

**VILLAGE OF MONROE PLANNING BOARD  
REGULAR MEETING  
MARCH 17, 2014  
MINUTES**

**PRESENT:** Chairman Parise, Members DeAngelis, Karlich, Convers  
Engineer Higgins, Attorney Levinson, Building Inspector Cocks

**ABSENT:** Members Cocks, Syrianos, Graziano

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. Talmadge Court Day Care – Amended Site Plan (201-1-9.3)**

**Present:** David Niemotko, Architect

Chairman Parise stated that the Public Hearing for Talmadge Court Day Care was continued from last month due to lack of receipt of mailings from the applicant. Secretary Proulx acknowledged that the proof of mailings was submitted by the applicant. Attorney Levinson questioned if any documentation had been received from the adjoining property owners who spoke at the public hearing. Secretary Proulx stated nothing had been received.

On a motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously Resolved, that the Public Hearing for Talmadge Court Day Care Amended Site Plan be closed.

**REGULAR MEETING:**

**1. Talmadge Court Day Care – Amended Site Plan (201-1-9.3)**

**Present:** David Niemotko, Architect

Member Karlich visited the site and had some questions regarding the plan. Member Karlich asked about the screening of the playground and questioned if it was adequate enough and compatible with the requirements of the Village Code. Architect Niemotko responded that the fencing proposed is appropriate screening per the Village Code. The playground itself meets the requirements for square footage for a day care of this size, and in addition to the fencing, the playground is set in the rear of the property and is secluded from the neighbors, and is also screened on one side by trees. Chairman Parise commented that a day care facility has to follow State guidelines, and the Board has discussed the playground and has accepted the screening as proposed. Engineer Higgins added that all engineering issues have been addressed except for the words “in

perpetuity” in the landscaping note. This needs to be added. Member Karlich questioned note #16 regarding emergency access and could not find the section of the plan being referred to. Member Karlich requested an explanation of the emergency access from the building. Architect Niemotko stated the note was a typo and would correct it, and also pointed out to Member Karlich where the emergency access was shown on the plans, and also pointed out that emergency access referred to access for emergency vehicles around the site, not emergency access into the building. Member Karlich also commented on the drop off and pick up area for the children and felt that the area was set on a hill and did not see this as a good location for drop off/pick up. Member DeAngelis agreed with Member Karlich. Architect Niemotko reminded the Board that although the cars would be stacked on the hill, the children would not exit their vehicles until they were parallel with the doorway and at that time employees of the day care center would come outside and escort the children from their vehicles and into the building. Children would not be exiting their vehicles on the hill. When the day care operator, Jennifer, appeared at an earlier meeting she described in detail how her facility would operate, which included the employees who would be meeting the children at their cars and escorting them into the building. Chairman Parise commented that the Board had the same concern earlier in the review process but with the day care owner’s explanation of her facility operations the current configuration was the best configuration worked out to make sure the children were safe and the vehicles were not blocking the road. Architect Niemotko described how a railing has now also been added along the roadway in front of the building to shield the walkway from vehicular traffic, again for the safety of the children. Member DeAngelis asked about the entrance at the rear of the building and if the children would be walking through a storage area. Architect Niemotko explained that although the rear door enters to a staircase that would take the children from the second level down to the first level with the day care, the staircase would be enclosed. Chairman Parise stated that the Board had reviewed these plans thoroughly for many months concerning the safety of the children as well as the overall function of the facility. The configuration on the most recent set of plans is the best and safest alternative to date. Attorney Levinson reminded the Board that a day care requires a conditional use permit and the board can approve for 1 year and then after the facility is in operation, reexamine the drop off/pick up situation and anything else to ensure it is working and if not then the applicant will have to remedy the situation. Chairman Parise stated that since the applicant is asking the board to waive 3 spaces, if it is found after 1 year that parking is an issue and the 3 spaces are found to be needed, the applicant would need to return to this board and add back the parking spaces. Attorney Levinson reiterated for the record that the applicants architect, for purposes of the conditional use approval after the 1 year period of conditional use expires, if it is determined that the reduced parking spaces from the statutorily required 15 down to 12 is insufficient then the applicant will be obligated to supply an additional 3 spaces. Architect Niemotko agreed. Member Convers asked if a parent wanted to go inside where would the parents be expected to park and which entrance would they use. Architect Niemotko stated that the owner explained that parents are encouraged to make appointments when they would need a conference. In addition there will be signage around the site directing the cars as to where to park and where the people should enter. Chairman Parise stated that he shares the concerns with the Board

regarding traffic and safety however feels that these concerns have been discussed and readjusted on the plans many times and at this point the facility should operate to see how things go. Engineer Higgins stated that a construction cost estimate has been submitted and reviewed and found acceptable and suggests the Planning Board recommend the Village Board accept the bond in the amount of \$8,806.80.

