

**VILLAGE OF FLORIDA
PLANNING BOARD REGULAR MEETING
May 24, 2023**

CALL TO ORDER:

Chairman Scott called the meeting to order at 7:30 P.M. with a Pledge of Allegiance.

BOARD MEMBERS PRESENT:

Chairman Robert Scott
Member Howard Cohen
Member Marvin Kissinger
Member James Sosler
Member Jeanne Uszenski

PROFESSIONAL'S PRESENT:

Penny Schlagel, Secretary
Elizabeth Cassidy, Esq.
Sean Hoffman, Eng.
Matt Roach, Trustee

MINUTES:

Motion made by Member Cohen for the approval of the April 26, 2023 Regular Meeting Minutes. Seconded by Member Kissinger.

On roll call all voted yes, and Chairman Scott declared this et of Minutes adopted.

PUBLIC HEARING:

1. 42 No Main St (Loft's) Site Plan Amendment (CONTINUATION)

Present: Harold Knebel, Sr.
Harold Knebel, Jr.
Daniel Getz, Eng.

Liz Cassidy, Esq. if we received the Notice of Publication for the continuance of the Public Hearing with regard to adding the additional lots.

Ms. Schlagel replied yes.

Mr. Getz then gave a brief presentation again while stating that now they are paving the parking lot and additional landscaping.

Continued discussion with regard to the fire access. It was concluded that there is more than one access in need of an emergency.

A letter from Chief Andryshak is to be received to us stating that the access is ok. Member Cohen had concerns still with this issue, and wanted to make sure the out riggers could be used if need be.

Mr. Knebel also stated that there will be a sprinkler system installed as well. Mr. Getz also stated that with regard to parking there will now be 26 parking spots, even though 21 is required. There will be additional landscaping and a dumpster with a fence.

Member Kissinger had concerns with the building, as the side wall had no windows and looked plain.

Mr. Knebel stated that he will indeed put windows in, as there will be a storage room on this side of the building for maintenance.

Member Kissinger stated that he like the design of the building itself, and liked the corvel.

Mr. Knebel, Sr. stated that they went off of Zircar's.

Mr. Hoffman stated that we still need a letter stating that from an historical point, this matches the historical recommendations.

Dan Harter Sr.
11 Harter Dr.
Warwick, NY

Mr. Harter stated that he did have some concerns with this project being that last year we had a drought situation. Will there be enough water and sewer? The plant is at full capacity.

Frank Pierce
20 Maple Ave
Florida, NY

Mr. Pierce stated that he had concerns with regard to people buying up the remaining barns in the village and turning them into apartments.

Members stated that they are in a different zone, and this couldn't be done.

Member Cohen moved a motion to close the Public Hearing on this matter. Seconded by Member Sosler.

On Roll Call, all voted Yes, and Chairman Scott declared this hearing closed.

APPLICATIONS:

1. 12 Roosevelt Ave: Amended Site Plan (Resolution)

VILLAGE OF FLORIDA
PLANNING BOARD
RESOLUTIN TO APPROVE THE AMENDED SITE PLAN OF BRACH REALTY CORP.

WHEREAS, the Village of Florida Planning Board is considering action on a proposed site plan amendment for purposes of installing a liquid nitrogen tank located at 2 Roosevelt Avenue, Florida, NY.

WHEREAS, the Planning Board has received and reviewed the following application documents:

1. Application, signed February 6, 2023.

2. Short Environment Assessment form dated February 2, 2023.
3. Site Plan prepared by MJS Engineering & Land Surveying PC dated October 29, 2021 last revised March 20, 2023, consisting of 9 sheets:
 - C-1 Site Plan
 - C-2 Notes & Details
 - C-3 Existing Conditions & Demolition Plan
 - C-4 Grading & Drainage Plan
 - C-5 Erosion & Sediment Control Plan
 - C-6 Landscaping & Lighting Plan
 - C-7 Stormwater Details
 - C-8 Nitrogen Tank Details
 - C-9 Circulation Plan
4. Various technical documents as to the function and safety requirements of the tank.
5. Country Reply pursuant to NYS GML §239, dated April 4, 2023.

WHEREAS, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board determined that the proposed project is an Unlisted action and declared lead agency on February 22, 2023;

WHEREAS, the application was referred to the Orange County Department of Planning pursuant to General Municipal Law §239 et seq. and

WHEREAS, the application was referred to the Florida Fire District.

WHEREAS, a duly noticed public hearing was held on March 29, 2023 at 33 South Main St., Florida, NY where member of the public provided comment;

NOW, THEREFORE, BE IT RESOLVED, that after review and consideration of the application materials, consultant comments and public hearing comments, the Planning Board hereby declared that the proposed action will have no adverse environmental impacts (a “Negative Declaration”) and;

BE IT FURTHER RESOLVED, that the Planning Board hereby grants amended site plan approval subject to the following conditions:

1. Prior to plan signing:
 - a. Applicant shall comply with the comments of the Village Engineer’s memorandum dated February 14, 2023.

