7: Existing Sidewalk, looking North from Lake Butler Boulevard

4.0 EXISTING CONDITIONS

4.1 DRAINAGE CONDITIONS

Additional Drainage information is provided in **Appendix A**. A summary of conditions is provided below.

DRAINAGE OUTFALLS

The ultimate outfall of the project is the canal located between Lake Butler and Lake Down at STA. 119+50. There are three drainage outfalls located within project limits. Outfall 1 is a storm sewer system, consisting of a ditch bottom inlet (DBI) and pipes, located south of the canal and outfalls into the canal. Outfall 2 is a surface water (SW) ditch located north of the canal, that also outfalls into the canal. Outfall 3 is a roadside ditch located on Lake Butler Lane.

BASINS

1-foot contours were obtained from Orange County GIS to further help determine the existing drainage basins within our project limits. Maine Street / Maguire Road is in crown for a majority of the project length, therefore the drainage boundary is the centerline of the roadway. Runoff from the western half of Maine Street / Maguire Road sheet flows and collects in linear roadside ditches because no curbs are present within project limits.

Basin 1, located south of the outfall to East 4th Avenue, drains north through a series of roadside ditches and side drains until it reaches a DBI located adjacent to the pedestrian ramp for the canal crossing. The water then outfalls through a pipe directly into the canal. The client identified that water does not reach this inlet and is ponding in a low point in the roadway at the north end of Dirt Main Street.

Basin 2, located north of the canal, drains south through a SW ditch. Three DBIs, located near the outfall, drain to the adjacent ditch along Lake Butler Boulevard, which then outfalls directly to the canal.

Basin 3, located between Park Avenue and Lake Butler Boulevard, outfalls to a small roadside ditch near STA. 134+00 that then travel west on Lake Butler Boulevard, and eventually outfalls into Lake Butler.

4.2 ENVIRONMENTAL CONDITIONS

Additional Environmental information is provided in **Appendix B**. A summary of conditions is provided below.

ENVIRONMENTAL RESOURCES

The project limits were visually screened for the presence of wetlands as defined in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* and Chapter 62-340, Florida Administrative Code. The results of the field reconnaissance and NWI database research indicated that there are no wetlands and one surface water in the study area.

Field verification with the South Florida Water Management District (SFWMD) and the US Army Corps of Engineers (USACE) should be conducted during the project development phase of the project to confirm surface water limits.

FLOODPLAINS

FEMA FIRMs available from the FEMA website (<https://www.fema.gov/>) were reviewed to determine if the project area is located within a flood zone. According to FEMA FIRM Panel 12095C0220F, the study area is outside the 100-year flood zone (Zone X), with the exception of the area on and immediately adjacent to the canal that falls within Flood Zone AE.

PROTECTED SPECIES

No listed species were observed during field reconnaissance. Additionally, the FWC does not indicate any documented observations of state protected species within the study area.

Other species observed included the red-bellied woodpecker (*Melanerpes carolinus*), osprey (*Pandion haliaetus*), red-shouldered hawk (*Buteo lineatus*), brown pelican (*Pelecanus occidentalis*), marsh rabbit (*Sylvilagus palustris*), green anole (*Anolis carolinensis*), and limpkin (*Aramus guarauna*).

Both the USFWS report and the FNAI report listed several federal and state listed plants species as potentially occurring within the study area. However, no listed plant species were observed during field reconnaissance and there is marginal habitat for listed plant species within the study area. No further action should be required for listed plant species.

CONTAMINATION

As of March 17, 2020, the FDEP does not list any potential contamination sites within 500 feet from the project study area.

5.0 POTENTIAL IMPROVEMENTS

5.1 ADJACENT IMPROVEMENT

Dirt Main Street is in the design process to be paved due to chronic flooding problems. The paving project will include installation of curb and gutter along the eastern edge of Dirt Main Street, which is immediately adjacent to the study area for this trail project.

5.2 ANTICIPATED TYPICAL SECTIONS

The typical section of the trail changes based on variations in the existing study area. The trail moves east or west, and to higher or lower elevations largely following the existing land. In the southern portion of the trail, looking north, from left to right: the roadway edge is followed by a landscaping buffer area, then the 10' wide trail, then a drainage swale adjacent to Main Street. It is assumed that regrading of the existing berm will be sufficient and 6' thick concrete pavement is proposed for the trail. The various typical sections are shown on **Exhibit 8** and **Exhibit 9**.

Various decorative features, handrails, signs, striping, and other features can be added as necessary or desired.

