

From: Roger Effron rceffron@gmail.com
Subject: Fwd: Response to Roger Effron's June 5 Community Email
Date: Jun 8, 2023 at 5:54:17 PM
To: Bruce Fiedler goflyn@gmail.com

For. Mitzie.....Thought u should see this

Sent from my iPhone

Begin forwarded message:

From: Marshall Happer <happer@happer.com>
Date: June 8, 2023 at 5:37:44 PM EDT
To: Roger Effron <rceffron@gmail.com>, Steve Thomaston <stevethomaston@comcast.net>, Diane Bazlamit <dibaz@aol.com>, Ruth Cordner <ruth.cordner@gmail.com>, mkissinger88@gmail.com, Richard Bracco <rdrbracco@vcdd.org>, KSmaha@vcdd.org, Jill Pozarek <JPozarek@vcdd.org>, CHTerrana@vcdd.org, Ernest Booker <EBooker@vcdd.org>, "Jones, Tom" <tjonesy@comcast.net>, Stephen <drsteve330@gmail.com>, Joe Browne <jebrowne@yahoo.com>, Michelle ML Trent <mmltrent@gmail.com>, "Kowalczyn, Taras" <tkowalczyn@aol.com>, Sharon George <shgeorge426@yahoo.com>, "Baughman, Fred" <fbaughman15@comcast.net>, Mark Faford <faf99@aol.com>, John Manoush <jmanoush@comcast.net>
Cc: Steve Hefler <drsteve330@gmail.com>, Marshall Happer <happer@happer.com>, "Raymond Juan LCAM CMCA - Grand Manors (raymond.juan@grandmanors.com)" <raymond.juan@grandmanors.com>, "Roger Edwards (roger.edwards@grandmanors.com)" <roger.edwards@grandmanors.com>, "Belinda Blanton ([BBlanton@rizzetta.com](mailto:BBlandon@rizzetta.com))" <[BBlanton@rizzetta.com](mailto:BBlandon@rizzetta.com)>, "Keith Livermore (fieldmanager@VCDD.ORG)" <fieldmanager@vcdd.org>, "Richard Bracco (rbracco@vcdd.org)" <rbracco@vcdd.org>

Subject: Response to Roger Effron's June 5 Community Email

Traffic Lights at our Veneto/Laurel entrance to the Venetian would cost
\$800,000+

Dear Steve:

I am writing this email as an individual, and not on behalf of the POA Board of Directors to respond to the email by Roger Effron, President of the Community Association, to you and which was circulated in the Venetian on June 5 entitled "Laurel Road Widening Summary". Mark Kissinger, POA Secretary and Raymond Juan, our POA Manager will provide the official summaries and minutes of the meetings of the POA Board so this email is only my personal response.

Effron claimed in his email that he and the CA was entitled to information I obtained from Patel Greene for preparation of our opposition to the proposed Pat Neal Petition. The CA is not involved in the legal representation of the POA's opposition and it would have been inappropriate for them to be involved.

POA Legal Opposition

The POA, as supported by 74% of the surveyed homeowners in the Venetian, is opposed to the Pat Neal Petition for a regional shopping center directly across from the entrance to the Venetian and has entered into a Joint Representation Agreement with the NVNA to employ legal counsel and a planning consultant to present its opposition to the City of Venice. The rezoning case was heard by the City Council on May 23-24 and the Hearing is scheduled to continue on June 15-16, at which time the POA and the NVNA will for the 1st time present their legal and factual opposition to the Pat Neal Petition.

Collaborative Team

It is correct that in 2022, the POA and the CA developed a “Collaborative Team” consisting of members of the POA and CA Boards of Directors “to oversee the Laurel Rd. widening project”, which is now composed of Roger Effron, Fred Baughman and Taras Kowalezyn of the CA and Steve Thomaston and Mark Kissinger of the POA. The Collaborative Team has met numerous times with Pat Neal and Stantec, his traffic engineers and has been supporting:

(1) The widening of Laurel Road to 4 lanes in 2023 even though a City traffic study, found that Laurel Road only needs to be widened by 2030. In all fairness to the CA, they agreed to support Pat Neal’s widening of Laurel Road before he told them about his proposed shopping center in January of 2022. Pat Neal needs Laurel Road to be widened to support his Petition for a regional shopping center and in my opinion, it was a strategic blunder by the CA and the POA to continue supporting the 2023 widening of Laurel Road.

