

**VILLAGE OF FLORIDA
PLANNING BOARD REGULAR MEETING MINUTES
June 17, 2025**

CALL TO ORDER:

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

BOARD MEMBER'S PRESENT:

Chairman Robert Scott
Member Marvin Kissinger
Member Howard Cohen
Member James Sosler
Alt. Mem. Diana Puglisi

EXCUSED: Member Craig Grybowski

PROFESSIONAL'S PRESENT:

Penny Schlagel, Secretary
Elizabeth Cassidy, Esq.
Sean Hoffman, Eng.

MINUTES:

Member Sosler moved for the approval of the May 15, 2025 Regular Meeting Minutes. Seconded by Member Cohen.

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

APPLICATIONS:

1. Village Dr. Commons
SBL: 112-1-12
Site Plan Amendment

Present: Steve Esposito, Eng.
Robert Knebel

Mr. Esposito stated that he is here tonight to discuss the modification to the Approved Site Plan. The proposed modifications are as follows:

Sheet #3 The timber guide rails have been deleted from the parking lot for building #2 and the drive aisle behind building #1. The grade doesn't require the need for guide rails. As a result, from a previous Site Plan Amendment (removal of retaining walls).

Sheet #3 The ADA spaces in the parking lot for building #1 have been moved one space up from the previously approved plans. Along with the spaces moving the signs will also be moving. The signs will be wall mounted or free standing.

Sheet #3 The mountable curbs near the transformers have been eliminated to provide protection to the transformer.

Sheet #3 The sidewalk ramps along Village Drive will have Cast in Place detection strips that are plastic and brick red in color. This is replacing the previously approved Cast-Iron.

Sheet #4 The transformer is relocated to the east 20 feet per Orange & Rockland requirements.

Sheet #6 The dumpster detail has been modified to be a stucco finish instead of a stone veneer. Stucco finish to be painted same color as approved buildings. The 10" concrete foundation will either be block or poured concrete.

Sheet #6 The Timber Guide Rail detail is no longer needed based on finished grades.

Sheet #6 The previously approved Concrete Curbing detail has been replaced with an updated Onsite Standard Concrete Curb detail.

Sheet # L-1: 10 Evergreen trees have been relocated along the south side of the parking and building #2 to provide additional screening from existing residences to the south.

Sheet #L-1: One Ps (Kwanzan Cherry) has been eliminated because of the relocated transformer.

Sheet L-2: One light pole has been relocated from the middle of the parking lot to the middle of the parking lot island near building #1. This location will provide protection for the light pole.

Attorney Cassidy stated that the property is located in the GC zoning district. SEQR: Prior to the approval, the Planning Board needs to confirm that the proposed changes are consistent with the Board's earlier SEQR findings.

Prior to any plan signing, the applicant needs to update the plan to reflect the correct ownership information.

Pursuant to 199-33 (H) amendments to a site plan shall be acted upon in the same manner as the approval of the original plan. Amended site plan review is subject to a 239.

A public hearing is optional for a site plan amendment.

RESOLUTION TO WAIVE PUBLIC HEARING AND REFER PURSUANT TO GENERAL MUNICIPAL LAW §239

WHEREAS, the Village of Florida Planning Board is in receipt of an application by Robert Knebel on behalf of Village Park LLC to amend a previously granted site plan approval dated May 26, 2021, as amended August 23, 2023 and as clarified by resolution dated December 12, 2023, which authorized the construction of a mixed use residential and commercial development in the GC zone at the intersection of Village Drive and NYD Route 94; and

WHEREAS, the applicant seeks to modify the site plan including, removal of proposed wooden guard rails, relocation of ADA spaces near building #1; eliminate mountable curbs in the vicinity of the electric transformer; alteration of the sidewalk ramps; relocation of transformer per Orange and Rockland request; modification of the proposed dumpster enclosure from the stone veneer to stucco finish; update to curbing detail; alterations to landscape plan; relocation of a light pole near building #1.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby declares itself to be lead agency for the purposes of SEQR review;

BE IT FURTHER RESOLVED, given the nature of the proposed amendments, the Planning Board elects to waive a public hearing pursuant to §199-33 (G) of the Village Code.

BE IT FURTHER RESOLVED, that a copy of the application shall be transmitted to the Orange County Department of Planning pursuant to General Municipal Law §239 et. Seq.

Member Puglisi moved a motion to approve to this resolution. Seconded by Member Cohen.

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

2. Lempka
Re: 120-1-2&3
Warehouse

Present: Ross Winglovitz, Eng.
Al Muhlrاد, Owner

Eng. Winglovitz stated with regard to the agriculture resources in SEQRA review, he is still awaiting a letter with the review findings, however, nothing of importance was found.

Since the code has been updated, a portion is now in state wetlands and now there is more property in the wetland area.