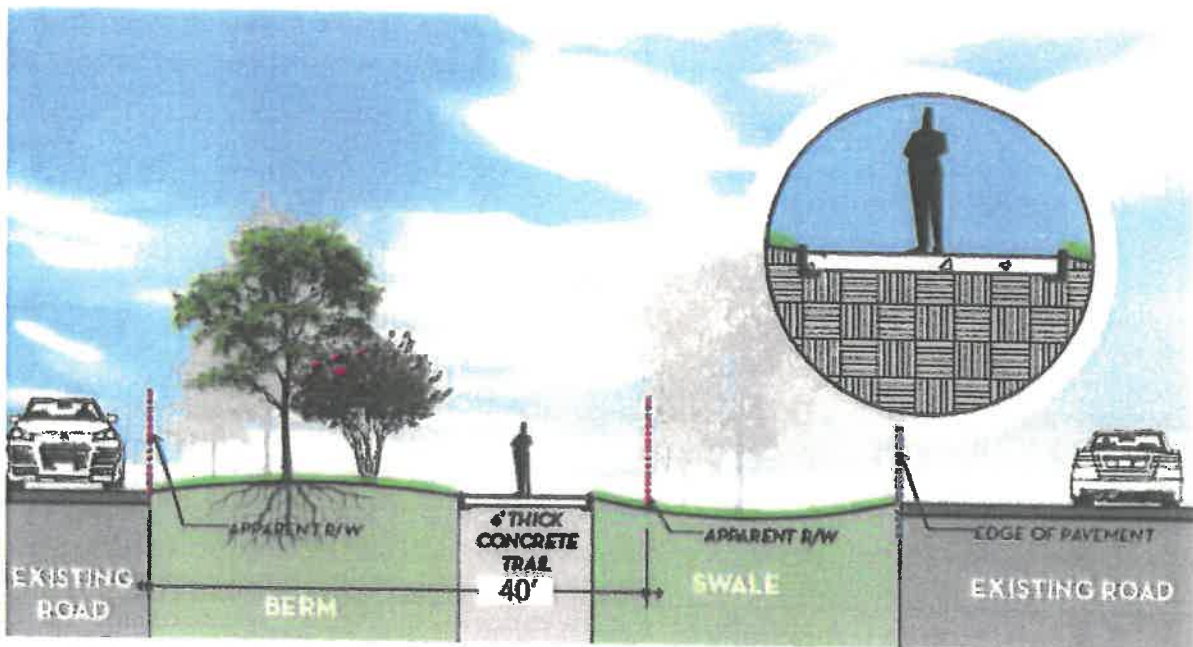


Exhibit 8: At-Grade Trail for Low-Elevation Areas

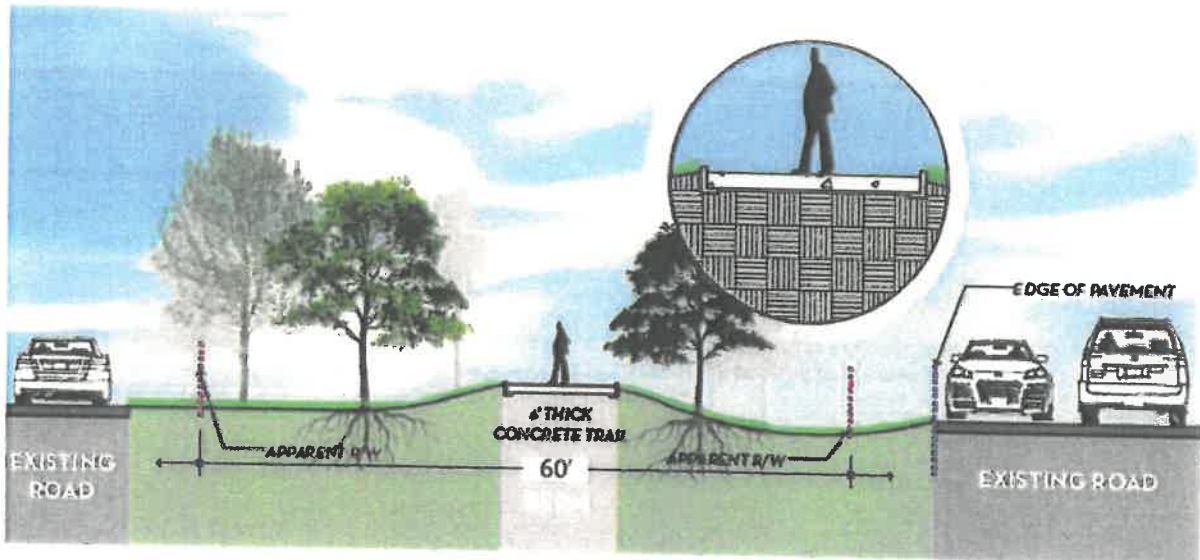


Exhibit 9: At-Grade Trail through Existing Trees, on Medium/High Berms

5.2 ANTICIPATED ALIGNMENT

Plan sheets showing the proposed alignment are provided in **Appendix C**. Note that the alignment was developed prior to obtaining survey. The design phase, which will begin with a topographical survey, will be used to fine-tune the alignment consistent with the overall goals for the trail. Similarly, a tree survey, by an arborist, should be conducted to determine the tree species and tree quality when considering which tree mitigation strategy should be used.

The portion of the trail immediately north of the canal is shown aligned to the eastern portion of the existing berm to avoid impacts to the floodplain. The alignment should be adjusted based on topographical survey to ensure that it does not impact the floodplain. If the berm is narrow in certain areas (this will not be known until the survey is complete), additional embankment on the east side may be appropriate and handrails may be needed to provide protection from dropoff hazards.

5.3 PROPOSED MATERIALS

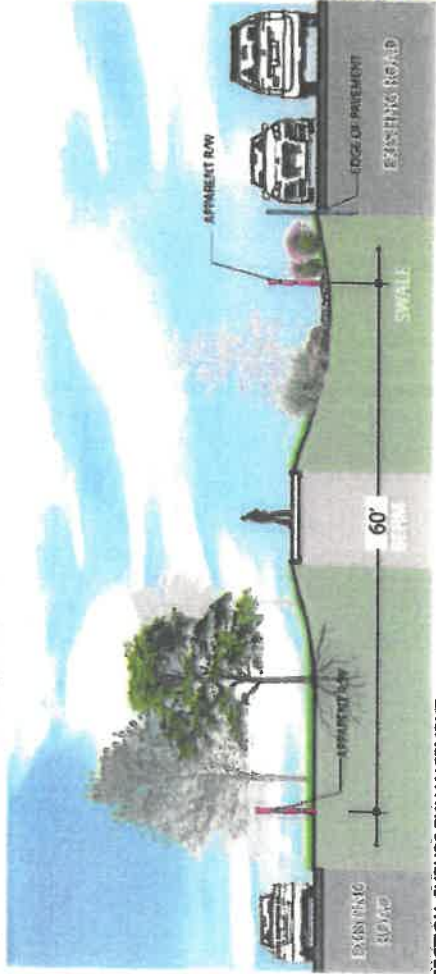
The trail is proposed to be constructed using concrete due to the known properties, relative constructability, design life, and maintenance benefits when compared with asphalt. The proposed thickness is 6" to provide additional durability, compared to typical 4" thick concrete sidewalk.

5.4 LANDSCAPING

The landscaping elements included in this analysis assume that the trail will not be irrigated. Plantings were selected based on their ability to thrive in Central Florida without irrigation (after a period of establishment). Two tiers of landscape enhancements were considered, one that is primarily shrubs, and one that combines trees and shrubs. Landscaping plans with example images and anticipated costs are shown on **Exhibits 10 and 11**.



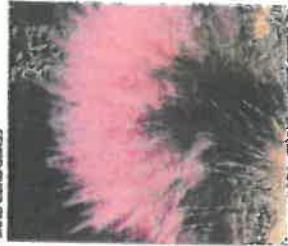
PLAN VIEW: STATION 127+40 TO STATION 129+40



SECTION: SHRUBS ENHANCEMENT



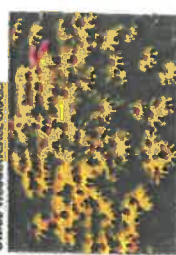
SAND CORD GRASS



PINK MUHLY



DWARF FANFLOWER GRASS



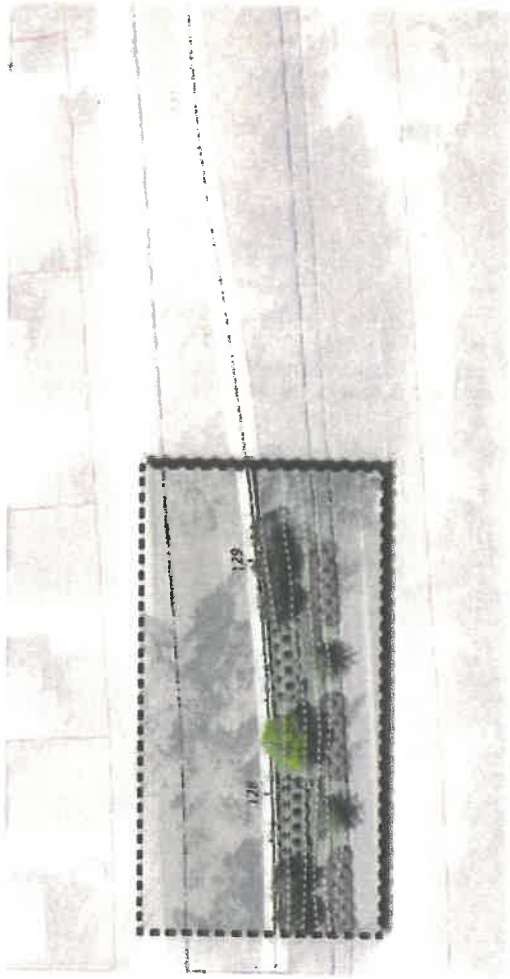
BLACK EYE SUSAN



PRECEDENT IMAGE

LANDSCAPE ENHANCEMENT
SHRUBS ENHANCEMENT: +/- \$7,500

Exhibit 10: Landscape Enhancement - Shrubs



PLAN VIEW: STATION 127+40 TO STATION 129+40



SECTION: TREES AND SHRUBS ENHANCEMENT



GRAPE MYRTLE



BOTTLEBRUSH TREE



OAK TREE



GRAPE MYRTLE



PRECEDENT IMAGE

LANDSCAPE ENHANCEMENT
 SHRUBS ENHANCEMENT: +/- \$7,500
 TREE ENHANCEMENT: +/- \$38,500
 TOTAL: +/- \$46,000

Exhibit 11: Landscape Enhancement – Shrubs and Trees

5.5 WATER QUALITY IMPROVEMENTS

The project has two primary areas that can be used to add water quality enhancements – the area south of the canal, and the area south of Lake Butler Boulevard. Both areas are flat enough that regrading can create swales that can be planted as rain gardens to remove pollutants to improve water quality. Additionally, best management practices can be used to avoid direct discharge into the canal.

5.6 OPINION OF PROBABLE CONSTRUCTION COSTS

An Engineers Opinion of Probable Construction Costs (EOPC) was developed to better understand the likely project costs. Note that the costs for replacing the pedestrian bridge are not included in the cost estimate since the bridge is to be designed and fabricated by a specialty bridge company.

The resulting EOPC is shown in **Table 1**. Note that landscaping costs were assumed to include shrubs and trees. The number of trees and size of trees will significantly affect the cost. These costs assume 64 trees at \$1,000 per tree.

