

**Town of Florida Planning Board Meeting**  
**Monday, January 8, 2024**  
**7:00 PM**

**MEMBERS PRESENT:**

Stephen Viele, Chairman  
Peter Rea, Member  
Scott Marshall, Member  
Charles Saul, Member  
John Hutchison, Member  
Nicholas Armour, Deputy Chairman  
Jayme King, 1<sup>st</sup> Alternate  
Cindy Schultz, 2<sup>nd</sup> Alternate  
Michael Crowe, Attorney  
Dan Roth, Member

**ABSENT:**

John Hutchison, Member

**I. Call to Order**

A meeting of the Town of Florida Planning Board was called to order at 7:02pm, by Chairman Stephen Viele.

**II. Pledge of Allegiance**

**III. Roll Call**

**IV. Adoption of the Agenda**

**Motion** was made by Scott Marshall and seconded by Charles Saul to accept the Agenda; all members present in favor and passed. None opposed.

**V. Adoption of Minutes**

**Motion** was made by Dan Roth and seconded by Charle Saul to approve the minutes of the December 4, 2023 meeting. All members present in favor and passed. None opposed.

**VI. Correspondence**

**VII. Business**

**1. Joe Stone – Zone Change Request**

Attorney Mike Crowe explained that the Planning Board is tasked with making a recommendation to the Town Board for favorable or not favorable for the change. Mr. Stone spoke to the Board regarding how he initially asked for C1 to IBP and then after discussion at the town Board decided C2 would be a better fit for the uses necessary to keep the house on site for supervisory uses. Currently using VidaBlend's facility for light food processing. His business is buying powders and mixes in bulk and putting them into single serve portions. Dry Sauce mixes, wheat to pasta. Small fulfillment, similar to what Amazon does. No large tractor trailer traffic. UPS & FedEx; 1 – 3 trucks for delivery. Dan Roth asked what the processing was; it is dry mixes blended and re-packaged. No EPA/DEC oversight because products are 3<sup>rd</sup> party certified. They do the final steps for packaging. Mr. Stone lives in the Town of Florida. The residence would be kept for on-site supervision workers. This would be a multi-phase project with small buildings. Looking to have a recreational facility on-site as well. Will have a single exit and entrance. Under contract to buy based on zone change approval. Attorney Crowe explained the qualifications to meet for a zone change. Is the change compatible with the area and in-line with the Comprehensive Plan? Does it fit with the surrounding area? Does a C-2

zone fit with the surrounding zones? The Planning Board discussed that from C-1 to C-2 is a minor step. IBP is the surrounding area and the Route 5s corridor is already designated for industrial development. Chairman Steve Viele visited the site and he is for the zone change. **MOTION** by Dan Roth and seconded by Peter Rea to give a positive recommendation to the Town Board to change the zone from C-1 to C-2. All members present in favor and passed. None opposed.

## **2. Florida Volunteer Fire Department – New Fire House Site Plan**

Jake Gordon from CT Male was present to answer questions and explain the project. A holding tank will be needed for the collection of wastewater and sewage. There is not enough room for a septic and leech field due to a stream running through the back part of the property. The building will be 70' wide by 60' deep and 19'6" high. There will be 8 parking spaces for members who are in for calls. Dan Roth suggested reaching out to the DOH for approval for the holding tank. Peter Rea asked some questions about the holding tank. How large it will be, how they will know if it is close to or at capacity and will there be floor drains. Jack explained that no size for the tank has been committed to, DOH requires a tank large enough to hold waste for three (3) days use; the tank will have a light alarm on it and an alarm that will sound when capacity is close. The tank itself will be pre-cast concrete. There will be a separator for oil and water below the floor. Needing a tank is an unfortunate issue but not unheard of. This is the 3<sup>rd</sup> firehouse in the Town. Number 1 is on Route 30, Number 2 is on Langley Road. Station 2 has three vehicles parked in a 2 bay fire house right now. Attorney Mike Crowe explained that a variance for the holding tank would need to go through the Local Board of Health. Review and approval can be contingent on the holding tank being approved for use. Need specs on the tank; size, exact placement. The tank has to be at least ten feet from the building. The Planning Board declared itself Lead Agency for SEQRA and set the Public Hearing for this application for Monday, February 5, 2024 to be held during the meeting when this item comes up for business.

## **3. New Leaf revised DEIS**

Peter Rea was very happy with the RF study done and the documentation that was included. He accompanied the techs on-site and they did more than adequate measurements with what was asked for. Comprehensive study and now there is a baseline. Pete read from the report that the scope and magnitude of the interference, if there is any, could impact stations miles away and could go across multiple frequencies. Pete had questions regarding the mitigation plan. What do they mean by alternative services? How do you determine size of the fund? Who determines the negative effects and how much it impacts? The answers were very general statements. What would be the process to make a claim and who would determine the compensation? How do you filter across all frequencies? You can't filter all band sections. Would like to see specific regarding the scope, severity and compensation. Not enough information regarding the mitigation of radio interference. If it does affect the band, it could affect short wave radios and in doing so would affect emergency services communications and this won't be known until the turbine is up and running. No one has ever asked for a study of this type. Attorney Mike Crowe said the Planning Board is tasked with deciding that this DEIS is complete in its scope and content. Did they provide the information that was asked for. If so, is this ready for public comment. Peter Rea wants more clarification on the mitigation if there is interference with radio broadcasting. Scott Marshall stated that no mitigation efforts can hide the turbine or make it less visible. Steve Viele explained that a variance for the height was given by the ZBA. The environmental impact of the visual aesthetic can be noted but more documentation is not needed in the DEIS for this. Before approval of the project the financial amount could be ironed out and how it will be administered and how that will work. Needing

more information. If the turbine is sold the same agreement will apply. If there are issues the FCC could also be contacted and a complaint filed, and they would have the authority to shut the turbine down. American Radio Relay has lawyers. There are multiple avenues for recourse should this turbine cause issues with radio frequencies. The bee study stated there is no conclusive evidence that bees are affected by EMF. How will they re-seed the area for the bees and how will they make the area more “bee friendly” after? Want to see how they will do things positively for the local bee population and habitat. Attorney Crowe reminded the Planning Board that if there are unanswered questions the applicant has to be told what they are and what information is needed so this can be moved on to the next step which is public comment. The Board agrees that this DEIS is rejected and that more information is needed regarding the mitigation measures for RF interference. Pete will send his questions to Steve Viele to forward to New Leaf and Steve LeFevre.

#### **VIII. Any Other Business**

Nothing at this time.

**MOTION** by Scott Marshall and seconded by Charles Saul to adjourn the meeting at 8:20pm. All members present in favor, none opposed, and the motion passed.

Respectfully Submitted  
Emily Staley  
Town Clerk