Also, waiting on a letter from Mr. Muhlrاد's biologist with regard to the sandpiper.

Attorney Cassidy advised that a copy of this application be sent to the Town of Goshen as well as a public meeting notice.

Member Puglisi asked if a decision was ever made on the left hand turn lane? It was concluded that a left hand turn lane will now not be required.

(See attached comment Memo from Attorney Cassidy dated June 17, 2025)

Member Kissinger moved a motion to schedule a public hearing on July 15, 2025 and to notify the Town of Goshen of said meeting. Seconded by Member Sosler.

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

NEW/UNFINISHED BUSINESS: None

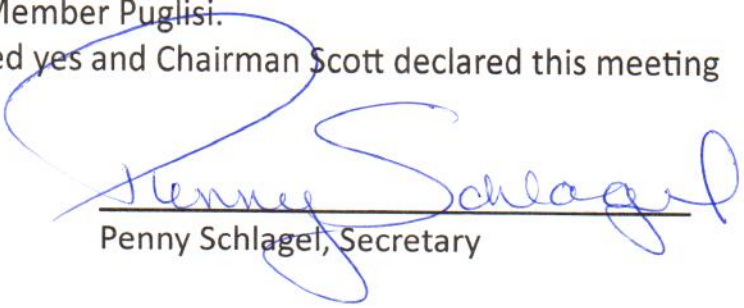
PUBLIC DISCUSSION:

Since no one from the public entered any discussion, Chairman Scott closed this motion of the meeting.

ADJOURNMENT:

Member Sosler moved a motion for the adjournment of this meeting at 8:25 P.M. Seconded by Member Puglisi.

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



Penny Schlager, Secretary

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January 21, 2025
Revised June 17, 2025

TO: Village of Florida, Planning Board
Applicant

CC: Penny Schlagel, Planning Board Clerk
Sean Hoffman, Village Engineer

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of
Edward J. Lempka Drive Warehouse
SBL 120-1-2, 3 and 4.

Our office is in receipt of a revised Expanded Environmental Assessment Form, Part III. New material from that contained in my January 21, 2025 memorandum may be found in bold.

The purpose of this memorandum is to provide comments to the Expanded Environmental Assessment Form, Part II which was submitted by the Applicant on November 26, 2024. This document was prepared in response to the Board's evaluation of the EAF part 2 at its February 20, 2024 meeting. By notice dated June 6, 2024, the Village Planning Board declared its intent to be lead agency and to conduct a coordinated review.

The site plan remains subject to my office's prior comment memorandum dated April 16, 2024. **For purposes of continuity, I have repeated those comments here.**

Comment	Status
1. The Property is located in the GC Zoning District. As set forth in the November 16, 2023 memo of Sean Hoffmann, the use is authorized by special permit.	For Information
2. The application seeks to merge SBL 120-1-3 and 120-1-2 into one lot for purposes of constructing a 44,200 square foot warehouse with access over SBL 120-1-4 to Route 17A.	For Information
3. The proposed site plan directs traffic to the adjoining lands owned by 476 Route 17A LLC (SBL 120-1-4). The	Comment Satisfied 6-17-2025

application including the EAF must be updated to include this additional lot with appropriate disclosures of the LLC principals and authorization for the Applicant to proceed. 4-2-2024 – PB Secretary to confirm authorization and disclosure are on file for 476 Route 17A LLC.	
4. Due to its location, the project is subject to GML 239 review. The Application should be referred to the Town of Goshen; Town of Warwick and Orange County Department of Planning. Response received January 8, 2024.	For Information
5. The instant sketch plan identifies the site as a corner lot with a front yard on both the northern boundary and easterly boundary. Upon review of the zoning code, a front yard is defined as <i>An open space on the same lot with a building between the nearest front line of the building and the street line extending across the full width of the lot. The front yard setback line is defined for each district in this zoning chapter and refers to the minimum distance between the street line and the main building or any projections thereof other than the projections of uncovered steps or uncovered porches and adjacent step areas regardless of area.</i> A street is defined as: <i>A road shown on the official map of the Village of Florida, or an existing Village, county, state highway or street shown on an approved subdivision plat, or a street shown on a plat filed with the County Clerk prior to the Planning Board's authorization to review a subdivision.</i> It does not appear that the access over and across SBL 120-1-4 meets the definition of a street and that only the yard along Edward Lempka Drive (i.e. the easterly boundary) should be considered the front yard. I ask that the Village Building Inspector issue a former written determination for the record. 4-2-2024 – Clerk to confirm BI has issued an interpretation. The amended submission locates the front yard set back on the easterly boundary as requested.	
SEQR	