Table 1: Engineers Opinion of Probable Costs

ITEM NO.	UNITS	QUANTITY	ITEM DESCRIPTION	UNIT COST	FACTOR	TOTAL
ROADWAY						
110-1-1	AC	1.80	CLEARING & GRUBBING	\$10,348.06	1.25	\$23,283.14
110-4-10	SY	481	REMOVAL OF EXISTING CONCRETE	\$20.01	1.25	\$12,021.01
120-6	CY	2848	EMBANKMENT	\$8.63	1.25	\$30,724.40
522-2	SY	3795	CONCRETE SIDEWALK AND DRIVEWAYS, 6"	\$58.04	1.25	\$275,290.98
570-1-2	SY	5127	PERFORMANCE TURF, SOD	\$2.67	1.25	\$17,110.25
ROADWAY SUB-TOTAL						\$358,429.77
DRAINAGE						
400-1-2	CY	2.64	CONCRETE CLASS I, ENDWALLS	\$1,788.03	1.25	\$5,900.50
425-1-201	EA	2	INLETS, CURB, TYPE 9, <10'	\$5,477.50	1.25	\$13,693.75
425-2-41	EA	2.0	MANHOLES, P-7, <10'	\$5,819.75	1.25	\$14,549.38
430-174-118	LF	50	PIPE CULVERT, OPTIONAL MATERIAL, ROUND,	\$79.36	1.25	\$4,960.00
430-175-124	LF	300	PIPE CULVERT, OPTIONAL MATERIAL, ROUND,	\$91.22	1.25	\$34,207.50
430-984-125	EA	2	MITERED END SECTION, OPTIONAL ROUND,	\$1,374.37	1.25	\$3,435.93
524-1-19	SY	15	CONC DITCH PAVT, 3" REINFORCED	\$64.83	1.25	\$1,215.56
570-1-2	SY	220	PERFORMANCE TURF, SOD	\$2.66	1.25	\$731.50
571-1-11	SY	100	PLASTIC EROSION MAT, TURF REINFORCED	\$4.26	1.25	\$532.50
DRAINAGE SUB-TOTAL						\$79,226.61
LANDSCAPING (OPTIONAL)						
N/A	LS	1	SHRUB AND TREE ENHANCEMENT	\$71,500.00	\$1.00	\$71,500.00
LANDSCAPING SUB-TOTAL						\$71,500.00
PROJECT SUBTOTAL						\$509,156.38
MISCELLANEOUS						
101-1	LS	1	MOBILIZATION (10%)	\$50,915.64	1.00	\$50,915.64
102-1	DA	1	MAINTENANCE OF TRAFFIC (10% OF COST AMOUNT) (EXCLUDING TEMPORARY PAVEMENT)	\$50,915.64	1.00	\$50,915.64
		1	CONTINGENCY (15%)	\$76,373.46	1.00	\$76,373.46
PROJECT GRAND TOTAL						\$687,361.11

THESE ITEM AVERAGE UNIT COSTS VALUES WERE OBTAINED FROM THE FDOT ESTIMATES OFFICE WEBSITE UNDER THE ITEM AVERAGE UNIT COSTS FOR STATEWIDE SEPTEMBER 1, 2019 – FEBRUARY 29, 2020.

NOTE:

THE ENGINEER HAS NO CONTROL OVER THE COST OF LABOR, MATERIAL, EQUIPMENT, OR OVER THE CONTRACTOR'S METHODS OF DETERMINING PRICES OR OVER COMPETITIVE BIDDING OR MARKET CONDITIONS. OPINIONS OF PROBABLE COSTS PROVIDED HEREIN ARE BASED ON THE INFORMATION KNOWN TO THE ENGINEER AT THIS TIME AND REPRESENT ONLY THE ENGINEER'S JUDGMENT AS A DESIGN PROFESSIONAL FAMILIAR WITH THE CONSTRUCTION INDUSTRY. THE ENGINEER CANNOT AND DOES NOT GUARANTEE THAT PROPOSALS, BIDS, OR ACTUAL CONSTRUCTION COSTS WILL NOT VARY FROM ITS OPINIONS OF PROBABLE COSTS.

6.0 POTENTIAL IMPACT OF IMPROVEMENTS

6.1 ANTICIPATED IMPACTS

The project is not anticipated to add capacity to the roadway, affect planned community growth, land use patterns, or growth rates. The project will create a linear amenity by turning an existing natural area into a trail that can be used by the community.

6.2 ANTICIPATED ENVIRONMENTAL IMPACTS

A portion of the proposed trail alignment intersects with a surface water canal that provides a hydrological connection from Lake Butler to Lake Down. A pedestrian bridge is currently in place over the canal. Assuming the proposed trail is in the same general location as the existing pedestrian bridge, no significant disruption to the current water environment is anticipated.

Drainage improvements are included due to the minor increase in impervious area associated with the recreational trail. Additionally, a Stormwater Pollution Prevention Plan (SWPPP) should be developed and included in the plans, including efforts for sediment erosion control. Compliance with all SFWMD Best Management Practices (BMPs) and the FDOT *Standard Specifications for Road and Bridge Construction* will be implemented to reduce or eliminate discharges that affect water quality.

6.3 ANTICIPATED IMPACTS TO SPECIES

One (1) eagle nest is within a 1-mile range of the site, but not within a 600-foot buffer; therefore, the project is anticipated to have no negative impacts on the bald eagle.

No further action should be required regarding other species.

Although no gopher tortoises were observed during field reconnaissance, surveys for the Florida gopher tortoise are recommended to be conducted during the design phase to ensure no species are present within the proposed project footprint.

Portions of the study area meet the three criteria listed by the USFWS for potential sand skink habitat: county, soil type, and elevation. Potential habitat is primarily located at the start and end of the proposed trail and is surrounded by intensive development. Therefore, it is recommended to consult with the USFWS to determine eligibility for a reduced or eliminated skink survey prior to the start of construction related activities.

6.4 ANTICIPATED IMPACTS TO DRAINAGE

The proposed paving of Dirt Main Street and the proposed 10' wide trail will combine to require additional improvements to drainage collection and treatment. As such, roadside ditches will be realigned and graded to collect all runoff and convey it to existing outfalls. Existing drainage facilities will likewise be upgraded.

6.5 ANTICIPATED IMPACTS TO WATER QUALITY

The proposed trail design does not require attenuation or treatment since the trail does not exceed 14 feet in width and is not anticipated to impact any wetlands or surface waters within project limits. Therefore, the trail is exempt from permitting. A coordination meeting with the South Florida Water Management District (SFWMD) will be held to discuss these criteria. As described previously, opportunity sites along the trail are anticipated to enhance water quality.

7.0 PUBLIC INVOLVEMENT

7.1 STAKEHOLDER WORKSHOPS

A stakeholder workshop was held DATE, 2020, with representatives including Town management, public works staff, Town Council representation, a tree board representative, and a Parks & Recreation representative. The meeting summary is provided in **Appendix D**.

The workshop discussed project constraints, goals, objectives, concerns, and opportunities. Several guiding principles were determined during the meeting, as described below:

- The trail should be approximately 10' wide. A wider trail may encourage higher bike-riding speeds, which are not desired in this community.
- Material should be concrete for improved durability, constructability, and maintenance.
- The trail should mender, rather than being as straight as possible. The curves should be gradual and comfortable to create a more inviting experience.
- Water quality improvements should be considered.
- Golf carts should be allowed on the pedestrian bridge, but not on the rest of the trail.
- The path should be approximately 10' wide.
- Pedestrian scale lighting should be considered.

7.2 PUBLIC WORKSHOP

A public workshop was held at Town Hall on June/July/August? ##, 2020 to present the anticipated alignment and trail features. Meeting materials are provided in **Appendix D**.

7.3 COMMENT SUMMARY

To be completed after the meeting is held

8.0 PERMITTING

An Environmental Resource Permit from SFWMD will be required for activities related to stormwater management, floodplain compensation, and activities located on or adjacent to the canal. A USACE Section 404 permit may be required for potential minor impacts to the canal, however eligibility for a Nationwide Permit is likely. A National Pollutant Discharge Elimination System (NPDES) permit will be required from FDEP and the contractor will be responsible for obtaining it prior to construction.

Per the Code of Ordinances for Orange County, Sec. 15-283(a), a tree removal permit is required from the zoning manager to remove any protected trees on site greater than eight (8) inches diameter at breast height (DBH). What constitutes a protected tree is defined in Sec. 15-283(a).

Per the Code of Ordinances for Orange County, Sec. 15-376, as wetlands are present on-site (edges of Lake Butler), a Conservation Area Determination (CAD) will be required prior to development. This will require an application to be submitted to the Orange County Environmental Protection Division (EPD). EPD will then visit the site and upon completion of field verification by EPD, a Class Determination Letter will be sent to the applicant. If wetlands will be impacted by the project, a Conservation Area Impact (CAI) permit will be required from the Orange County EPD.

