

**VILLAGE OF MONROE PLANNING BOARD
WORKSHOP MEETING
NOVEMBER 10, 2010
MINUTES**

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

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. Bridges at Lake Parc – Amended Site Plan – (211-1-1)

Present: Donald Tirschwell, Esq.; Ryan Nasher, Atzl, Scatassa & Zigler

Engineer Nasher submitted drawings. Attorney Tirschwell discussed the information contained in his 10/19/10 letter. Attorney Tirschwell explained that the Village of Monroe would like the land agreed to be conveyed to them, conveyed at the earliest possible date. There is a Village requirement that before the issuance of a C.O. all public improvements be installed. This would cause a problem with conveying the land to the Village all at one time as the project has been sectionalized. At this time the applicant is requesting that final approval be granted for the entire subdivision, and at the same time all lands will be conveyed to the Village, and the requirements for C.O.'s be listed on the final map. The first C.O.'s to be issued would be for the four lots facing Lakes Road, (Lots 40, 41, 42 and 43) as they would require minimal public improvements. The applicant is also proposing that the water main must be installed before any other C.O.'s are given. The second would be for the lots fronting Sunset including lots 18 and 19 originally facing the discontinued Brooklyn Avenue. C.O.'s for Lots 6, 7, 8, 9, 10 and 11 would be issued only after completed installation of the sewer main, water main and bridge and roadway from Lakes Road to Street A, Street A and the emergency access, and the completion of the emergency access. C.O.'s for lots on Hill Street will require completion of all public improvements. Chairman Parise summarized that typically all infrastructure is completed prior to building and C.O.'s being issued but in order to convey the land to the Village certain lots will need to be sectionalized regarding C.O. requirements. Attorney Tirschwell requested not needing to bond the improvements. Engineer O'Rourke explained that Village Code requires improvements to be bonded and if the applicant were to deviate from that they would need approval from the Village Board before the Planning Board can move forward. Member Cocks questioned when the Bridge will be built as it is not included in the sections. Attorney Tirschwell stated it will be done in Section 3 and will correct the map. Member Cocks stated that details on the old plans have not been included on this latest set of plans, such as lighting, and should be included in the final plans. Engineer O'Rourke warned of possible problems with buyers having problems if not all

improvements have been completed once they have moved in and again the Village Board has to agree to this in writing for the Planning Board to move forward. Attorney Tirschwell stated all restrictions will be printed on the map so no one can say they bought and were not aware of the conditions. Attorney Levinson recommended a warning and notice in the contract of sale should be in effect as well. Attorney Tirschwell requested the Board consider continuing the sidewalk on Lakes Road as it now is only in front of two lots. Chairman Parise stated the Village Board has agreed to continue the sidewalks on Lakes Road.

2. 107 Stage Road – Change in Use – (212-17-4)

Present: David Dong; Paul Dennis, Architect

Engineer O'Rourke reviewed the submitted plans and noted that an updated revision date needs to be added. In addition the application appears to be a change of use/amended site plan and the Planning Board attorney needs to comment on how the application should be processed and the Board needs to decide if a public hearing will be needed. The site plan should reference the survey, and show adjoining facilities. Engineer O'Rourke discussed the parking table provided and stated the applicant requested a waiver of parking spaces. Architect Dennis stated there is currently 2 parking spaces on the site which is for the apartment, an additional 4 are being proposed with the ability for future expansion of an additional 6 in the future if necessary, and this calculation would be for all of the offices on the 1st floor. Architect Dennis explained that currently there is no provided parking for the 1st floor offices and the waiver is to request that it remain that way. Attorney Levinson stated there would be no mechanism for the Village to enforce future parking. Engineer O'Rourke stated the Planning Board has the option to waive parking completely if it chooses, however if parking is required the Board would require macadam, not gravel as is currently proposed. Architect Dennis felt macadam would require dealing with storm water which would be an added cost. Engineer O'Rourke felt it was a small lot and storm water would not be an issue and that paving could be done. Engineer O'Rourke stated garbage enclosure details need to be provided, and a handicapped spot needs to be outlined. Chairman Parise questioned the Board if they wanted a public hearing since the matter was now being considered an Amended Site Plan. Attorney Levinson recommended seeing a revised plan before deciding on a public hearing, and reminded the applicant to include proper owner information and the date title acquired to the plans. Member Cocks requested lighting detail be provided for the parking area.

