

**VILLAGE OF MONROE PLANNING BOARD  
REGULAR MEETING  
JULY 16, 2018  
MINUTES**

**PRESENT:** Chairman Parise, Members Cocks, DeAngelis, Karlich, Building Inspector Cocks, Attorney Levinson, Engineer O'Rourke

Chairman Parise opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the flag. An announcement was made regarding the location of fire exits.

**PUBLIC HEARING:**

**1. Lenza – Conditional Use Renewal and Amended Site Plan (223-1-4)**

**Present:** Lawrence Marshall, PE

Chairman Parise read the public hearing notice into the record. Engineer Marshall submitted the proof of mailing of the public hearing notices. Engineer Marshall described the project as an existing site for which a brewery is proposing to occupy a currently empty building. The site is basically staying as is, with the addition of some directional striping on the parking lot, removal of an existing fence, and addition of 4 parking spaces. The building will be divided into 3 areas for the brewery which will be the main brewery, a tasting room and a retail portion. There will be a loading/delivery area at the rear of the building. Otherwise the site will remain as is. Chairman Parise opened the meeting to the public. There were no comments from the public.

On a motion made by Member Cocks and seconded by Member Karlich, it was unanimously **Resolved, that the Public Hearing for Lenza Conditional Use Renewal and Amended Site Plan be closed.**

**2. 112 Forest 2 Lot Subdivision – (204-3-1.1)**

**Present:** Mark Siemers, Pietrzack & Pfau

Chairman Parise read the public hearing notice into the record. Engineer Siemers described the project as a two lot subdivision on Forest Avenue. An existing house will remain on one lot, and a single family house is proposed for the second lot. A new driveway is proposed to exit onto Forest Avenue. The new house will be connected to central water and sewer. Engineer Siemers provided a rendering of the proposed house and showed the rendering to the public. The property is located in an SR10 zoning district and both lots exceed the requirements of lot area for this zoning district. Chairman Parise opened the meeting to the public.

Mrs. Jeong lives next to this property on Brooks Avenue. Mrs. Jeong is concerned about the location of the new house in relation to her house and wants to make sure it is not too close to her.

Engineer Siemers responded that the lots exceed the minimum requirements for lot area per Village requirements. The proposed house and the existing house meet all of the zoning set back requirements. Building Inspector Cocks brought Mrs. Jeong's building department file to the meeting and Engineer Siemers was able to determine that the proposed new house would be 65 feet from Mrs. Jeong's house.

Engineer Siemers added that the grade of the lot drops off from Forest Road therefore fill will be brought in to bring the grade up a little and the house will be constructed on top of the fill.

Mrs. Jeong is concerned with runoff from the fill brought in and is worried about her property flooding because of this construction. Mrs. Jeong added that utility companies use her back yard to service the existing house on the lot and is concerned that they will have to do the same for the new house.

Engineer Siemers responded that all utilities will be connected at the street on Forest Avenue, and the sewer line they will be connecting to is also located on Forest Avenue.

Matt Palermo lives two houses away from this property and is concerned with the location of the new driveway. Mr. Palermo stated that despite good police presence, people speed down the hill and at the location of this proposed driveway there is a blind spot and limited visibility.

Engineer Siemers responded that he performed a site distance analysis and the driveway location meets the requirements for site distance for a driveway.

Mr. Palermo asked what the square footage of the house would be. Engineer Siemers stated the house is 3400 square feet with an unfinished basement.

Mr. Palermo asked if the same person was going to continue to own both lots. Engineer Siemers stated one person owns the one lot now, but would sell the second lot once developed.

Mr. Palermo asked how far the distance between the two houses is. Engineer Siemers stated the houses will be approximately 53' apart.

Mr. Palermo asked if the existing house is single family, because he's noticed that the driveway now has lined parking spots and he's never seen a residential house having lined parking spots. Building Inspector Cocks responded that the house is registered as a rental property and when the inspection was performed it was a single family house.

Mrs. Jeong asked if the new house could be built closer to the existing house to allow the new house to be farther away from her house.

There were no additional comments from the public. Member DeAngelis commented that the applicant should meet the neighbor on site and show the exact distances from

her house to where the new house will be. Chairman Parise added that he has concerns over the drainage issue brought up tonight and felt the public hearing should be kept open to allow for the drainage issue to be resolved.

On a motion made by Member Cocks and seconded by Member DeAngelis, it was unanimously **Resolved, that the Public Hearing for 112 Forest Avenue 2 Lot Subdivision be continued to August 13, 2018.**

**3. Mombasha FD Amended Site Plan – (215-1-59)**

**Present:** Michael Sandor PE, MJS Engineering; John Schubert, Mombasha FD

Chairman Parise read the public hearing notice into the record. Engineer Sandor submitted the proof of mailing of the public hearing notices. Engineer Sandor described the project as a proposed 740 square foot addition to the existing fire house; construction of new shed to house the antique fire truck, and 45 additional parking spaces. Chairman Parise opened the meeting to the public. Attorney Levinson noted that the 239 referral was received from Orange County Planning. There were no comments from the public.