APPENDIX A
Drainage Conditions Information



Windermere Ward Trail

DRAINAGE MEMO

Prepared For:



Kimley»»Horn

April 2020

Project Summary

Introduction

The Town of Windermere requests a concept plan for a multi-use path to run adjacent to Main Street / Maguire Road from North Drive to approximately Park Avenue, located in Orange County, Florida. The project proposes an 10-foot wide multi-use path, landscape buffer, and a conveyance system along the western side of Main Street / Maguire Road. This drainage report will document alternatives, provide recommended solution(s), and sketches that will assist in the scoping of design and permitting of the overall improvement. A project location map is located in **Appendix A**.

Existing Conditions

A field review took place on March 12, 2020 to inventory existing drainage structures and identify drainage basins and flow patterns. There is a canal that is the ultimate outfall of the project that is located between Lake Butler and Lake Down at STA. 119+50.

Outfalls

There are three drainage outfalls located within project limits. Outfall 1 is a storm sewer system, consisting of a ditch bottom inlet (DBI) and pipes, located south of the canal and outfalls into the canal. Outfall 2 is a surface water (SW) ditch located north of the canal, that also outfalls into the canal. Outfall 3 is a roadside ditch located on Lake Butler Lane.

Basins

1-foot contours were obtained from Orange County GIS to further help determine the existing drainage basins within our project limits. Maine Street / Maguire Road is in crown for a majority of the project length, therefore the drainage boundary is the centerline of the roadway. Runoff from the western half of Maine Street / Maguire Road sheet flows and collects in linear roadside ditches because no curbs are present within project limits.

Basin 1, located south of the outfall to East 4th Avenue, drains north through a series of roadside ditches and side drains until it reaches a DBI located adjacent to the pedestrian ramp for the canal crossing. The water then outfalls through a pipe directly into the canal. The client identified that water does not reach this inlet and is ponding in a low point in the roadway at the north end of Dirt Main Street.

Basin 2, located north of the canal, drains south through a SW ditch. Three DBIs, located near the outfall, drain to the adjacent ditch along Lake Butler Boulevard, which then outfalls directly to the canal.

Basin 3, located between Park Avenue and Lake Butler Boulevard, outfalls to a small roadside ditch near STA. 134+00 that then travel west on Lake Butler Boulevard, and eventually outfalls into Lake Butler.

A pre-development basin map with existing drainage structures can be found in **Appendix B**.

Proposed Conditions

A roadway improvement project will convert Dirt Main Street to a curbed section within basin 1. This project also proposes to add additional impervious surface by the addition of the 10-foot wide multi-use path. Due to these improvements, roadside ditches will be re-aligned and graded to collect all runoff and convey it to the existing outfalls.

Additionally, the existing inlet in basin 1 will be converted to a manhole. A proposed drainage inlet will be placed at the low point in the roadway at the end of Lake Butler Boulevard and will connect back to the existing system to reduce the ponding at the low point in the roadway.

A proposed drainage structures map can be found in **Appendix C**.

Floodplain Impacts

A portion of basin 2 is located in the FEMA Floodplain Zone X and has a defined floodplain elevation of 100.7. The proposed trail shall remain on the berm and avoid any impacts to the floodplain. Any impacts that cannot be avoided will require a pre-post volumetric comparison of the area showing insignificant impact to storage. The FEMA FIRMette Map can be found in **Appendix D**.

Water Quality Criteria

The proposed trail design does not require attenuation or treatment since the trail does not exceed 14 feet in width and is not anticipated to impact any wetlands or surface waters within project limits. Therefore, the trail is exempt from permitting. A coordination meeting with the South Florida Water Management District (SFWMD) will be held to discuss these criteria.

Water Quality Opportunities

The water quality in Lake Butler has diminished due to silt deposits from the unpaved road washouts near the lake. The washouts have resulted in rising stages and loss of storage volume in the lake. One way this issue can be improved by pre-treating the roadway runoff with ditch blocks prior to runoff entering the lake.

Appendices

Appendix A: Project Location Map

Appendix B: Pre-Development Basin Map

Appendix C: Proposed Drainage Structures Map

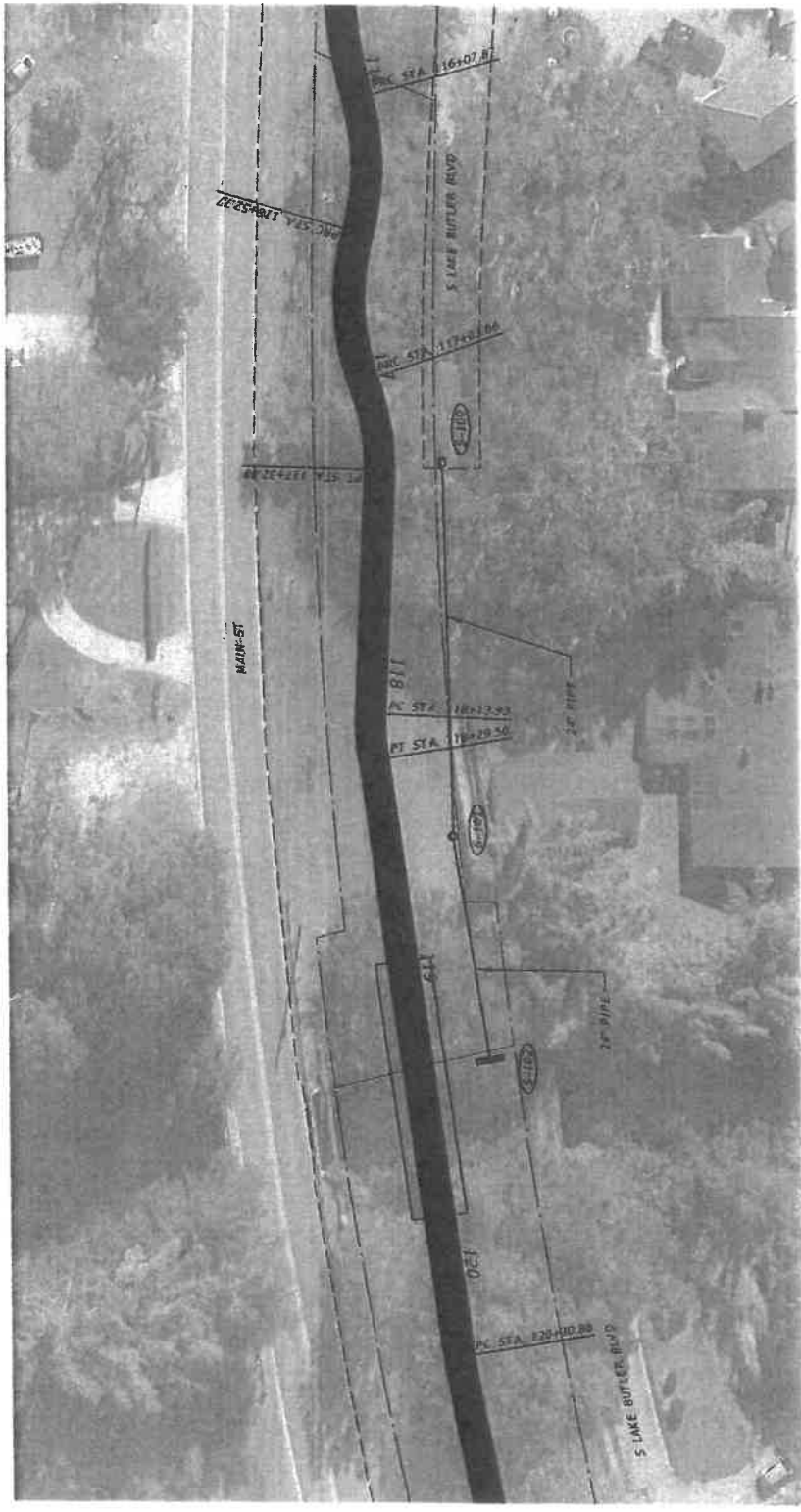
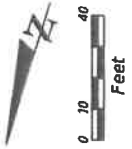
Appendix D: FEMA FIRMette Map

Appendix A: Project Location Map



Appendix B: Pre-Development Basin Map

Appendix C: Proposed Drainage Structures Map



- S-100 STA. 117+40.00 (20.30' LT)
TYPE 9 CURB INLET
(CAST-IN-PLACE)
INDEX NO. 425-024
EOP EL. 102.00
FL. 99.80
- S-101 STA. 118+65.00 (22.50' LT)
MANHOLE
INDEX NO. 425-001
RIM EL. 103.00
FL. 99.60
- S-102 STA. 119+42.00 (24.10' LT)
ENDWALL
INDEX NO. 430-030
FL. 99.40

REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley-Horn
 Registry No. 696
 V.E. License No. 75532
 P.E. License No. 75532
 189 S Orange Avenue, Suite 1000
 Orlando, FL 32801

TOWN OF WINDERMERE
PROPOSED DRAINAGE

SHEET NO.

