

**VILLAGE OF MONROE PLANNING BOARD  
WORKSHOP MEETING  
AUGUST 11, 2010  
MINUTES**

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

Chairman Parise opened the meeting at 8:00 p.m. with the Pledge of Allegiance to the flag. An announcement was made regarding the location of fire exits.

**1. Freeman's Auto Body – Amended Site Plan – (213-1-30, 31)**

**Present:** Duane Freeman, Stephen Deutsch, P.E.

Engineer Deutsch explained the last revised site plan submitted is dated 5/28/10, and that this matter is for a continuation of an existing auto sales and repair service use as well as an additional use of outdoor power equipment sales and service. The site plan shows parking requirements are met, and shows an area for storage of vehicles on the site which are awaiting repair. The site plan was prepared from a survey and has been modified to show the existing and proposed uses. The business requires an outside storage area for vehicles awaiting repair and this area has been shown on the plan in the rear yard to provide for the storage of up to 40 vehicles. There is a pre existing wetlands area which was flagged 5 years ago. No changes or improvements are being made within 100 feet of the wetland buffer. There is also a proposed impound storage area in the rear yard which will be 20' x 100' which is separated by the existing paved area adjacent to Route 17M by a proposed 8ft screened chain link fence. A proposed vehicle display area is also shown on the asphalt area. On the east side of the building a dumpster area is proposed. There are also 4 signs shown on the building. Chairman Parise confirmed there was handicapped parking on the site and that the proper signage is posted. Engineer Deutsch stated the parking space was blue striped but presently was not sign. Mr. Freeman agreed to install a sign. Engineer O'Rourke discussed the comments contained in his 7/13/10 letter. Construction details for all improvements such as fencing, handicapped parking and signage and the berm need to be provided. Used tire storage needs to be limited and enclosed. The fencing detail requires what type of fence, the coating, and if privacy slats are proposed. Engineer Deutsch stated the tire storage is not completely enclosed but is behind a fence. Member Cocks felt the tire area should be near the dumpster enclosure so it is not visible from the road. Member Cocks commented on the messy state of the site today. Chairman Parise stated the Board has asked the applicant several times to clean up the site and informed the applicant that residents are now writing letters to the Village complaining about the condition of the site. Member Cocks questioned where the

waste, drums and tanks are being stored. Mr. Freeman stated all waste, etc. are stored inside. Mr. Freeman felt that once the fence is put up the tire storage will not be seen from the road. The Board disagreed and feels the site looks like a junkyard between the used tires, and stored vehicles and other items stored on the property. Member DeAngelis questioned if this falls under §200-13 which prohibits junkyards and the outside storage of unregistered and unlicensed vehicles and all automotive parts. Member DeAngelis felt the outside storage of tires as well the boat constituted a junkyard. Attorney Levinson questioned the definition of junkyard. Building Inspector Cocks explained that according to the definition of a motor vehicle junkyard a site storing tires and or cars would become a junkyard if the tires were stored more than 3 weeks. If the materials were disposed of within 3 weeks then it is not a junkyard. Member Cocks asked why boats and tables and chairs were being stored on the site. Chairman Parise reiterated the fact that the Board has requested the applicant clean up the site for months and nothing has been done. Now the community is writing letters complaining about the site being an eyesore. The site needs to be cleaned up and it needs to start now. Member Cocks stated the front of the site looked great but the rear is a mess. Mr. Freeman stated once the fence was put up it would be an improvement. Engineer O'Rourke suggested making the 6" berm a little higher and potentially landscaping the berm to further protect the wetland area. Engineer O'Rourke stated that outside display of merchandise is not permitted per the code. The Board may want to limit the number of vehicles in the front display area to customer vehicles only and that area needs to be striped. Today there are cars parked there with "for sale" signs in the window. Mr. Freeman explained that there are times when customers drop off their vehicles after hours. Engineer O'Rourke suggested the Board stipulate on the site plan what is permitted and what is not permitted to be stored on site so it is clear to everyone. A trailer, several crates, vehicles, parts have been seen stored outside on the site. Engineer O'Rourke also commented this should be a Type 1 action due to its location in the Historic district. Member Niemotko questioned if the sight distance will be blocked by the fence or will you be able to see over the fence. Member Niemotko requested a cross section submitted showing the sight lines from Route 17M and Stage Road showing if the fence will be sufficient to block the view of the storage. Mr. Freeman presented a proposed canopy to the Board that he would like to install on the property. The Canopy is not permanent, and is a 3 sided pop up tent-like storage area. It would be white to match the building. Chairman Parise felt it was not a permanent structure. Building Inspector Cocks stated it was an accessory structure. Attorney Levinson stated the applicant must maintain the canopy and replace it or take it down if it is damaged by weather and a note on the map should be added that the canopy will be maintained in perpetuity. The Board was not opposed to the canopy. Member Niemotko suggested landscaping instead of fencing. Chairman Parise suggested possibly both landscaping and fencing could be done. Member Cocks suggested adding to Note 12 "new and waste" so all drums are inside and none are outside.