- b. Applicant to submit final signed and sealed site plan for signature to the Chairman.
 - c. All fees regarding this application must be paid in full, including all application fees, and the fees of the Planning Board consultants (including all engineering and legal fees) as required by Village Code §8. The Chairperson will not sign the plan until all such fees are paid in full. The Village reserves the right to request additional deposits to the project review escrow fund if necessary to cover additional costs. All additional fees, escrow monies, bonds other security, and any other payments required by this Resolution shall be paid or deposited in a timely manner. Application to obtain all necessary permits including but not limited to Building Department and Department of Health;
2. Applicant shall commence construction within 6 months or this approval shall expire. The applicant may apply to the Planning Board for an extension of such time if necessary.
 3. Proposed and existing landscaping buffer along southerly and westerly property line to be maintained in perpetuity.
 4. Subject to the terms and conditions of the previous site plan approval dated March 20, 2023.
 5. Material safety data sheets to the Fire Department.
 6. Thank to be fenced as shown on plans.
 7. Hours of operation shall be 6:30 a.m. to 9:00 p.m. Monday through Saturdays and 9:00 a.m. to 9:00 p.m. on Sundays. Trucks may not be entering, exiting, idling, loading or unloading outside of the hours of operation.
 8. The terms of Chapter 83 of the Village of Florida Code, entitled Noise are hereby incorporated by reference. Compliance with the Village's noise ordinance shall be a material condition of this site plan approval and in the event the property owner is found to be in violation shall be deemed a violation of this site plan approval.
 9. Applicant shall maintain a clearly visible sign indicating that trucks are not permitted to idle.

10. Applicant shall maintain an exterior camera system for the purposes of monitoring exterior activity on the site outside of permitted hours of operation.

BE IT FURTHER RESOLVED, that the Planning Board Clerk shall file a copy of this Resolution with the Village Clerk within 5 days of the Planning Board's determination.

Member Kissinger moved a motion to approve the Amended Site Plan of Brach Realty Corp. Seconded by Member Sosler.

On roll call, all voted yes except for Member Cohen and Uszenski and Chairman Scott declared this resolution adopted.

2. 42 No Main St. (Loft's) Site Plan

Further discussion continued with regard to Victorian Era architecture character and appearance. It was recommended that the applicant provide correspondence from their architect describing how the proposed is consistent with Victorian architecture.

Drainage and Surfacing: The applicant intends to pave portions of the parking area which are currently gravel and indicated they are collecting survey data to design additional drainage as required by the code.

Landscaping: The applicant indicated an existing stockade fence provides screening however landscaping has been provided as well to comply the code requirement.

SEQRA: The applicant is in the process of adding SBS 105-1-14.2 and 10-1-16 to the project and submitted a revised EAF.

3. Edward J. Lempka Dr.(self-storage) Site Plan

Applicant was not presented as he advised the board that he is still working on the application.

**4. Village Dr. Commons:
1 Year Extension Request**

Member Kissinger moved a motion to grant Village Dr. Commons a 6 month extension request for prior conditional use and site plan approval on May 26, 2021. Seconded by Member Cohen.

On roll call, all voted yes and Chairman Scott declared this motion carried.

Village Dr. Commons (Wall) Amended Site Plan

Present: Steve Esposito, Eng.
Harold Knebel, Sr.
Harold Knebel, Jr.

Mr. Esposito stated how the applicant received conditional site plan/conditional use approvals for construction of a mixed use residential and commercial development.

The current amendment is for grading and eliminating wall 1.

Also, Mr. Esposito stated how they would like a reduction of the first floor commercial retail/office) use withing Building 1 from 8,976 sq. ft. to 7,238 sq. ft, and the first floor from commercial use within Building 2 with an Air BnB use/hotel. Mr. Esposito further went on to say how there is nothing in the code with regard to Air BnB's.

It was then concluded that there is no provision in the code book with regard to this issue. Hotel options were then discussed. It was noted however it doesn't meet the requirements.

Mr. Knebel, Sr. then explained to the board that since Covid, most people are now working at home, and therefore it would make no sense to now have retail/office space.

It was then concluded that since the site plan amendment only was regard to the elimination of the wall, that this is the issue that should be focused on now, and the others in another amended site plan.

5. Keystone Fireworks
Re: Temporary Tent

Discussion ensued how Keystone would like a seasonal temporary tent for the retail sale of permitted sparkling fireworks. An application has been submitted for review.

Member Sosler moved a motion to waive a Public Hearing on this matter. Seconded by Member Cohen.

On roll call, all voted yes and Chairman Scott declared this motion carried.

Member Sosler moved a motion appointing the Planning Board Lead Agency with regard to SEQR. Seconded by Member Kissinger.

On roll call, all voted yes and Chairman Scott declared this motion carried.

Member Cohen moved a motion to hold a Special Meeting on June 20, 2023 at 7:00 P.M. with regard to Keystone Fireworks. Seconded by Member Sosler.

On roll call, all voted yes, and Chairman Scott declared this motion carried.

NEW/UNFINISHED BUSINESS: None

PUBLIC DISCUSSION: Since no one else from the public entered any discussion, the Chairman closed this portion of the meeting.

ADJOURNMENT:

Member Cohen moved for the adjournment of this meeting at 9:52 PM. Seconded by Member Sosler.

On roll call, all voted yes, and Chairman Scott declared this meeting adjourned.

Penny Schlagel, Recording Secretary