Appendix D: FEMA FIRMette Map

National Flood Hazard Layer FIRMette



28°30'31.88"N



81°32'0.95"W



USGS The National Map, Orthoimagery, Data references: April, 2019

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AP
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes, zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- Area of Minimal Flood Hazard Zone X
- Effective LOMIRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transsect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transsect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/25/2020 at 7:12:53 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

APPENDIX B
Environmental Conditions Information



Town of Windermere Multiuse Trail Feasibility Study Natural and Human Environment Screening

April 2020

Kimley»»Horn

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INTRODUCTION

The Town of Windermere is studying the feasibility of constructing a 0.5 ± mile paved multiuse trail located near the eastern side of Lake Butler from North Drive to Lake Butler Boulevard.

This report identifies existing natural and human environment resources within the study area and describes the anticipated impacts to these resources. For purposes of this study, the study area has been defined as the area within 150 feet of the proposed multiuse trail.

METHODOLOGY

The assessment of natural and human environmental features within the study area included the review of the following data and documents:

- Historical aerial photography from the Florida Department of Transportation (FDOT) Aerial Photo Look-up System and Publication of Archival Library and Museum Materials
- Habitat and species-specific information obtained from the US Fish and Wildlife Service (USFWS), the Florida Fish and Wildlife Conservation Commission (FWC), Florida Fish and Wildlife Research Institute, Florida Geographic Data Library (FGDL), and the Florida Natural Areas Inventory (FNAI)
- The US Geological Survey 7.5-Minute Quadrangle maps (see **Figure 1—USGS Quadrangle Map**)
- The USFWS National Wetland Inventory (NWI) maps
- The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM)
- USFWS *Information for Planning and Consultation (IPaC) Trust Resources Report* included in **Appendix A**
- FNAI Unofficial Data Report for the study area included in **Appendix B**
- Florida Department of State – Division of Historical Resources Report in **Appendix C**
- Florida Department of Environmental Protection (FDEP) Map Direct Contamination Location Map

In addition to the review of databases and other resources, field reconnaissance was conducted on February 20, 2020.

EXISTING LAND USE PATTERNS

EXISTING RESOURCES

The project study area is urban and essentially built out. The land uses identified within the study area using the Florida Land Use, Cover, and Forms Classification System (FLUCFCS) (see **Figure 2 — FLUCFCS Map**) include the following:

- Fixed single family units
- Educational facility
- Pine flatwoods
- Channelized waterways – canals

ANTICIPATED IMPACTS

The project is not anticipated to have any notable impacts to traffic or community function, being that the project area is small and will be contained in an area that is already unused by the surrounding neighborhoods.

The project is not anticipated to add capacity to the roadway, affect planned community growth, land use patterns, or growth rates. It will simply be turning an existing natural area into a trail that can be used by the nearby communities.

WETLANDS AND SURFACE WATERS

EXISTING RESOURCES

Kimley-Horn and Associates staff conducted field reconnaissance on February 20, 2020 and reviewed NWI mapping of the project vicinity. The project limits were visually screened for the presence of wetlands as defined in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* and Chapter 62-340, Florida Administrative Code. The results of the field reconnaissance and NWI database research indicated that there are no wetlands and one surface water in the study area. The canal connecting Lake Butler and Lake Down (surface water) was the only jurisdictional feature identified in the study area (see **Figure 3—NWI Wetlands and Surface Waters Map**). The canal exhibits limited wetland vegetation along its banks. Wetland species were observed within the project site, especially on the north side; this included sword fern (*Polystichum munitum*), wild taro (*Colocasia esculenta*), red maple (*Acer rubrum*), Carolina willow (*Salix caroliniana*), dollarweed (*Hydrocotyle umbellata*), dayflower (*Commelina communis*), primrose willow (*Ludwigia peruviana*), and cypress (*Taxodium distichum*). The south side of the project area contains a bamboo (*Bambusoideae spp.*) seawall. Field verification with the South Florida Water Management District (SFWMD) and the US Army Corps of Engineers (USACE) should be conducted during the project development phase of the project to confirm surface water limits.

ANTICIPATED IMPACTS

A portion of the existing trail intersects with a surface water canal that provides a hydrological connection from Lake Butler to Lake Down, but a pedestrian bridge is currently in place there. Assuming the proposed trail is in the same general location as the existing trail, no significant disruption to the current water environment is anticipated.

Drainage improvements may be required due to a minor increase in impervious area associated with the recreational trail. Additionally, a Stormwater Pollution Prevention Plan (SWPPP) should be developed and included in the plans, including efforts for sediment erosion control. Compliance with all SFWMD Best Management Practices (BMPs) and the FDOT *Standard Specifications for Road and Bridge Construction* will be implemented reduce or eliminate discharges that affect water quality.

FLOODPLAIN ENCROACHMENT

EXISTING RESOURCES

FEMA FIRMs available from the FEMA website (<https://www.fema.gov/>) were reviewed to determine if the project area is located within a flood zone. According to FEMA FIRM Panel 12095C0220F, the study area is outside the 100-year flood zone (Zone X), with the exception of the area on and immediately adjacent to the canal that falls within Flood Zone AE. (**Figure 4—FEMA FIRM Map**).

ANTICIPATED IMPACTS

A flood analysis may be required to determine potential floodplain compensation if impacts to the floodplain are proposed. Additionally, a Conditional Letter of Map Revision from FEMA may be required dependent on the proposed activities within Zone AE for the construction of the trail.

PROTECTED SPECIES

EXISTING RESOURCES

Field reconnaissance was conducted to determine if listed species or their habitats were present within the study area. No listed species were observed during field reconnaissance. Other species observed included the red-bellied woodpecker (*Melanerpes carolinus*), osprey (*Pandion haliaetus*), red-shouldered hawk (*Buteo lineatus*), brown pelican (*Pelecanus occidentalis*), marsh rabbit (*Sylvilagus palustris*), green anole (*Anolis carolinensis*), and limpkin (*Aramus guarauna*).

The USFWS *IPaC Trust Resources Report* listed eighteen (18) threatened, endangered, or candidate species (**Table 1**) in Orange County (**Appendix A—USFWS Information for Planning and Consultation Trust Resources Report**). The project area also falls within three (3) USFWS Wood Stork Core Foraging Areas (CFA).

Additionally, a FNAI report (see **Appendix B—FNAI Report**) created on March 18, 2020 identified seventeen (17) species protected by the State of Florida with potential to occur within the study area (**Table 1**). However, the FNAI report did not indicate any documented instances of these protected species within the study area. Additionally, the FWC does not indicate any documented observations of state protected species within the study area (see **Figure 5—Listed Species Map**).

Both the USFWS report and the FNAI report listed several federal and state listed plants species as potentially occurring within the study area. However, no listed plant species were observed during field reconnaissance and there is marginal habitat for listed plant species within the study area. No further action should be required for listed plant species.

