

MINUTES OF REGULAR MEETING
FLORIDA PLANNING BOARD
May 29, 2013

I. CALL TO ORDER

Chairman Scott called the meeting to order at 7: P.M. with the Pledge of Allegiance

BOARD MEMBERS PRESENT: Scott, Uszenski, Cohen, Sosler

BOARD MEMBERS ABSENT: Kissinger

ALSO PRESENT: BI Mateosian, Attorney Kunert, Engineer MacDonald

II. MINUTES

A motion was made by Uszenski and seconded by Cohen to accept the minutes of the regular meeting of April 24, 2013 as printed.

VOTE: 4YES 0 NO

Motion Carried

III. CORRESPONDENCE

1. Letter from DOT regarding Glenmere Preserve—copy in packet
2. The Florida Focus
3. Orange County Municipal Federation—Meeting of Orange County Chairs—May 29th @5 PM in Sugar Loaf
4. Email copy of Plan-It Orange—copy in office if anyone would like to read it
5. Business Watch paper

IV. UNFINISHED BUSINESS

1. **Leta Estates—103-2-3**—14 lot subdivision—Preliminary approval granted 5/26/04---- extension granted thru Oct. 22, 2008 – extended six months to APRIL 22, 2009—granted extension thru 10/28/09—at Oct. 20, 2009 meeting a six month extension was granted through April 28, 2010 –six month extension to Oct.27, 2010

Six month extension granted through April 27, 2011

Letter requesting six month extension of preliminary approval which would go to October 26, 2011

At April 27, 2011 meeting a six month extension of the preliminary approval was granted through October 26, 2011

A letter was sent to the applicant and the applicant's engineer stating the extension will expire on October 26, 2011. Request received for another six month extension—

Request granted at 11/16/11 meeting effective to April 2012 meeting

Letter sent to applicant notifying him of the expiration date of the six month extension.

Six month extension granted at April 24, 2012 meeting—must show progress with various agencies before another six month extension is granted(letter sent) Extension expires October 2012

Letter from applicant's attorney stating reason for request for another extension—copy in work session packet 10/16/12

At Oct. 24, 2012 meeting one further extension was granted through April 2013.

Letter from Attorney Kunert was sent to applicant noting the six month extension will expire at the regular meeting of the Planning Board 5/29/13 if documentation regarding permits from various needed agencies is not received

As of 5/29/13 no response has been received from the applicant regarding the request for documentation from the various agencies

Chairman Scott: Since we have not had a response from the applicant or his attorney what is the next step?

Attorney Kunert: Don't give him any further extensions.

Uszenski: Does the applicant have money in escrow?

Secretary: Yes, he does.

Uszenski: If we don't give him any further extensions, do we have to return the money in the escrow?

Engineer MacDonald: Any unused money is to be returned to the applicant.

Chairman Scott: Since we didn't get the requested information and we deny the extension, do you feel you can defend us Mr. Attorney?

Attorney Kunert: Yes, as long as we have a motion to deny the extension. We have granted extensions for a long period of time. In the last letter in October 2012 he stated only one further extension was needed and that was granted until April 2013.

BI Mateosian: What happens if in four months he comes in with the same plans etc.?

Attorney Kunert: He would have to start all over.

Engineer MacDonald: I think we need to know what the agreement between Beazer and Leta is.

BI Mateosian: I do know they did get the lot in the Beazer development as it is listed in Leta's name on the county tax map. Also Biagini's daughter came in and got a building permit about three months ago.

Chairman Scott: So his extension has expired as of today. Is that correct?

Attorney Kunert: Yes. You need to send a letter stating the extension has expired due to the fact that the requested documents were not received.

MOTION

A motion was made by Sosler and seconded by Cohen to send a letter from the Village Attorney to the applicant, E. Biagini—Leta Estates, stating the preliminary approval has expired as of 5/29/2013 and no further action will take place on this application.

