



COURTESY PHOTO

Vanderbilt Beach at The Ritz-Carlton.

former inn site.

“Had there been interest by the citizens,” Commissioner Halas responded to Mr. Ginsberg in a 2006 e-mail, “the County could have purchased the Vanderbilt Inn, as well. I am hopeful that with the loss of the (Wiggins Pass) Marina and the Vanderbilt Inn as well as the loss of beach access over the years, that the water park will help to offset these losses to the residents of Collier County and provide them with an alternative form of enjoyment.”

None of that impresses some local citizens.

“Giving people a water park in lieu of access to the beach is kind of like giving people a mall with pine scent instead of hiking trails,” suggests Andy Owen, who recalled a number of residents asking county officials to consider buying the Vanderbilt Inn.

Mr. Owen, an ardent fisherman, grew up in Naples, lives in Naples Park and is an assistant professor of art at Florida Gulf Coast University. “Most of this is a loss of quality, a loss of fixtures that are what attracted people here to begin with,” he said.

“There’s not another place like (the old Wiggins Pass Marina) anymore, even though the county provided a boat ramp at Cocohatchee Park next to where it was,” he said. “But on weekends parking there is up to Wiggins Pass Road and people get ticketed. The only other facility is a boat ramp up at Lovers Key (in Lee County).”

Commissioner Halas did not return phone calls for this story, and Gary McAlpin, director of coastal zone management in Collier County, told a reporter he could not speak without the permission of a public information officer, then left the office and spent the following week elsewhere without returning telephone calls.

The county spokeswoman, Camden Smith, answered questions posed for Mr. McAlpin by e-mail, including one question about opening access to the miles of public beaches fronted by private hotels and condominiums with shuttle service from remote parking lots.

“Approximately three years ago, we did have CAT buses (Collier Area Transit) specifically for the purpose of taking people from Vanderbilt and Conner Park (Immokalee Road) to the beach access with and without parking,” she wrote. “However, due to low usage, (officials) agreed it was not cost effective.”

Ms. Smith noted that between Vanderbilt Beach Road and Clam Pass there are

no beach accesses — that’s almost three miles. She also said that beach accesses on North Gulfshore Drive from Vanderbilt to Immokalee road — that’s about two miles — are “designed to be walk-to beach access points.”

Unless people live or visit in the nearby high-rises, that would require significant walking, since in some cases they’re roughly a mile from public parking.

“We could always use more (parking),” Ms. Smith added. “With build-out, that is becoming quite difficult, but we are working on it.”

Several residents point to vacant land near The Ritz and elsewhere, where more parking could be provided, and one insists money and build-out are not the problems.

Russ Wimer is a former Collier County commissioner elected to office in the latter half of the 1970s and the early 1980s. Now almost 65, he has paid close attention to the debate over the years. “That’s always a great excuse, ‘Oh, there is no money.’ But millions of dollars are spent on landscaping, on watering all the plants, and we spent \$10 million on an overpass on Airport-Pulling Road — probably more,” he said. “Come on. Where there’s a will, there’s a way.”

“If they want to provide beach access, would it be expensive? Sure it would. But they need to bite the bullet, and if it is determined more is needed, they need to provide the means to do it.”

Real access, faux access

These notions, like the silvery little fish only yards off Vanderbilt Beach, have jumped across the surface of the region and the state for years.

In the minds of many here, Collier County residents and visitors who don’t own property on the beach or have the wherewithal to stay in fine hotels have lost out.

“Two things are going on here,” surmises Robert Lehrer, a retired attorney and philanthropist who lives in Autumn Woods and owns a condominium overlooking the water in Park Shore. “One is being able to walk on the beach. Everybody has a right to walk along the shoreline. You can come in on a boat, for instance, and put your boat on the shoreline and walk along. That’s one thing. The second thing is the access to get there.”

To Mr. Lehrer’s dismay, he said, that access has been cut off over the years. It’s almost impossible to reach much of the

public beach property, especially for children or the elderly, unless one is wealthy enough to live along the beach, he added.