Table 1. Protected Species within the Study Area

Common Name	Scientific Name	Status	Habitat Present
Florida Black Bear*	<i>Ursus americanus floridanus</i>	Protected	Marginal
Bald Eagle**	<i>Haliaeetus leucocephalus</i>	Protected	Yes
Florida Burrowing Owl	<i>Athene cunicularia floridana</i>	ST	Marginal
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	ST	Marginal
Red-cockaded Woodpecker	<i>Picoides borealis</i>	FE	No
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	FE	Marginal
Florida Scrub-jay	<i>Aphelocoma coerulescens</i>	FT	No
Wood Stork	<i>Mycteria americana</i>	FT	Marginal
Gopher Tortoise	<i>Gopherus polyphemus</i>	C	Yes
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	FT	Yes
Florida Pine Snake	<i>Pituophis melanoleucus mugitus</i>	ST	No
Bluetail Mole Skink	<i>Eumeces egregius lividus</i>	FT	Marginal
Sand Skink	<i>Neoseps reynoldsi</i>	FE	Marginal
<p>Notes: FE = Federally Endangered, FT = Federally Threatened, C = Candidate Species SE = State Endangered, ST = State Threatened *The Florida black bear is protected under Chapter 68A-4.009, Florida Administrative Code, the Florida Black Bear Conservation Plan. ** The bald eagle is protected under the Bald and Golden Eagle Protection Act.</p>			

ANTICIPATED IMPACTS

One (1) eagle nest is within a 1-mile range of the site, but not within a 600-foot buffer; therefore, the project is anticipated to have no negative impacts on the bald eagle.

The study area is located within the Central Bear Management Unit (BMU) and FWC reports that bears are "frequent" in this area. Although impacts to bear habitat will be minimal, consistent with the June 2012 FWC Black Bear Management Plan, garbage and food debris will need to be properly removed from the

construction site daily to eliminate possible sources of food that could encourage and attract bears. Nuisance bears will need to be reported to the FWC at the Wildlife Alert Hotline at 1-888-404-3922.

Potential habitat for the Florida burrowing owl exists within the study area, however observations are rare within Orange County. Additionally, no burrowing owls were observed during field reconnaissance. No further action should be required regarding this species.

No Florida sandhill cranes were observed during field reconnaissance. Although the edges of Lake Butler could provide suitable nesting habitat for the sandhill crane, no potential nesting habitat will be impacted by this project. Therefore, no further action should be required regarding this species.

No habitat for the red-cockaded woodpecker exists within the study area (old growth pine), therefore no further action should be required regarding this species.

No Everglade snail kites were observed during field reconnaissance. Although the edges of Lake Butler could provide suitable nesting habitat for the Everglade snail kite, no potential nesting habitat will be impacted by this project. Therefore, no further action should be required regarding this species.

No habitat for the Florida scrub-jay exists within the study area (xeric oak or pine flatwoods), therefore no further action should be required regarding this species.

Suitable foraging habitat exists along the canal for the wood stork and the project is located within three wood stork CFAs. Mitigation for lost wood stork foraging habitat is only required if impacts exceed 0.50 acres. This project will likely not impact more than 0.50 acres therefore no further action should be required regarding this species.

Although no gopher tortoises were observed during field reconnaissance, surveys for the Florida gopher tortoise are recommended to be conducted during the design phase to ensure no species are present within the proposed project footprint.

According to the *Eastern Indigo Snake Programmatic Effect Determination Key (South Florida) (August 2017)*, if the project will impact less than 25 acres of suitable eastern indigo snake habitat, has no known gopher tortoise burrows, and can be conditioned for use of the *USFWS Standard Protection Measures for the Eastern Indigo Snake (August 2013)*, the project may affect, but is not likely to adversely affect the eastern indigo snake.

No habitat for the Florida pine snake exists within the study area, therefore no further action should be required regarding this species.

Portions of the study area meet the three criteria listed by the USFWS for potential sand skink habitat: county, soil type, and elevation. Potential habitat is primarily located at the start and end of the proposed trail and is surrounded by intensive development. Therefore, it is recommended to consult with the USFWS to determine eligibility for a reduced or eliminated skink survey prior to the start of construction related activities.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

EXISTING RESOURCES

Kimley-Horn requested an inquiry from the Department of State, State Historic Preservation Officer (SHPO) Division of Historical Resources Florida Master Site File (FMSF) regarding the presence of known historical or archaeological findings on the proposed project areas or in the immediate vicinity to determine if additional studies will be required. SHPO found there to be 6 structures within a 0.25-mile buffer of the project area.

ANTICIPATED IMPACTS

No structures documented within the study area have been evaluated by SHPO and therefore their eligibility for listing with the National Register of Historic Places (NRHP) has not been determined. A Cultural Resources Assessment Survey may be required during the design phase of this project.

CONTAMINATION

EXISTING RESOURCES

A preliminary evaluation of the project area was conducted to identify potentially contaminated sites that may be impacted by the proposed project. This analysis included a desktop review of the FDEP Direct Contamination Locator Map and readily available documents from FDEP's OCULUS database. As of March 17, 2020, the FDEP does not list any potential contamination sites within 500 feet from the project study area.

ANTICIPATED IMPACTS

A Phase I Site Assessment may be required to be performed during the design phase of the project to field verify any new or undocumented potential contamination sites. Based on the findings of the Phase I Site Assessment and the proposed construction limits, a Phase II Site Assessment may be required for the project but is not anticipated.

PERMITTING

An Environmental Resource Permit from SFWMD will be required for activities related to stormwater management, floodplain compensation, and activities located on or adjacent to the canal. A USACE Section 404 permit may be required for potential minor impacts to the canal, however eligibility for a Nationwide Permit is likely. A National Pollutant Discharge Elimination System (NPDES) permit will be required from FDEP and the contractor will be responsible for obtaining it prior to construction.

Per the Code of Ordinances for Orange County, Sec. 15-283(a), a tree removal permit is required from the zoning manager to remove any protected trees on site greater than eight (8) inches diameter at breast height (DBH). What constitutes a protected tree is defined in Sec. 15-283(a).

Per the Code of Ordinances for Orange County, Sec. 15-376, as wetlands are present on-site (edges of Lake Butler), a Conservation Area Determination (CAD) will be required prior to development. This will require an application to be submitted to the Orange County Environmental Protection Division (EPD).

EPD will then visit the site and upon completion of field verification by EPD, a Class Determination Letter will be sent to the applicant. If wetlands will be impacted by the project, a Conservation Area Impact (CAI) permit will be required from the Orange County EPD.

LIST OF FIGURES

1. US Geological Survey (USGS) Quadrangle Map
2. Florida Land Use, Cover, and Forms Classification System Map
3. National Wetlands Inventory (NWI) Wetlands and Surface Waters Map
4. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map
5. Listed Species Map

LIST OF APPENDICES

- A. US Fish and Wildlife Service Information for Planning and Consultation Trust Resources Report
- B. Florida Natural Area Inventory Report
- C. Florida Department of State – Division of Historical Resources Report

Appendix A— US Fish and Wildlife Service Report

Appendix B—Florida Natural Areas Inventory Report

Appendix C— Florida Department of State – Division of Historical Resources Report

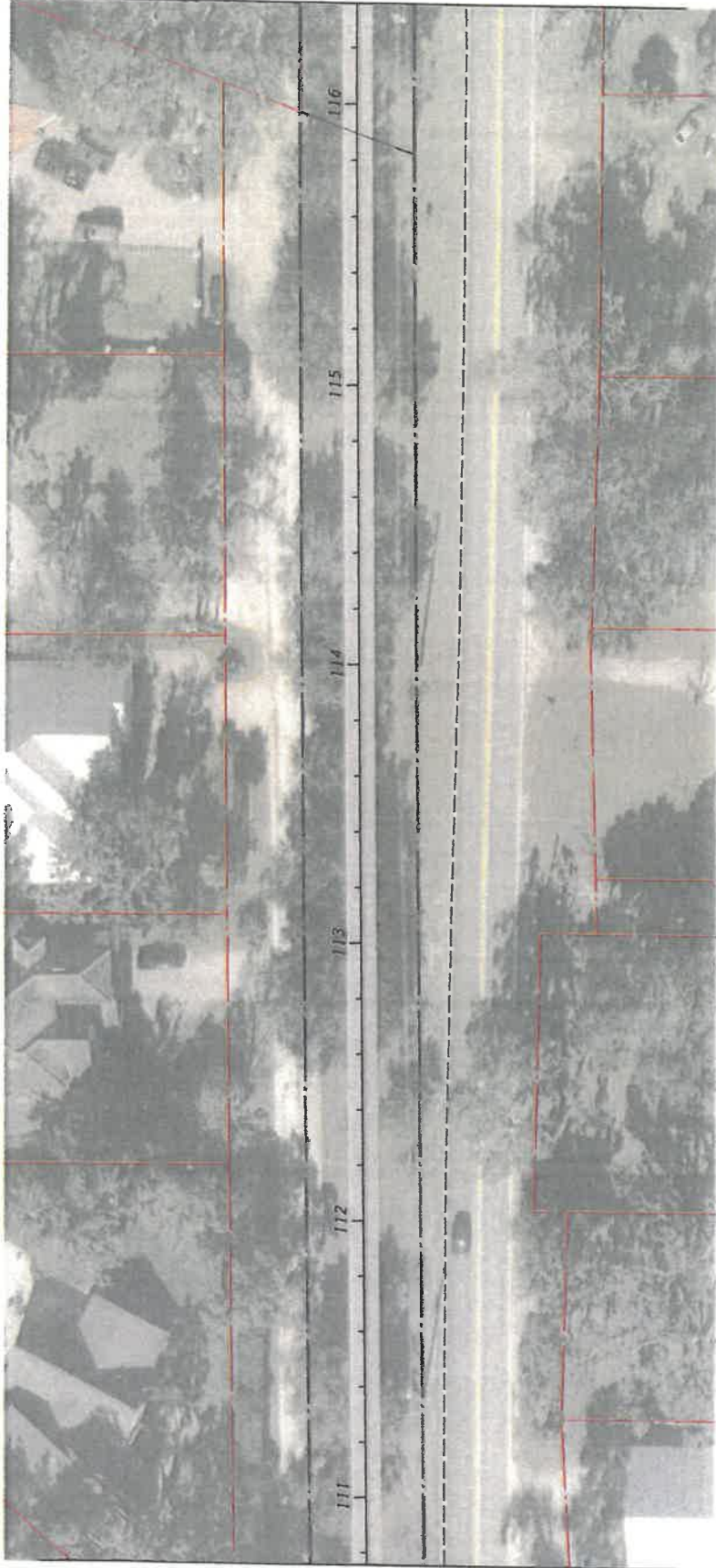
APPENDIX C
Proposed Alignment Plan Sheets