VOTE: 4 YES 0 NO

MOTION CARRIED

- 2. Rosenberg PAC-Glenmere Preserve—113-4-2.1, 2.2, and 16—210 units for 55+ older adults**
Public Hearing on scoping session closed at 1/27/10 meeting—scoping outline accepted at Feb. 24, 2010 meeting—alternate plan 1C handed out at March regular meeting—DEIS draft submitted to be reviewed by Planning Board
Interim Project Progress Report by Carpenter Environmental Associates has been received.
Public Hearing set for August 25, 2010 at 7:30 PM in the Senior Center
Copies of revised DEIS were submitted to members.
Public Hearing closed 8/25/10
Public has twenty days to submit written comments concerning DEIS—
All members were given copies of the written comments received at this time
Transcript of public hearing meeting minutes sent to all members
Final Environmental Impact Statement disk received and included in work session packet; notebook form also received
FEIS review to be done by Planning Board and accepted/corrected.
Revised FEIS presented for review
PAC zoning amendments reviewed and submitted to Village Board with comments—
Revised FEIS has been prepared and given to all members for review
Site Plan reviewed by fire department—nothing needs to be changed
Jan. 2012 revision of FEIS received—work session packet
Comments regarding FEIS were distributed
Waiting for new site plan
Revised site plan in work session (10/16/12) packet
Public Hearing for site plan and subdivision has been scheduled for January 23, 2013
Preliminary approval for site plan and subdivision granted at January 23, 2013 meeting
Copy of letter from DOT is in work session packet 5/21/13

Chairman Scott: I did speak with J. Rosenberg and he stated his traffic consultant was preparing a response to the letter from the DOT. Also in that letter the DOT states that if we wish to change the speed limit the Village Board has to make that request.
- 3. Chelmsford Hills—122-1-1—112 lots for 56 duplex buildings in planned adult community—**
Prelim approval extension granted to 9/24/08—prelim extended six months to March 25, 2009—
preliminary approval extended through 9/23/09— at 9/15/09 meeting six month extension of
preliminary approval granted through 3/24/10—six month extension granted through Sept. 22,
2010—Set of plans for complete project and Phase 1 distributed at March meeting
Received Stormwater Pollution Plan for Chelmsford Hills and copy of Hill-n-Dale Abstracters, Inc.
letter insuring title to “gore parcel”
Public Hearing closed May 26, 2010
Final approval with conditions granted at June 23, 2010 meeting
Orange County Dept. of Health—Certificate of Approval of Realty Subdivision Plans --received
Ninety day extension granted through March 23, 2011
Invitation to R. Winglovitz extended to attend meeting
At March 23, 2011 meeting a 180 day extension was granted through Sept. 28, 2011 with conditions
granted at June 23, 2010
Letter received 9/20/11 requesting an extension of 180 days. Extension granted through March 28,
2012
New site plan included in work session packet 11/9/11
Applicant contacting fire department—letter received and plan is ok
Letter from R. Winglovitz—copies in work session packet
Revised application received for Jan. 25, 2012 meeting
Waiting for new site plan
Revised site plan and letter in work session packet 6/19/12
Amended subdivision plans 11/27/12 in December packet

As of this date 5/29/13 nothing new has been received.

4. BASK Auto Detailing—102-3-16—101 C N. Main Street—

Application in packet, ARB form for sign in packet, colored pictures of sign
Approval granted at July 28, 2010 meeting.
Needs a building permit and a C of O. Building permit has been gotten.
Building Inspector to meet with applicant
Applicant may be ending his lease with landlord
The Building Inspector needs to meet with the applicant.

