

**VILLAGE OF FLORIDA
ZONING BOARD OF APPEALS MEETING
October 16, 2023**

CALL TO ORDER:

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

BOARD MEMBER'S PRESENT:

Chairman Martin Dellatto
Member Steven Caldwell
Member Zen Wojcik
Member JR Pillmeier
Member Frank Dagele

PROFESSIONAL'S PRESENT:

Penny Schlagel, Secretary
Jeremy Havens, Esq.

MINUTES:

Member Pillmeier moved a motion to approve the Regular Meeting Minutes of May 8, 2023. Seconded by Member Dagele.

On roll call all voted yes, and Chairman Dellatto declared this set of Minutes adopted.

PUBLIC HEARING:

Chairman Dellatto read into the record the following Legal Notice:

PLEASE TAKE NOTICE, that the Zoning Board of Appeals of the Village of Florida will hold a public hearing on Monday, October 16, 2023, at 7:30 P.M. at the Village Hall, 33 S. Main St., Florida, NY to consider the following application(s) on behalf of:

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HAROLD KNEBEL, regarding property located at 6 Nathaniel Lane, Florida, NY 10921, and designated on the Town tax map as Section 108, Block 4, Lot 10 and located in the RES-1 District for an area variance permitting vehicular access to the property from a paper street designated as Nathaniel Lane for a new construction of a proposed single-family dwelling, where direct access to a street or highway is required to issue a building permit.

The above applications are open to inspection at the office of the Board of Appeals, 33 So. Main St., Florida, NY. Persons wishing to appear at such hearing may do so in person or by attorney or other representative. Communications in writing in relation thereto may be filed with the Board, or at such hearing.

BY THE ORDER OF VILLAGE OF FLORIDA ZONING BOARD OF APPEALS
MARTIN DELLATTO

Presentation by Steven Esposito, Eng. (on behalf of applicant)

Mr. Esposito stated that the applicant is looking to purchase a property on Nathaniel Lane that is in a pre-existing R1 Zone, single family. It fronts a paper street. Village Code 119-26 (b) states: No building permit shall be issued for the construction or alteration of any building upon a lot without direct access to a street or highway as stipulated in §7-736 of the Village Law.

Mr. Havens, Esq. stated that it should be put into the record that the Board has received a Proxy Certification on the behalf of the owner Frank & Jacqueline Reinholz, who are currently the owners of this property with Mr. Knebel being the purchaser.

Discussion then ensued with regard to the possible access for the driveway on Werner and Highview.

Mr. Knebel stated that he preferred Highview but if Werner was used, he would extend with asphalt.

Member Dagele asked if Highview was wide enough to use?

Mr. Esposito replied yes.

Mr. Pillmeier stated that the taxes should be being paid on this property for residential use, as he did the tax maps.

Mr. Esposito, Eng. asked exactly what the definition is of a paper street?

Mr. Havens, Esq. replied that it is when it is officially recognized on the tax maps and/or approved and filed subdivision; in this case, both are true. It's an

Approved street, however never developed.

It will have to be improved to code. (State Code 7-736). At this point it would need Planning Board approval.

Mr. Havens, Esq. then reviewed the EAF Application with Mr. Esposito.

Member Pillmeier moved a motion to approve the SEQR Type II Application. Seconded by Member Wojcik.

On roll call, all voted yes and Chairman Dellatto declared this Resolution adopted.

PUBLIC DISCUSSION:

1. Robert Sieczek

Mr. Sieczek stated that he borders the property in question and would like to know that if a house is built, will it be a one family only and about the driveway.

Mr. Knebel replied yes, that it would only be a one family home.

Mr. Hanson stated that there is a 40-foot municipal right of way. The Planning Board would determine how much of the right of way would be paved.

2. Tom Baker

Mr. Baker stated that he was present tonight to hear about this application.

3. Sean White

Owner of 2 Vacant Lots on Nathaniel

Mr. White expressed his concern with regard to as whether there will be drainage issues by building this home, as they are having difficulties now with all the rain.

4. Craig Grybowski

93 South Main St.

Mr. Grybowski also stated he was concerned with the storm water drainage and wanted to know if this would be in the plan?

Mr. Knebel and Mr. Esposito, Eng. Both stated that their plans for this home would definitely include adequate drainage.

5. Scott Arnott
101 South Main St.

Mr. Arnott inquired about how the utilities to the property would be ran.

Mr. Esposito, Eng. Stated that once the applicant is done with the Zoning Board, the applicant would then go to the Planning Board, wherein the plans would show how utilities would be ran.

6. Rob Schreibeis

Mr. Schreibeis asked if Nathaniel Lane was ever dedicated?

Mr. Havens, Esq. replied that according to the tax maps, the Village of Florida does own Nathaniel Lane. However, a title search was not done to confirm.

7. Doreen Hamel
7 Highview

Mrs. Hamel stated that she felt there would be easier access for the driveway to go over Highview. Also, she stated that she did not receive any public notice of this meeting and she was well within the 300-foot requirement. Therefore, she would like more time to review this matter.

8. Diana Paffenroth
103 South Main St.

Ms. Paffenroth stated to the board that she is worried about the truck traffic should this road be dedicated. She further stated that she like things as they are and should remain that way.

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Mr. Esposito stated that 4 or maybe 5 owners were somehow missed. Therefore, the applicant would request to continue the public hearing until the next meeting, so that the applicant could make sure all property owners are provided sufficient notice.

Member Dagele moved a motion to continue the Public Hearing on this matter to the next regular ZBA meeting scheduled for November 13, 2023. Seconded by Member Pillmeier.

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

ADJOURNMENT:

Member Pillmeier moved for the motion to adjourn this meeting at 8:30 P.M. Seconded by Member Caldwell.

On roll call all voted yes and Chairman Dellatto declared this Resolution adopted.

Penny Schlagel, Secretary