TOWN R/W

PRIVATE R/W

Feet



MATCH LINE SHEET 1

MATCH LINE SHEET 3

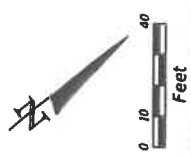
DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION

Kimley-Horn
 Registry No. 656
 Michael R. Woodard, E.
 189 S Orange Avenue, Suite 1000
 Orlando, FL 32801

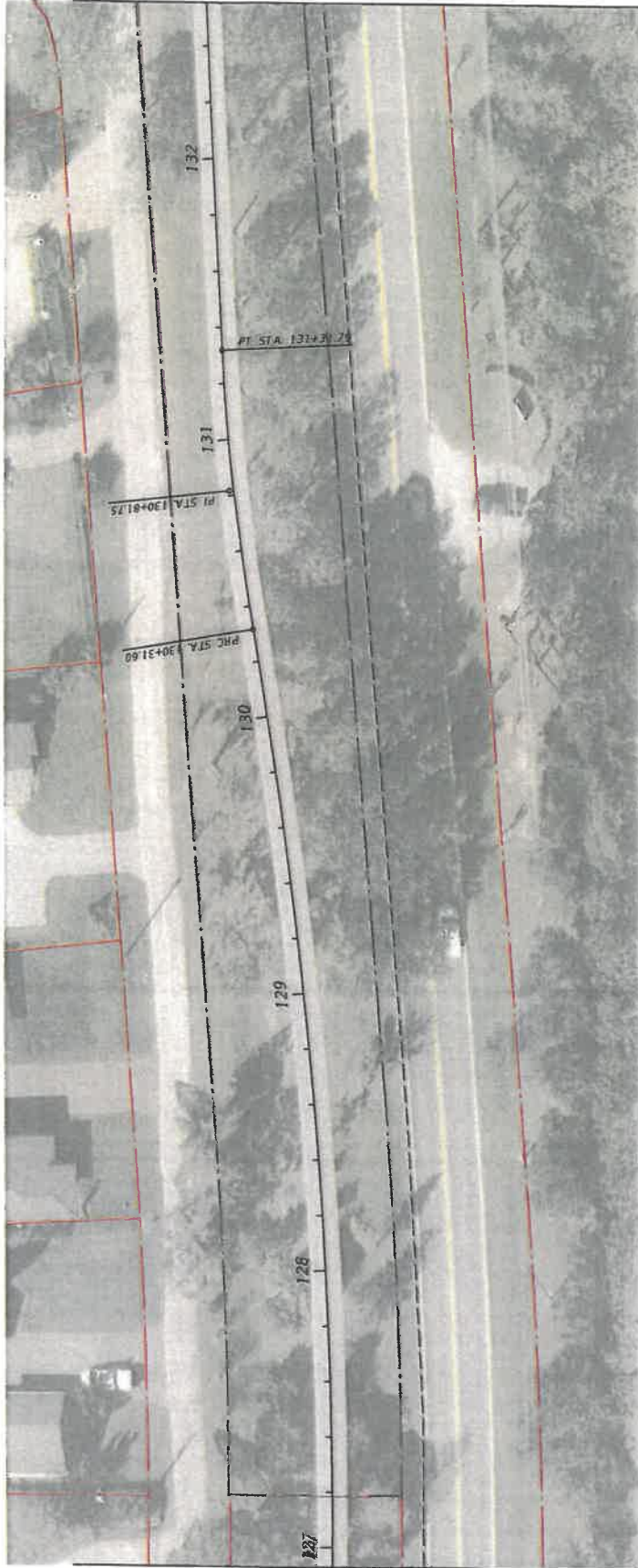
**TOWN OF
 WINDERMERE**

**WARD TRAIL
 POTENTIAL ALIGNMENT**

SHEET
 NO. 2



TOWN R/W
PRIVATE R/W



MATCH LINE SHEET 4

MATCH LINE SHEET 6

DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION

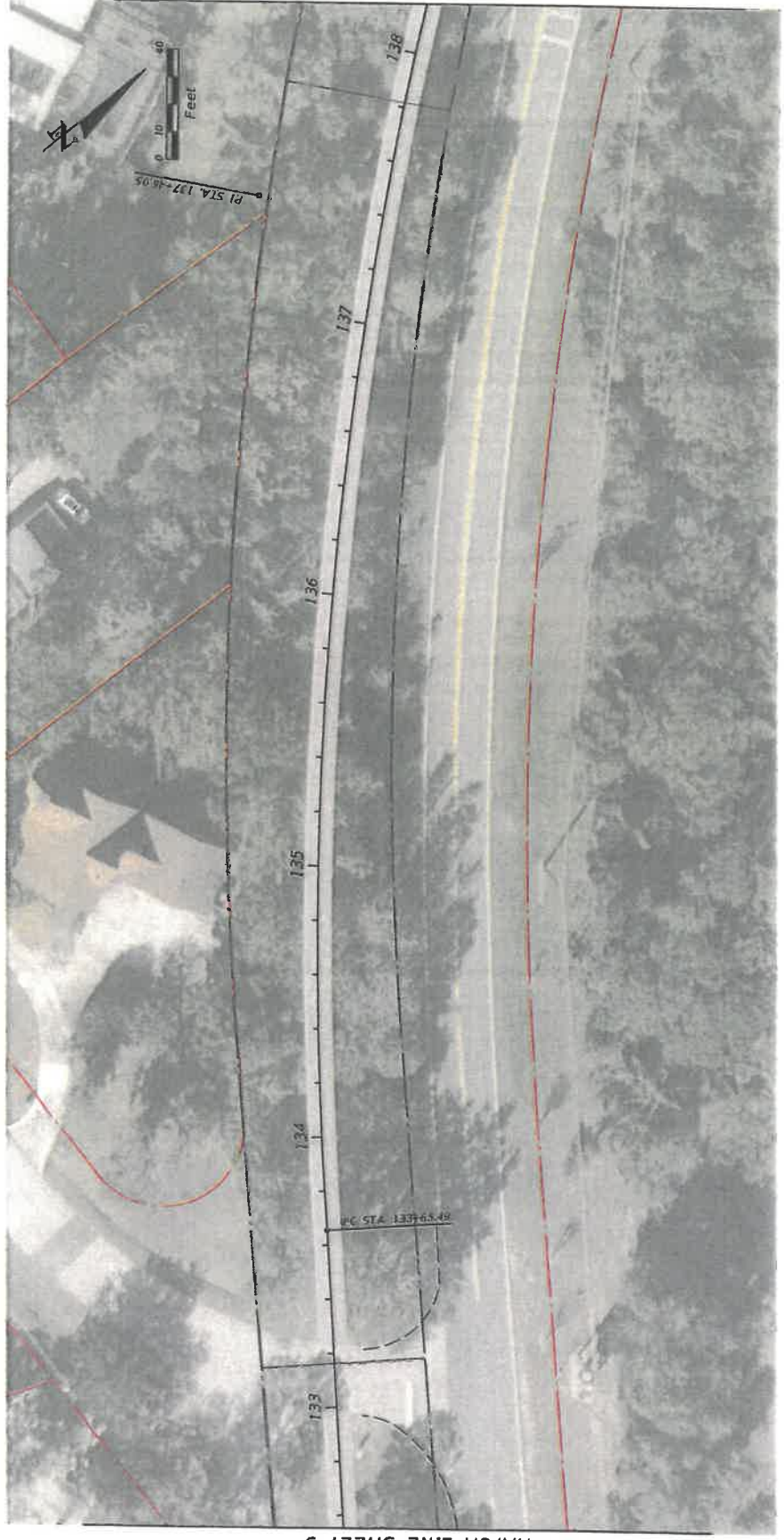
Kimley-Horn
 Registry No. 696
 Michael R. Williams, P.E.
 P. O. Box 170099
 189 S Orange Avenue, Suite 1000
 Orlando, FL 32801