5. Big V Re One, LLC—158 N. Main St.—102-1-4—renovation of space for retail on first floor—
rec'd 2/14/11—copy in last month's work session packet—application and site plan

Drainage Report submitted
Final approval with conditions granted at May 31, 2011 meeting.
Corrected EAF in packet
Revised traffic plan presented by Lanc & Tully—to be signed and stamped when all conditions are met

6. Brach Knitting Mills, Inc.—112-1-9&10—12 Roosevelt Ave.—application for frozen food processing plant—cover letter, application, site plan of existing building, floor plan of proposed frozen food plant, site plan of entire property

Final approval with conditions granted at Regular Meeting of March 23, 2011
Waiting for maps to sign and stamp
Temporary C of O granted—6/16/11

7. Hulse properties—102-3-8, 102-3-1, and 102-3-33—Arnold Beiling, owner (site plan and application in packet)

Lot line changes involving above three lots in order to create 1 acre lots for 102-3-1 and 102-3-33
Conceptual lot layout plans handed out at work session 7/17/12
Letter sent (8/10/12 to Village Board with Planning Board's recommendation for zone change to area (copy in work session packet 8/14/12)

Public Hearing set for October 22, 2012 by Village Board
Village Board granted applicant the zoning change to GC

Lehman & Getz submitted (1/14/13) a conceptual lot layout plan for the property—will be handed out at meeting on January 15th

Revised subdivision plans are in packet
Public Hearing date has been set for March 27th
Action to be determined as result of Public Hearing
Public Hearing closed 3/27/13
Letter from Orange County Department of Planning received 4/4/13 regarding subdivision of properties—to be discussed

Waiting for copies of final subdivision map to be signed and stamped

V. NEW BUSINESS

1. Jerry Mayo—94 Randall Street (103-2-2.21)—requesting permission to drill well on third lot of subdivision approved and signed 5/29/07

Letter in packet for work session

Chairman Scott: At the work session we did discuss this item and told the applicant we could not make a decision until we heard from our professionals.

Engineer MacDonald: I read the letter and it is not the Planning Board's decision to allow him to have a well. This is a Village Board's decision.

Attorney Kunert: Whenever there is a new home, they are to apply to sewer and water hook-ups.

Engineer Macdonald: The hook-up is revenue for the village. They would want the homeowner to use municipal water.

BI Mateosian: I know he will be hooked up to the sewer line but is complaining about the cost to hook up to the water line.

Engineer MacDonald: We need to find the law regarding this.

BI Mateosian: His subdivision plans show the homes being hooked up to the water line. If he wants a well, doesn't he have to come in with new plans providing he is granted permission to drill a well?

Attorney Kunert: That is correct. He would have to show a well on lot #3.

Sosler: I don't think it is a good idea to allow him to drill a well.

Engineer MacDonald: Mr. Mayo claims no one can find the water line and he keeps getting high bids from companies to try to locate the line. When the sewer line was being installed, I showed Mr. Mayo the location of the water line.

Chairman Scott: I just think in the realm of good planning having him drill a well is poor planning.

Engineer MacDonald: I think we need to respond to his letter.

Chairman Scott: It seems the consensus of the members is that if public water is available then the applicant should hook up.

BI Mateosian: I did explain to Mr. Mayo that he must comply with the subdivision plans approved by the Planning Board.

Chairman Scott: I will respond to Mr. Mayo's letter dated May 20, 2013.

Attorney Kunert: Explain to him the subdivision plans approved by the Planning Board show a public water supply to the lots.

VI. INACTIVE APPLICATIONS

1. SBJS PARTNERSHIP—111-2-16—10 lot subdivision—Highview Extension--haven't received anything—copy of letter from DEC in 10/20/09 packet

2. Robert Cannillo—96 Glenmere Ave.—109-2-6—4 lot subdivision—nothing received

3. Excel Physical Performance, Inc. ---105-1-17—38 N. Main St.—
Needs to have ARB approval for sign. Letter was sent to applicant and nothing has been submitted.

VII. ADJOURNMENT

A motion was made by Sosler and seconded by Cohen to adjourn at 8:12 P.M.

VOTE: 4 YES 0 NO

Motion Carried

Respectfully submitted,

Shirley Coughlin, Secretary