

## EBIA Newsletter May 2017



**Welcome all new residents** of our Bay Beach Community. Above is a recent picture of a new family in our neighborhood, taken by our maintenance director. Please enjoy your visit with your new neighbor.

### **Landscaping**

The contracted landscaping on Bay Beach Lane and Estero Blvd., is near completion. We have received many positive comments about this landscaping and the improved ambiance it brings to the Bay Beach Community. Should you happen to speak with any of the London Bay personnel, please offer your gratitude for doing such a nice job on this beautiful landscaping.



### **Sales Office**

We have had questions about keeping the sales office after London Bay has finished with it. The current building is a temporary building built on blocks and permitted as a temporary structure by the town of FMB. The agreement between EBIA and London Bay, is that they must remove the structure and return the property back to its natural state with landscaping and parking.

## **Designated Parking Area**

The designated parking area is designed for the use of Bay Beach residents only. Proper identification of any vehicle in the parking area is required. Vehicle identification will be signified by the windshield sticker supplied by Bay Beach Associations already tagged within their Association via windshield sticker (example: Waterside, Hibiscus Pointe, and The Palms) or by applying for a rear-view mirror placard available through Vesta Property Services. Members of those Associations who have windshield stickers, will also be permitted to apply for a rear-view hanger for use by their guests or renters. When the new hangers are received by Vesta, the hanger application form will be sent to the member association representatives for distribution to owners. Completed applications will need to be returned to your association's property manager or a board member for signature.

The signed applications should be returned to Vesta at: [info@vestapropertyservices.com](mailto:info@vestapropertyservices.com) and will be processed. The hangers will be sent to your association's property manager for distribution, since they know the best way to communicate with their residents. The hangers are expected to be available within the next month.

## **Stormwater**

SFWMD has approved a construction permit to EBIA for modification of the present permit. This requires EBIA to (1) file a Construction Commencement Notice with a Pre-construction Application, (2) increase the height of the berm along Buccaneer Bay to engineering specifications, (this will be completed with the building of the walking/bicycle path by London Bay) (3) Block the transfer tube between L-6 & L-3B lakes, and (4) Install a low-flow orifice in the Basin 2 control Structure. (currently being worked on). Once we have met the requirements set forth by SFWMD, an EBIA Construction Permit must be completed on or before 03/27/2022. Once these items are completed including the Construction Permit submission, EBIA can then convert this Construction Permit to an Operational Permit.

The Town Council still has not addressed the rewrite of Ordinance 15-08 to remove the Bay Beach Community from the Fort Myers Beach Stormwater Ordinance. We diligently monitor this as each agenda is submitted for public review. We are currently working with our 3rd Town Council, our 3rd Town Manager, and our 2nd town Attorney since December of 2015. We are in constant contact with various Council Members addressing this issue and require them to correct this Ordinance by exempting the Bay Beach Community from the Stormwater Ordinance.

## **Alligators**

We get calls from concerned residents on Bay Beach Lane about alligators in the ponds. Alligators are present and probably always will be. We have called FWC (Florida Wildlife Conservation) on several occasions requesting more education on nuisance alligators. FWC will come out and remove and destroy nuisance alligators. Nuisance alligators are those that pursue people, children, dogs, etc. without being provoked. FWC indicates that all people and pets should stay at least 10 feet away from the lakes. If you happen to walk up on an alligator and you stomp your feet, the gator should slither off into the pond. FWC has been out a few times and have not yet found any nuisance alligators.

## **House Keeping**

As discussed at the April 11th, 2017 EBIA meeting, all pets are to remain on a leash. We have noticed some people walking their dogs and letting them run loose on the Stormwater Property owned by EBIA. Please keep your pets on a leash. There are alligators, other wildlife, and other pets present that could cause harm to them, to owners or to others.

Also, doggie waste disposal stations have been placed on the property in various locations. Please use these facilities and pick up after your pets.

We have received reports of people outside of the Bay Beach Community entering the property to fish, ride their 4 wheelers etc. The Sheriff has been called on numerous occasions and has removed the trespassers from the property. The property and the designated parking area are monitored by our Maintenance Director and while we have not caught all of the trespassers, most have been warned, removed and asked not to return.

## **Future Property Use**

Often, we get questions asking us: "what are we going to do with the property EBIA purchased on December 1, 2015?" This property was purchased to: 1. eliminate the pending lawsuit with the previous owner, 2. control the stormwater utility to avoid 3rd parties controlling the expense of dispersing EBIA stormwater, 3. control future use of the property, and 4. enhance the ambience and security of the Bay Beach Community.

Therefore, EBIA has (1) the expensive lawsuit behind us, (2) taken control of our stormwater utility, (3) control of the future use of the property secondary to being a stormwater utility for our community, and (4) began enhancing the ambience of

the property with the London Bay contract with limited expense to the residents of Bay Beach Lane.

We must continue to stave off the Town of FMB from including EBIA in their stormwater utility, and prevent Lee County from invading the EBIA Stormwater utility with their attempt to dump County and Town water into a system designed for our use only. Other considerations for future property use must include: (1) the primary purpose of the property (stormwater drainage for Bay Beach), (2) ramifications of private or public use, (3) a balanced use for all of the Bay Beach residents, and (4) SFWMD permit modifications for any proposed usage possibilities.

We ask that our Members (16 Associations) review all of the aforementioned matters when discussing future use possibilities of the property with their neighbors. Several investors, developers, amenity providers, etc. have shown interest in presenting their proposals to our members. Once we complete the major issues currently being addressed, we will then consider when it is appropriate to bring these outside firms in to make their presentations to the 16 members of EBIA.

Thank you,

The EBIA Board of Directors

Tom Taege, President  
Don Meidinger, Secretary  
Ed Lombard, Treasurer  
Ed Kocsis, Vice President  
Al Thiemke, Director  
Ernest Levy, Director  
Dave Maiser, Director