**2. Laura Ann Farms – Amended Site Plan/Change in Use (223-1-5.1)**

**Present:** Jonathan Cella, KC Engineering; Anthony Cuomo, Applicant

Building Inspector Cocks stated that the violations have been cleared up. Chairman Parise stated the Fire Department looked at the site and commented that they have no issues with the site. Engineer Cella stated he was in receipt of Engineer O'Rourke's comments. Engineer Cella questioned if it was acceptable to the Board to not introduce any new landscaping. Member DeAngelis stated as long as the applicant maintained what was in place the landscaping was satisfactory, and to add a note to the plan that the landscaping is maintained in perpetuity. Engineer Cella commented that since there is adequate parking the 4 parking spaces in the front will be removed. Engineer O'Rourke questioned if the Board was satisfied with the storage of materials in those parking spaces and if the Board wanted to put any restrictions on amount or height. Engineer Cella suggested adding a note to the plan that the storage would not exceed 8 feet in height. Engineer O'Rourke commented that a fire lane is shown on the plan and a vehicle can drive around the site however there is storage up against the wood building. Typically storage should not be against a wood structure, and the storage prohibits getting to the building from the fire lane. Engineer O'Rourke commented that since the applicant is proposing a Deli, and there is no specific definition of a Deli in the code, and as different people have different ideas of what a Deli constitutes, a specific clarification of what exactly a Deli is should be outlined and noted on the plan so that it is clear to everyone exactly what constitutes a Deli and avoid any confusion in the future. Details such as seats, waitress service, counter service, etc. should be specified. Mr. Cuomo stated there will be seats but no waitresses. Engineer O'Rourke stated his perception of a Deli is you order your food, pay for it and leave. Since the site is approved as a shopping center the use is permitted, however the specific details such as tables, employees, and service should be detailed on the plan. The hours of operation should be also included on the site plan.

**3. Bridges at Lake Parc – Amended Subdivision (211-1-1)**

**Present:** Dave Zigler, Atzl, Scatassa & Zigler, Engineers  
Donald Tirschwell, Esq.

Engineer Zigler explained that there are a few changes to the map. The applicant went to the County for a permit and if sidewalks were to be installed as per the Board, the County requires documentation and agreements to be signed by the Village to maintain the sidewalk. Engineer Zigler spoke with Brian Smith, Village DPW who stated he was not interested in maintaining any sidewalk. Because of this the map now shows the sidewalks in front of the new homes and then the sidewalk ends. Member Cocks stated that in the Village homeowners are required to maintain their own sidewalks and wondered why Brian Smith would have an issue with the sidewalks. Engineer O'Rourke explained that much of this proposed sidewalk would be located in front of the property the applicant was donating to the Village and would be Village property for the Village to maintain. Attorney Levinson suggested a letter be written to the Village Board explaining that the Planning Board is requiring the sidewalks to continue through the Village and that the Village will be responsible to maintain them. The sidewalk is needed, Lakes Road is a dangerous road to walk on. Engineer Zigler stated the drop off/pick up bus stop as requested has been included on the plan and all open questions have been answered. A traffic report has been provided. On the original plan a bridge

was proposed but the applicant preferred a culvert. Pictures of the proposed culvert were included in the packet. The Board is satisfied with the proposed culvert. Engineer Zigler requested meeting with Engineer O'Rourke to prepare the construction cost estimate. Attorney Tirschwell questioned why a construction cost estimate was needed because an agreement was that they would not bond that no C.O.'s would be issued until the top course of the road was done and felt since the Village was getting \$50,000.00 plus property they did not have to bond. Engineer O'Rourke stated that the map can't be filed unless they are bonded or fully constructed. Attorney Tirschwell disagrees. Attorney Levinson will research whether or not the subdivision map can be filed without all the improvements going in and without the improvements being bonded. Engineer Zigler stated he is still waiting for sewer and water approvals. Building Inspector Cocks questioned the phasing of the project, specifically as there is a building on Road A which is collapsing and wanted to know if that can be taken down now instead of waiting until that lot is ready to be built. The Board is in agreement a demolition permit can be issued immediately to have that structure removed.

### **ADJOURNMENT**

On a motion made by Member Cocks and seconded by Member Niemotko it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 9:15 p.m.