On a motion made by Member Cocks and seconded by Member DeAngelis, it was unanimously **Resolved, that the Public Hearing for Mombasha FD Amended Site Plan be closed.**

**REGULAR MEETING:**

**1. Lenza – Conditional Use Renewal and Amended Site Plan (223-1-4)**

**Present:** Lawrence Marshall, PE

Engineer Marshall reviewed the items discussed at the workshop which needed to be addressed and/or added to the site plan. The light fixture on the property has been ordered for replacement. The map notes have been added to the plan but could not send the plans to the Village Engineer until this afternoon. Chairman Parise stated that the Village Engineer needs time to review submissions and consideration must be taken for the Village Engineer's time. Because this was submitted so late in the day this will have to be on for next month. Engineer O'Rourke stated he had a conversation with Engineer Marshall regarding the note Attorney Levinson required, he requested that Attorney Levinson review the wording. Attorney Levinson stated that the words "as currently exist and as may be amended from time to time" should be added to the note to cover any future code changes. Engineer O'Rourke reminded the board that the new code is not online, the old code is not online, and it's very difficult for applicants without access to the code. Chairman Parise reminded the applicant that the temporary banner needs to be removed from the fence. Member Cocks felt the entrance and traffic flow was confusing and suggested some directional signage be added. Engineer O'Rourke noted that there are existing signs on the site which are not being shown on the plans. Member Cocks felt an additional arrow on the pavement to show there is additional parking near the other building. Discussion was held regarding the parking and traffic

flow and how best to make it easiest to navigate to overflow parking. Engineer O'Rourke reminded the board that there was no overflow parking; the site is classified as a neighborhood shopping center and all the parking is there for all of the locations on the site. The site is treated as a whole. Engineer O'Rourke also reminded the board that the discussion held at the workshop addressed the fact that there was already a significant amount of signage and that additional signage would be confusing. Engineer Marshall agreed to present a plan with the current signage noted and any additional option he may come up with. Engineer O'Rourke added that this is a special use permit so it can always be reviewed in a year to see how the site is functioning.

On a Motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that the special use permit for Lenza is hereby extended until the regular meeting of January 2019 to give the applicant time to complete the Amended Site Plan; complete construction for the Amended Site Plan; and review the traffic flow on the site.**

**2. 112 Forest 2 Lot Subdivision – (204-3-1.1)**

**Present:** Mark Siemers, Pietrzack & Pfau

Engineer Siemers submitted the proof of mailings for the public hearing. Chairman Parise noted his concern with the potential runoff as a result of the fill to be brought in to build the new house. This had not been mentioned in the past, and a member of the public voiced her concern therefore this issue needs to be addressed. Engineer Siemers agreed to discuss this with Engineer O'Rourke. Member DeAngelis stated that Engineer Siemers should walk the property with the neighbors to give her more confidence as to where the building envelope will be and to show where the driveway will be for site distance. Engineer Siemers gave his contact information to the two neighbors to schedule a meet at the site. Engineer O'Rourke noted that there were engineering comments from last month that have yet to be addressed. Chairman Parise reminded the public that the public hearing will be continued to August 13, 2018, and written comments will be accepted in Village Hall until August 10, 2018.

**3. Mombasha FD Amended Site Plan – (215-1-59)**

**Present:** Michael Sandor PE, MJS Engineering; John Schubert, Mombasha FD

Chairman Parise noted an updated plan dated 7/11/18 was submitted for review. The 239 review from the County was received and they made some non-binding comments on stormwater management but otherwise found local determination. Engineer O'Rourke discussed the county's comments. They were general comments regarding stormwater management, suggesting the fire company take their existing building and create a green roof on it, which is an impractical suggestion; there is no room on the site for additional plantings; and there are already some grassed areas on the lot which are more than sufficient to incorporate stormwater infiltration. Engineer O'Rourke noted that the correct code section needs to be referenced for the landscaping note. A construction cost estimate has been received and reviewed and needs to be sent the Village Board for acceptance. If the fire department wants the bonding to be waived the

fire department would have to request the Village Board waive this directly. Chairman Parise noted that Lead Agency was done in June.