(2) The approval and installation of traffic lights at the Veneto/Laurel entrance intersection. The County has denied the application for such traffic lights and the Collaboration Team wants to apply to the County for a Variance to get traffic lights approved even though the Veneto/Laurel intersection is less than the minimum 1320’ required between traffic lights.

Pending Pat Neal Petition: No Traffic Lights: 2 Stop Signs: Traffic Nightmare

The actual plan now presented by Pat Neal to the City Council is for a 4-way 7-lane intersection at Veneto Laurel with a stop sign on each side of Veneto and no traffic lights. Nothing would be on Laurel Road, so 7 lanes of traffic traveling at 45 mph on Laurel Road would be encountered by every motorist wanting to enter or leave from the Venetian or from the proposed shopping center – a traffic nightmare, since the shopping center is planned to attract the homeowners from over 8,000 homes on the east side of I-75.

2 Patel Greene Traffic Studies

The POA entered into a contract for 2 studies with Patel Greene, traffic engineers: Study #1: to study the traffic at the entrance to the Venetian and

provide support for a Variance for a stop light (Traffic Impact Review and Intersection Control Evaluation (ICE) Analysis) for \$38,000-\$44,000 and Study #2: to review the traffic study presented to the City Council in connection with the Pat Neal Petition (Traffic Impact Review and Deficiency Analysis) for \$2,500. After the POA agreed to the Patel Greene agreement for Study #1, the CA offered to contribute half of the \$38,000-\$44,000 expense for Study #1. The POA's approval for Study #2 was later and the CA was not involved in the \$2,500 commitment for Study #2. The Patel Greene contract is solely with the POA.

Effron claims that "the CA and the POA jointly agreed to fund the study with the understanding that both parties would be involved in all phases of the process, including the release of the findings to the VGRC residents." As indicated above, Study #1 was approved by the POA, and only subsequently, the CA agreed to fund half of the \$44,000 total so claiming that it was "jointly agreed" is not accurate. However, the CA is entitled to have a copy of the report on Study #1 after the draft report is approved by the POA. Subsequently, the POA approved Study #2 and agreed to fund the entire \$2,500 cost of it without any involvement of the CA.

Patel Greene 122-Page Draft Report

In March of 2023, the POA received a draft 122-page report, from Patel Greene, that was shared with the CA Representatives and that was focused almost entirely on Report #1 and almost nothing on Report #2 which was important for our legal opposition case against the pending Pat Neal proposed shopping center Petition.

Roger Effron May 9 City Council Appearance for Traffic Lights

On May 9, without notice to the POA, Roger Effron appeared before the City Council in coordination with Pat Neal claiming to represent the Collaboration Team and asked for support for traffic lights at the Venetian entrance.

May 12 Zoom Call with Patel Greene

On May 12, we had a Zoom call with Patel Greene to discuss the draft 122-page report, participated in by Roger Effron, Fred Baughman and Taras Kowalezyn of the CA and Steve Thomaston and me for the POA. After the CA representatives asked and received answers to all their questions, I asked to talk, along with Steve Thomaston, privately with Patel Greene to discuss numerous issues related to our legal opposition to the Pat Neal Petition. Effron complained in his email that “the purpose” of my discussions with Patel Greene about legal issues for our opposition to the Pat Neal Petition were not shared with him and the other CA representatives. In that call, I told them “the purpose” of my discussions and it would have been inappropriate for me to disclose to them anything related to our legal opposition. They had, of course, already had all their questions answered by Patel Greene.