appropriate easements governing maintenance shall be submitted. Please note the restrictions of Village Law § 7-736.	
6-17-2025 – It is my understanding that an application is pending before the Town of Goshen Planning Board.	
11. It appears that the applicant is proposing to modify the adjoining site to accommodate road improvements. It appears from the location map that a portion of the existing access is located in the Town of Goshen, requiring approval from the Town of Goshen to reflect any changes to the access.	
See comment 10 above.	
12. Applicant has been provided correspondence from NYSDOT as it relates to required improvements to 17A for further development on Edward J. Lempka Drive. It appears the applicant seeks to use Lempka Drive for frontage purposes but not use Lempka Drive for access in an effort to avoid further review by NYSDOT. Applicant to address traffic impacts on 17A, Route 94 and other surrounding and interconnected developments (Remee Plaza, 1723 St. Rte 17A).	
4-2-2024 – The applicant has submitted a proposed traffic study scope by Collier's Engineering & Design. I defer to Kimley-Horn as to its adequacy.	
Traffic study has been submitted.	
13. Applicant to provide suitable easements and/or declaration for the maintenance of shared infrastructure site.	For information
14. As a special permit application, the matter will be subject to a public hearing	For Information
15. Note the landscape buffering requirement of 119-34(D)(14).	For Information
16. Please note requirements of Chapter 83, Noise regarding construction noise and operation noise.	For Information
17. Parking: Applicant has proposed a total of 23 parking spaces on the easterly side of the site and 22 spaces to be landbanked on the northern portion of the site. The applicant relies on § 119-22.J of the code.	

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119-22J provides: The Planning Board may allow an applicant to postpone the construction of parking facilities where the Board determines that there is some uncertainty as to the parking demand for a particular use, or that the immediate provision of parking would require the significant alteration of natural topography or disturbance to wooded sites. Where the Planning Board determines that the immediate use of any property may not require the full initial improvement of all off-street parking or loading facilities, it may waive the initial improvement of not more than 50% of the required number of spaces. The unimproved area shall be shown on the approved plan to be reserved for future parking facilities. The Planning Board may require that the reserve area be graded for parking in accordance with the approved plan. All reserved parking areas, if graded, shall be landscaped in accordance with an approved landscaping plan. Reserved spaces shall be improved within six months of the date of a written notice from the Code Enforcement Officer that such spaces have been determined to be necessary. Appropriate written guarantees to the above shall be provided by the applicant and approved by the Village Attorney. The 22 land banked parking spaces are located over the property line. The applicant to provide sufficient easements.	
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Comments on Expanded EAF

Section/Page	Comment
1-1	Applicant describes the site location as SBL 120-1-2&3. All application materials including expanded EAF should incorporate the alterations to SBL 120-1-4 (Village of Florida) and SBL 20-1-149 (Town of Goshen) including alterations to pavement and parking. Applicant to confirm various disturbance calculations include disturbances to the adjoining parcel. 6-17-2025 – The Expanded EAF does discuss these additional lots on page 2-4. Recommend that these lots be included in the introduction under “Site Location”. I defer to Engineer Hoffman as to whether the disturbance calculations are appropriate.
2-3	Applicant indicates proposed land banking of parking spaces is consistent with 119-22.J. The Planning Board is referred to § 119-22.J for the specific findings required in connection with land banked parking. The section reads:

	6-17-2025 – 4.7.4 indicates that the review of the acceptance of the Phase II report by NYSOPRHP is pending.
4-32	Description of Remee Plaza should be updated to reflect that, at present, it is an private internal access road and not a public street built to municipal street specifications. 6-17-2025 – Comment addressed.
Table 4.8A	Table 4.8A references a “Driveway”. It is unclear from the table or associated narrative which driveway is being referenced. Same comment applies to Table 4.8B 6-17-2025 – Applicant indicates that driveway is the commercial building (Northern Bear) opposite Remee Plaza.
	Traffic discussion to include alterations to existing turnaround easement in light of reconfiguration of Edward Lempka Drive turn around.
4-38 – 4-39	Discussion concerning left-turning warrant needs greater elaboration. The discussion indicates that a warrant for a left turn lane is met but then says that a left turn lane is not required. Applicant to discuss mechanism for share of contribution if a left turn lane becomes required at either Edward Lempka Drive or Remee Plaza. 6-17-2025 – Applicant responded, “At the January 21, 2025, Planning Board meeting, the left turn lane and appropriate mitigation was discussed based on the information submitted by the applicant. The Village’s traffic consultant agreed to the mitigation provided and did not require any further mitigation by way of fair share contribution to the future requirement of a left turn lane.” I defer to Engineer Canning as to whether such response is sufficient.
Appendix B	I defer to Engineer Hoffman as to the acceptability of the proposed SWPPP.

I would request that the applicant submit a redline to facilitate and expedite review of any revisions.

Recommended action – Motion to set public hearing.

Our office reserves the right to provide additional comments upon receipt of further submissions.