On a Motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that the Planning Board types this application as an unlisted action, and issues a negative declaration under SEQRA.**

On a Motion made by Member Karlich and seconded by Member Cocks, it was unanimously **Resolved, that the Planning Board grant approval for Mombasha Fire Department Amended Site Plan last revised 7/11/2018; conditioned upon the corrected zoning code reference for the landscaping note; and all fees, bonding and administrative actions are paid.**

On a motion made by Member Karlich and seconded by Member Cocks, it was unanimously **Resolved that the Planning Board make a recommendation to the Village Board to accept the construction cost estimate in the amount of \$43,870.62 which estimate has been reviewed and approved by John O'Rourke, P.E.**

**4. 104 Elm Street – Conditional Use Renewal – (207-2-8)**

**Present:** Michael Sandor, PE, MJS Engineering

On a Motion made by Member DeAngelis and seconded by Member Karlich it was unanimously **Resolved that the special use permit for 104 Elm Street is hereby extended until 9/17/18 to give time to complete the amended site plan application.**

On a Motion made by Member Karlich and seconded by Member DeAngelis it was unanimously **Resolved that the Planning Board declare itself Lead Agency for 104 Elm Street Amended Site Plan.**

On a Motion made by Member Karlich and seconded by Member DeAngelis it was unanimously **Resolved that the Planning Board refer the plans to Orange County Department of Planning for 239 review due to the site's proximity to the Heritage Trail.**

On a Motion made by Member DeAngelis and seconded by Member Karlich it is unanimously **Resolved that a Public Hearing be set for 104 Elm Street Amended Site Plan on Monday, August 13, 2018 on or about 7:00 p.m. Monroe Village Hall, 7 Stage Road, Monroe, NY.**

**5. Shop Rite Plaza – Special Use Permit Renewal – (203-2-5)**

**Present:** Ronald Kossar, Esq., Brixmor Property Group

Attorney Kossar questioned why this application was still pending. Attorney Kossar was at the May meeting and the board commented they were satisfied with the site and were ready to approve but approval did not happen. Chairman Parise noted that on 6/27/18 the board conducted a site visit because Member DeAngelis stated there were many

dead plants on the site. Chairman Parise stated he did not see any dead plants that night, and the site's landscaper Paul, who was also present at the site visit, indicated that he is on site on a weekly basis and maintains the site in perpetuity. Attorney Kossar stated that the applicant has never had an issue with maintaining the site in perpetuity, but the board needs to understand that the rule of reason has to govern. For example today it is over 90 degrees outside. If there is a plant that dies today it is not practical to replace it today as it will die again. The applicant is aware and in agreement to maintain the site, however judgement will be made as to exactly how, depending on extenuating factors, weather being one. Attorney Kossar added that this application was begun in May at which time the board represented that all was well and that at the next meeting, a few days after the work session, a renewal would be made, but that was not done. Attorney Kossar stated that the board has to acknowledge that there will always be dead plants and that they have to be reasonable and allow the applicant the time to replace them, without delaying conditional use renewal each time. Chairman Parise stated he understood but that because Member DeAngelis had an issue, they had to conduct the site visit. Attorney Kossar asked why the building department could not be notified of any issues and then they could contact either him, or Brixmor, and the issue would be remedied, as opposed to delaying renewal of the conditional use permit. Attorney Kossar requested direct communication with Brixmor or through him, to alleviate issues as the board sees them, as opposed to dragging out long renewals each year. Chairman Parise listed the items that the applicant will need to maintain in perpetuity which will be outlined in the terms of the conditional use permit.

Plantings should be replaced when they die; stumps from downed trees should be removed; an updated planting plan should be provided prior to the next renewal indicating the current planting situation; broken curbing should be repaired; the parking area behind the satellite stores needs to be repaved; the exit/entrance from Route 17M needs repaving.

On a Motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that the special use permit for Monroe Shop Rite Plaza is hereby extended for one year until the regular meeting of August 2019.**

### **APPROVAL OF MINUTES**

On a motion made by Member DeAngelis and seconded by Member Karlich, it was Resolved **that the Minutes of the June 13, 2018 meeting be approved.**

On a motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously **Resolved that the Minutes of the June 18, 2018 meeting be approved.**

On a motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously **Resolved that the Minutes of the June 27, 2018 site visit to Shop Rite Plaza be approved.**

### **Other Business:**

**Bridges at Lake Parc** – Chairman Parise stated that the board has been asking the applicant for streetscapes and renderings of the houses proposed to be built for the Bridges at Lake Parc subdivision. The applicant provided photos of houses already built at other locations with the floor plans of those houses. Chairman Parise did not feel that this met the requirements of what the board was looking for to review, and did not correlate directly with the subdivision plans, and asked Engineer O'Rourke to review what was submitted and offer his comments. Engineer O'Rourke submitted a review dated 7/12/18 which has been on the cloud for the board to review. Chairman Parise complimented Engineer O'Rourke on his thorough review. Attorney Levinson also reviewed the submitted photos and agreed that a lot more information was needed. Chairman Parise stated he felt that Engineer O'Rourke's review should be sent to the applicant in order to outline what was required for the board.

On a Motion made by Member DeAngelis and seconded by Member Karlich it was unanimously **Resolved that Secretary Proulx forward Engineer O'Rourke's review dated 7/12/18 of the architectural floor plans and photos for the Bridges at Lake Parc project to the applicant's engineer for their consideration.**

### **ADJOURNMENT**

On a motion made by Member Karlich and seconded by Member DeAngelis it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 7:45 p.m.