

MINUTES FOR REGULAR MEETING
FLORIDA PLANNING BOARD VIA ZOOM
March 24, 2021

I. CALL TO ORDER

Chairman Scott called the meeting to order at 7:33 p.m. and opened with the Pledge of Allegiance.

BOARD MEMBERS PRESENT:

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

ALSO PRESENT:

Elizabeth Cassidy, Esq.
Alexa Burchianti, Fusco Engineering

Upon the opening of the meeting, Ms. Cassidy reviewed the guidelines for members of the public to comment during the public hearings under NYS Executive Order 202.8

II. CONTINUED PUBLIC HEARING STAINRATTY LLC 105-1-13

III. CONTINUED PUBLIC HEARING VILLAGE DRIVE COMMONS 112-1-4 & 12

IV. REGULAR MEETING OF THE PLANNING BOARD

Upon closure of the two continued Public Hearings, Chairman Scott opened the Planning Board regular meeting at 8:42 pm.

V. CORRESPONDENCE

- a **March 9, 2021** – Letter from Steven Esposito of Esposito & Associates re: Village Drive Commons, 112-1-4 & 12. Includes response to February 24 public comments. Also attached comment letter from Dave Getz of Engineering Properties PC.
- b **March 17, 2021** – Letter from Al Fusco of Fusco Engineering regarding the Village Drive Commons Application.

VI. REVIEW OF APPLICATIONS

A. UNFINISHED BUSINESS

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1. **Knebel/Village Drive Commons / 112-1-4 & 12**

Chairman Scott polled the board asking if the board have any questions for the applicant. **Member Uszenski** inquired about the pump station and who will be responsible for its maintenance. It was established that the property owner will be required to maintain the pump station.

Ms. Cassidy clarified that a maintenance agreement will be drafted for this purpose.

Member Kissinger reviewed the stormwater runoff and if state approval is required for the plan. **Mr. Esposito** reviewed the proposed plan.

Mr. Esposito explained the owner will enter into a maintenance agreement with the Village of Florida to ensure any stormwater concerns are addresses adequately. In the case that the village has to perform any maintenance the owner will be responsible for any costs incurred and they will be levied on to the property owner's taxes.

Ms. Cassidy mentioned the construction schedule question in the public comment portion of the meeting. **Ms. Cassidy** offered the permitted times of construction M-F 7:30-8, Sat 9-5 and no work on Sundays

Member Cohen expressed strong disappointment regarding his concerns about fire lane situations and inadequate parking.

Member Sosler questioned why there is no fire lane on Building 2, but there is access from 3 sides.

Mr. Esposito explained the Building Inspector Burchianti did not have an issue with the fire lane concerns, stated the per code, the 3-side access is acceptable and the buildings will be sprinklered.

Ms. Cassidy read into the record receipt of letter from Engineer Al Fusco.

Chairman Scott expressed the board has several outstanding concerns and that the board is not prepared to vote on the project. There are several public comments for the applicant to address and the board will review further during the next work session. **Mr. Scott** then polled the board who were in agreement that the application will be further reviewed at the next meeting.

2. **Stainratty/60 North Main St. /105-1-13**

Chairman Scott asked if the board had any comments.

Member Kissinger suggested keeping the application open until receipt of comments from the fire department.

Ms. Cassidy advised it would be in the applicant's interest to provide additional time to respond to public comment by the April work session.

Member Cohen offered he will get in touch with the fire chief to provide a letter describing the fire department's review.

Ms. Cassidy stated the fire department comments will need to be given in writing.

Chairman Scott offered that comments from the fire department will be provided immediately to the applicant.

Ms. Bogert acknowledged the decisions made by the board.

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B. NEW BUSINESS

1. **Keystone Novelties Distributors, LLC / 181 N Main St / 102-2-10**

Sale of NY state legal sparkling devices and novelties, June 23th thru July 5th, temporary tent for the sale of NYS legal sparklers and novelties.

In attendance: Alex Mutzabaugh

Chairman Scott asked for a brief description of the application.

Mr. Mutzabaugh reviewed the application.

Member Cohen commented the application sounds the same as previous years.

Mr. Mutzabaugh offered there will be a few new novelties this year for purchase.

Requested dates for the permit are June 23 thought July 5, 2021

Ms. Burchianti offered that the applicant always adheres to local codes and leave the location in same condition as upon arrival.

Ms. Cassidy offered that the application will need to be sent to Orange County for review, a GML 239 has been filed for review.

Ms. Cassidy recommended the board grant conditional approval

Chairman Scott stated the board will grant approval contingent upon receipt of comments from the county.

MOTION

A motion was made to grant Lead Agency-Resolution by Member Uszenski, seconded by Member Sosler

Vote: 5 AYES 0 NAYS

MOTION PASSED

Motion to declare Neg Dec with regards to SEQR was made by Member Cohen, seconded by Member Sosler

Vote: 5 AYES 0 NAYS

MOTION PASSED

Motion to approve amended site plan for 181 N. Main Street, 102-2-10 based on the following conditions: provided the applicant apply for all needed permits, provides a \$1,500 escrow, applicant to provide temporary toilet facilities, any required insurance, following any required compliance with any Covid -19 restrictions, and subject to any conditions that may be provided by Orange County Planning.

Chairman Scott polled the board, the motion was made by Member Cohen, seconded by Member Kissinger.

Vote: 5 AYES 0 NAYS

MOTION PASSED

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VII. MINUTES

Minutes of February 24, 2021 Regular Meeting, and the Work Session of March 16, 2021.

VOTE: No vote, to be reviewed at next meeting.

IV. ADJOURNMENT

A motion was made by Member Sosler and seconded by Member Kissinger to adjourn the meeting.

Vote: 5 AYES 0 NAYS

Minutes respectfully submitted.

Christine Bodeker
Clerk to Boards