“This is an embarrassment. The beach is for everybody, wealthy or not. It’s several miles between Vanderbilt Beach parking and Clam Pass (at the western end of Pine Ridge Road). If I arrive at Clam Pass and I want to come across going north with my two little kids and my picnic basket and my chairs, I don’t have access. You can cross at low tide, but there are dangerous currents and you can’t do it at high tide.”

And if you aim to get onto the beach north of Clam Pass, you have to walk all the way up from there, since no other access exists for almost three miles.

Far to the north of that, only a few hundred yards from The Ritz at Vanderbilt Beach, stands the Turtle Club, where people can walk off the beach and up into the open restaurant and bar to have a drink or eat.

“We’re a public business, and I think the real challenge is the fact that Vanderbilt Beach (at the parking garage) is the only real access in the whole county,” says Peter Tierney, who has managed the Turtle Club for 15 years.

“From the Vanderbilt garage south there’s nothing except for Clam Pass, which has very limited parking. And north from Vanderbilt there’s only Delnor-Wiggins (with several public parking lots laid neatly into the mangroves). By 9 or 10 a.m. on any given holiday, that park is full. You can’t even get onto the main road to go south.”

On Gulfshore Drive, which extends from near the end of Vanderbilt Beach Road north to the dead-end of Immokalee Road and Delnor-Wiggins — a nearly two-mile stretch — about eight tiny walkways extend from the road to the beach, each sandwiched between condo complexes or beach clubs that display prominent no-trespassing signs.

Mary Lou Smart calls that “faux access.” Each is about six feet wide — some are boardwalks, and some are merely sod ditches that can fill with water in the summer — and each is marked by a county sign the size of a dinner plate.

At least one of those signs, across from Seabreeze Avenue, had been painted black on a recent weekday, although the words were faintly visible beneath the paint: “Collier County Parks and Recreation,” it said, just like the legible ones.

Mr. Tierney summarized the situation this way: “Pelican Bay is just a massive

development but completely private. You can walk down along the road, but you can’t park.”

Meanwhile to the north on Gulfshore Drive, he added, “lots of young kids love the beach, so their parents will drop them off (at the walk-in accesses). But once things get full at the parking garage, or at either end of the beach, people try to park everywhere. The scattered commercial businesses really get hammered with parking. You’d love to own a towing truck in there. Some people DO love owning towing trucks in there.”

And neither that situation nor one in which private interests “feel they have to take hard and fast stands” is something Mr. Wimer, the former commissioner, wants to see. “The Ritz is good for the community,” he said. “It’s been a good neighbor for the most part, and (these debates) are just not good for anybody.”

In Mr. Wimer’s view, “Somewhere between my time on the commission and the present time, some commissioners were asleep at the switch. They fell behind on many things. I think the present commission has been taking steps to solve the problems, but I don’t think it’s happened yet. The public needs more access to the beaches.”

Just like it used to have.

“I walk that beach regularly, and I have close to 50 years now,” Mr. Wimer said. “So I have a ‘prescriptive easement.’ Everybody goes on about the ‘high water line’ or some other line, but it doesn’t make a whole lot of difference. Myself and my family have a ‘prescriptive easement.’”

Under state law, that carries formidable weight, if it can be proven.

“Even if a piece of property along the beach is privately owned, the public may still be able to establish a prescriptive easement by historic use,” said Ralph Brookes, a land-use attorney in Lee County. In a case called Tony Rama, Mr. Brookes explained, “the public showed that they had used the dry upland sand of the (private) beach historically for decades, and that they couldn’t be excluded from that dry sand area.” The Tony Rama case, he added, has been upheld by other cases.

A lot of people in Naples could likely demonstrate historic use of beaches such as the one now owned by The Ritz, they say.

“I’d like to see somebody kick me off that beach,” said Mr. Wimer. “They could, physically, of course, but then they’d have a lawsuit so big they couldn’t see over it.” ■