3. Hidden Creek – Amended Site Plan – (214-1-7,8,9,11.1)

Present: Ryan Nasher, Atzl, Scatassa & Zigler

Engineer Nasher began explaining the changes proposed. Member DeAngelis questioned why the applicant is doing more changes. Chairman Parise stated he is bothered that the applicant has returned again for more changes when this matter has already gone through the entire planning process, everything has been agreed on and now it is as if the applicant is redoing the maps. The garage placement was a big issue when the matter was first being discussed and the Board wanted garages in the back

and now the applicant appears to keep returning to try to move all the driveways to the front. Chairman Parise stated, in his opinion the plans should remain as originally approved. Member DeAngelis questioned why the applicant keeps returning, were there mistakes made during the approval process, what is the need for the constant changes? Engineer Nasher stated there are no mistakes the applicant is trying to refine the details. Chairman Parise understands changing or improving the wall, but manipulating driveways when the design and layout has already been approved is not acceptable. Engineer Nasher stated the driveways are a little tight for turning. Chairman Parise stated if the calculations work on the map they should work in the field. Engineer O'Rourke added that the applicant was aware the driveways were tight but agreed to it.

4. 13 Lakes Road – Multi Family Conversion – (212-2-2)

Present: Victor Mandel

Engineer O'Rourke reviewed an updated survey with parking shown. A short EAF will be needed. Member DeAngelis felt the driveway was tight for 4 apartments. Mr. Mandel stated the driveway was not that tight, has plenty of space, and since he is downgrading from commercial to only residential the parking is adequate. Engineer O'Rourke stated since there is no commercial business left in the building that the sign needs to be removed in its entirety. The one question is how to handle the application based on the ZBA decision dated 1/12/10 as the ZBA granted the variance but gave no guidance on how to process the application. Attorney Levinson stated the applicant sought a variance for 2 residences and the ZBA only granted 1, however, in the decision ZBA permitted "the use of the ground floor as a single residential unit". Mr. Mandel disagrees with Attorney Levinson's interpretation. Attorney Levinson informed Mr. Mandel that it is in writing that the ZBA granted a use variance permitting the first floor to be used as a single residential unit. Mr. Mandel will need to seek an interpretation from the ZBA as to exactly what they meant if it is different from what is written. Chairman Parise requested an update from the Building Department regarding the status of the violations. Mr. Mandel feels he has been permitted to have 2 units on the ground floor, however the decision reads only one residential unit on the ground floor. The ZBA decision needs to be cleared up before the Planning Board can move forward.

5. Maroff/Monroe Commercial Properties – Site Plan – (201-1-9.3)

Present: John Coladonato, Pyramid Brokerage
Member Niemotko recused himself.

Mr. Coladonato confirmed the Board's receipt of the updated plans and the ZBA decision. Chairman Parise discussed an issue with the Barn on the site plan. Note number 5 states "The existing barn on this parcel has a certificate of occupancy for retail/office use." The original site plan, building department files and C.O. limit the use to retail/commercial. A C.O. issued in 1991 specifies a retail pet store. The Barn has never been approved for Office Use. Engineer O'Rourke stated that the application and the site plan proposed is for a two family conversion, therefore a change in the use of

the barn cannot be considered without a new application. Mr. Coladonato agrees to remove the words “office use” and leave the use of the barn as retail/commercial.

6. **Orange Market/856 Route 17M – Site Plan – (201-3-17)**

Present: Jeremy Valentine, Lehman and Getz Engineering

Attorney Levinson noted a ZBA Decision dated 4/30/70 that, while extremely vague, did include a few details as to how many feet the building was allowed to be built from the property line. The building, although is over 20 years old, was not built according to the Variance granted and a new variance is needed to comply with the setbacks on the as-built building.

Other Business

Height Definition – Chairman Parise discussed a memo received from the Mayor regarding the Height Definition in the Code Book. An attempt was previously made to try to clarify and make easier to understand how height is calculated, however the attempt made the definition more complicated.

Building Permits – Chairman Parise discussed the proposed local law revisions. Member Niemotko had comments concerning the word “separate” in the definition and did not see the need for separate permits to be issued.

ADJOURNMENT

On a motion made by Member Niemotko and seconded by Member Syrianos it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 9:25 p.m.