TOWN OF
WINDERMERE

WARD TRAIL
POTENTIAL ALIGNMENT

SHEET NO.
5

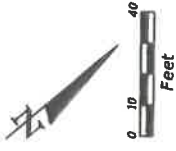
TOWN R/W
PRIVATE R/W



REVISIONS		SHEET NO.	
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley-Horn
 Michael S. Horn, P.E.
 189 S Orange Avenue, Suite 1000
 Windermere, FL 32091
 371712020 3331111111 Fax: 371712021

TOWN OF WINDERMERE
WARD TRAIL POTENTIAL ALIGNMENT



TOWN R/W

PRIVATE R/W

MATCH LINE SHEET 6

REVISIONS	
DATE	DESCRIPTION

Kimley-Horn
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 189 S Orange Avenue, Suite 1000
 Orlando, Florida 32801

**TOWN OF
 WINDERMERE**

**WARD TRAIL
 POTENTIAL ALIGNMENT**

SHEET
 NO.

7

APPENDIX D

**Stakeholder Workshop Meeting Summary
Public Workshop Meeting Materials**



Town of Windermere
614 Main Street
Windermere, FL 34786

Meeting Summary
Ward Trail
Stakeholder Kickoff Meeting
February 21, 2020

Attendance List

Name	Organization
Mike Woodward	Kimley-Horn
Maile Spang	Kimley-Horn
Scott Brown	Town of Windermere
Robert Smith	Town of Windermere
John Fitzgibbon	Town of Windermere / LRP
Susan Carter	Tree Board
Nora Brophy	Parks & Rec
Roger Gatlin	Chair - LRP
Chris Sapp	Town Council / Streets & Roads

Project Background

This portion of the project is in Phase 1, with multiple future phases anticipated, including connecting to Ocoee and the West Orange Trail. This kickoff meeting was held to solicit stakeholder input prior to preparing concepts and developing meeting materials for upcoming charettes. The project limits are from North Drive to Park Avenue in Windermere.

Water Quality Discussion

The project will evaluate the ability to provide curb and gutter along Main Street parallel to the project. The feature will help improve water retention and water quality. The group advised Kimley-Horn to move forward with the drainage analysis to determine the proper treatment for water quality along the route.

Landscaping / Typical Section Features

- The intent of the path is not for high speed road bikers, but more leisurely riding and walking to and from Town.
- The path will be winding/meandering by nature of avoiding impacts to trees and also creating a pleasant aesthetic.
- The group discussed the use of golf carts on the path. The consensus was that the golf carts should only be allowed on the canal bridge. Departing the bridge, golf carts will be directed to either Lake Butler Boulevard or Old Main Street, likely via signage and bollards.
- There was some discussion on having exercise facilities along the path. The Town recently installed similar facilities in Central Park, adjacent to Main Street. There is question as to whether additional exercise facilities will be beneficial since they are so close to the existing facilities.
- The stakeholders all agreed that the placement of benches is necessary, but the spacing of these is to be determined. Two benches along the path will need to be dedicated to the Rubio and Sorensen Families. There is no need for additional structures or shelters near the benches. It was recommended to include space for future benches, to be constructed later. Benches should be located at key opportunity sites where they will be well used. Note – benches should be offset to avoid creating a conflict with trail users.
- The Town may have a list of trees/plants that the Town recommends for different situations. Along the path low maintenance trees that are native to the area are preferred.
- Landscaping items shall be passive, with some benches, trees and an overall “green and peaceful” feel.
- Public Works is working on putting out an RFQ for a Landscape Architecture group with Arborist experience. They will likely be involved in this process, at some point near the end of the concept phase or prior to design.

Environmental Issues

An environmental analysis will take place along the corridor. The town currently has a plan to upgrade water supply pipes. Scott to send the plans to Mike (sent via email 2/21).

Geometric Design

The agreed upon typical section (if asphalt) is generally a 10' wide shared path with 6" ribbon curb on either side. There was a discussion on the type of pavement to be used. Asphalt tends to be favored by runners and anyone traveling with small wheels. Concrete is preferable from a maintenance perspective. There was a discussion regarding the use of a dirt path or pervious pavement. The Town has had issues with pervious pavement. A dirt path is not feasible due to constructability at a narrow width, maintenance, water quality, and lack of utility (it is difficult for wheels).

Lighting

The trail should include pedestrian scale lighting along the corridor. Lighting should not be bothersome to residents along the path. A photometric study may be needed to determine the spacing of lights.

Potential Funding Sources

Safe Routes to Schools, FRDAP, Wine & Dine, West Orange Healthcare, Orange County Sales Tax referendum.

Next Steps

The next steps include research, site visits, and concept development. Concepts and materials for the charette are to be ready by end of March for an April meeting.

**Town of Windermere
Parks and Recreation Committee
Proposed Meeting Minutes
March 12, 2020**

Members Present: Doug Bowman, Nora Brophy, Sherry Cassidy, Frank Krens

Others Present: Scott Brown, Bob McKinley

Call to Order: The meeting was called to order by Nora Brophy. She noted that a quorum was present to approve official business.

Business Agenda

Old Business/Events

- A. Windermere Pet Fest – Nora announced that the event was a success with an estimate of 2000 persons attending. She also noted that raffle proceeds were \$321 and indicated potential undraining incentives for 2021.
- B. 18th Annual Run Among the Lakes – Nora indicated that plans for alternative dates were being reviewed in case of a mandated event postponement. Event based printed materials including medals could be adjusted if necessary. There is a need for about 50 volunteers and participant social distancing will be enforced. For future major sponsorships, Health West Orange and Windermere Prep were suggested for consideration.
- C. Park Events – Brief discussion ensued about related park events being planned in town. A “pet themed” event put forth by the Rotary Club was not approved by the Town Council in February.
- D. Tennis Updates – The committee approved funding 3 more adult tennis mixers in March, April and May. These events were also advertised in the Gazette newsletter.
- E. CIP Plans (Fernwood) – Scott Brown indicated that 2 permits will be needed for Fernwood Park. These include a Conservation and Wetlands Impact permits before any work can be started or the area cleaned. Based on this, a wetlands consultant will be needed to push this forward. Scott noted that this permit process could take up to 120 days and he also outlined the process for park delineation and surveying. Scott also referenced a few other points including the recommendation of a boardwalk less than 6 ft wide (by Orange County), reduction of benches due to shading (5), and a compromise of boardwalk location to 3 ft above highwater mark. The project will also need FDEP from state as well.

New Business

- A. Minutes Approval – Meeting minutes from February 13, 2020 were unanimously approved as submitted based on motion approvals by Frank and Sherry.

- B.** Liaison Reports – Bob McKinley had no formal Liaison report, but he mentioned that Orange County will be potentially issuing new COVID 19 guidelines shortly.
- C.** Adjournment – The meeting was adjourned at approximately 6:00 p.m. The next regular meeting is scheduled for Thursday, April 9th at 5:00 p.m. in Town Hall.