On a Motion made by Member DeAngelis 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 DeAngelis and seconded by Member Karlich, it was unanimously **Resolved, that the Planning Board grant approval for the amended site plan for Talmadge Court Day Care subject to all conditions and notes on the site plan last dated 3/3/14 and on condition the words “in perpetuity” be added to the landscaping note; the discrepancy on SP2 be fixed; and all fees, bonding and administrative actions are paid.**

On a Motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously **Resolved, that the required number of parking spaces for this site plan would be 15. At the request of the applicant the Board is reducing the number of parking spaces to 12 subject to the following: if after 1 year from the issuance of the Certificate of Occupancy if it is determined by the Board that the 12 parking spaces are inadequate to meet the requirements of the site, the applicant shall, before the renewal of the Conditional Use Permit, shall be required to supply and furnish the additional three spaces, all of which is done with the express representation and approval of the applicant.**

On a Motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously **Resolved, that the Conditional Use Permit for Talmadge Court Day Care is issued for a day care center only and no occupancy or use of the second story, and valid for a period of one year from the date the Certificate of Occupancy is issued at which time the applicant must reappear before the Planning Board for review to determine (1) accessibility and feasibility of the reduced number of parking spaces to accommodate the site, and (2) to determine whether the drop off/pick up points are adequate to ensure the continued safety of the children attending the day care center.**

On a motion made by Chairman Parise and seconded by Member DeAngelis, it was unanimously **Resolved that the Planning Board make a recommendation to the Village Board to accept the bond estimate in the amount of \$8,806.80 which estimate has been reviewed and approved by John O'Rourke, P.E.**

2. **Colonial Plaza – Site Plan – (223-1-2.2)**

**Present:** Marc Siemers, Pietrzak & Pfau

Engineer Higgins reviewed the plans dated 3/13/14 and all engineering issues have now been addressed. A drainage easement has been added and a construction cost estimate has been submitted and accepted. Attorney Levinson stated he received a proposed drainage easement from Jay Myrow, Esq. and reviewed same and made comments. At this point the easement language needs to be approved by the Village Attorney and upon his approval needs the signature of the Mayor, and Lanc & Tully needs to review the metes and bounds description for accuracy. Attorney Levinson commented that on the cover sheet of the site plan the language dealing with landscaping in perpetuity is not included, however the language is included on the landscaping sheet therefore the board will deem that as part of the cover sheet of the site plan being approved and in connection with the conditional use permit being issued.

On a Motion made by Member Karlich and seconded by Member DeAngelis 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 Convers, it was unanimously **Resolved, that the Planning Board grant approval for the site plan for Colonial Plaza subject to all conditions and notes on the site plan last dated 3/13/14 and subject to review and acceptance of the drainage easement by the Village Board; and all fees, bonding and administrative actions are paid.**

On a Motion made by Member Convers and seconded by Member Karlich, it was unanimously **Resolved, that the Conditional Use Permit for Colonial Plaza is valid for a period of one year from the date the Certificate of Occupancy is issued at which time the applicant must reappear before the Planning Board for review.**

On a motion made by Member Karlich and seconded by Member Convers, it was unanimously **Resolved that the Planning Board make a recommendation to the Village Board to accept the bond estimate in the amount of \$373,523.50 which estimate has been reviewed and approved by John O'Rourke, P.E.**

3. **Lenza – Site Plan – (223-1-4)**

**Present:** Steve Brown, Hudson Valley Realty

Mr. Brown stated that leases are being finalized with 2 tenants therefore he needs more time to post bond and have the plans signed and is requesting a 6 month extension of site plan approval.

On a Motion made by Member Karlich and seconded by Member DeAngelis it was unanimously **Resolved that Site Plan approval for Lenza be extended for a period of 6 months or until October 20, 2014.**

4. **Gridin – Accessory Apartment – (201-5-9)**  
**No one present**

Building Inspector Cocks stated he visited the property, performed an onsite inspection, all conditions are the same, tenants are the same and all is acceptable and in accordance with the site plan.

On a Motion made by Member DeAngelis and seconded by Member Convers, it was unanimously **Resolved, that the Conditional Use Permit for Gridin Accessory Apartment is issued for a period of two years or until the regular meeting in April 2016 at which time the applicant must reappear before the Planning Board for review.**

**APPROVAL OF MINUTES**

Chairman Parise stated that since Members Cocks and Syrianos are absent there are not enough members present who were also present at the February meeting therefore approval of the minutes will have to be carried to April.

**ADJOURNMENT**

On a motion made by Member DeAngelis and seconded by Member Karlich it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:00 p.m.