Thereafter, Steve Thomaston and I continued our Zoom call with Patel Greene without the CA representatives as I had requested. In my subsequent discussions with Patel Greene, I learned that Patel Greene had written their draft report with the misunderstanding that the POA was in favor of the proposed Pat Neal shopping center and that the POA was just looking for support to apply for a Variance for traffic lights at our Veneto/Laurel intersection. I informed Patel Greene that the POA was against the proposed shopping center and was opposing it with legal counsel, etc., and this should be reflected in the Report. I asked that the Reports for Study #1 and Study #2 be reported separately and we discussed numerous issues related to our legal opposition to the Pat Neal Petition.

At that time, I learned for the 1st time that even if a Variance for traffic lights were approved by the County for our Veneto/Laurel intersection, the cost of installation would not be provided by the County and it would cost \$800,000+ for installation. There is no chance that the homeowners in the Venetian could or would approve spending \$800,000 for traffic lights which means that the efforts of the Collaboration Team to support a Variance for traffic lights at the Veneto/Laurel intersection have realistically been for the proposed Pat Neal shopping center in the hope that he somehow would agree to pay for them.

This has been known by some, if not all, of the members of the “Collaborative Team” of CA and POA representatives and it is disappointing that this was not disclosed to the homeowners in the Venetian. In my opinion, this means that we just agreed to pay \$38,000 for evidence to support a request for a Variance in essence for traffic lights for the Pat Neal proposed shopping center to which we are opposed.

We cannot effectively oppose the proposed Pat Neal shopping center at the same time as we are supporting it.

POA Board Action on Tuesday

Tuesday, the POA Board voted to place a hold on the Collaboration Team’s support of a Variance for a stop light for the Pat Neal proposed shopping center until the next meeting of the POA Board in July which is after the pending City Council Hearing on the Pat Neal Petition.

Also, after the POA Board meeting Tuesday, the POA received a separate draft report from Patel Greene for Study #2, which includes a professional critique of the Pat Neal traffic study for his proposed shopping center. The CA is not involved in Study #2. An updated draft for Study #1 is anticipated to be received soon. On Tuesday, the POA Board voted to retain within the POA Board the updated draft Reports until they are reviewed and finalized by the POA Board and/or they are submitted to the City Council as part of the POA’s legal opposition to the proposed shopping center when Michael Fury, the Patel Greene traffic engineer responsible for the Reports to the POA, testifies before the City Council.

Patel Greene Report for Study#1

When the POA receives and approves a final Report from Patel Greene on Study #1 which will in effect support a Variance for traffic lights at our Veneto/Laurel intersection it will be made available to the CA and the homeowners in the Venetian. It will show that while we can apply for a Variance for traffic lights without a shopping center, it will cost \$800,000 to install them.

I hope this clarifies any issues raised by the Roger Effron email.

Marshall Happer

Marshall Happer
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941-480-0265

From: Roger Effron <rceffron@gmail.com>

Sent: Monday, June 5, 2023 8:00 PM

To: Steve Thomaston <stevethomaston@comcast.net>; Diane Bazlamit <dibaz@aol.com>; Ruth Corder <ruth.corder@gmail.com>; Marshall Happer <happer@happer.com>; mkissinger88@gmail.com; Richard Bracco <rdbbracco@vcdd.org>; KSmaha@vcdd.org; Jill Pozarek <JPozarek@vcdd.org>; CHTerrana@vcdd.org; Ernest Booker <ebooker@vcdd.org>; Jones, Tom <tjonesy@comcast.net>; Stephen <drsteve330@gmail.com>; Joe Browne <JEBrowne@yahoo.com>; Michelle ML Trent <mmltrent@gmail.com>; Roger Effron <rceffron@gmail.com>; Kowalczyn, Taras <Tkowalczyn@aol.com>; Sharon George <shgeorge426@yahoo.com>; Baughman, Fred <fbaughman15@comcast.net>; Mark Faford <faf99@aol.com>; John Manoush <jmanoush@comcast.net>

Subject: Laurel Rd. widening project

As you are a key leader in this community and many residents engage you with events and issues, I thought the following would provide you with helpful and timely information about the Laurel Road widening project.

Thank you and please let me know if you have any questions.

Have a great day!

| Roger