

**VILLAGE OF MONROE PLANNING BOARD  
REGULAR MEETING  
JANUARY 13, 2020  
MINUTES**

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

**ABSENT:** Member Allen

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.

**1. Chabad of Orange County – Architectural Review – (206-6-1.2)**

**Present:** Arthur Chabon, Architect

Engineer O'Rourke reviewed the amended site plan and all is acceptable. Architect Chabon submitted a list of architectural materials and colors which will be attached to the site plan. Architect Chabon requested 2 options be approved to allow for a stone base, but if the applicant cannot obtain the funds then in the alternative a parged concrete would be used. The board was satisfied with the materials and colors as per the submitted plans and outlined below:



Roof: Certainteed Landmark Pro Burnt Siena Asphalt Roof Shingles

Painted Trim: To match Benjamin Moore HC69

Stucco Walls: Sto Corp. 93860 Sandstone

Windows: To substantially match Pella Enduraclad Coating on Aluminim PRO151

Building Base Option 1: Parged Concrete color to substantially match R132, G124, B113

Building Base Option 2: To match color and blend of Eldorado Stone Mountain Ledge Pioneer

On a Motion made by Member Cocks and seconded by Member Boucher it was unanimously **Resolved that the Planning Board determines that the proposed changes does not have any impact on the prior SEQRA findings.**

On a Motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that the Planning Board grant approval for an Amended Site Plan for Chabad of Orange County last revised 1/9/2020 subject to all conditions and notes on the plans; 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 grant approval for the Architectural rendering for Chabad of Orange County specifying the specific materials and colors on the plan as per the Architectural Materials list dated 1/13/2020.**

**2. 310 Stage - Multifamily Housing – Site Plan – (213-1-31)  
No appearance**

On a Motion made by Member DeAngelis and seconded by Member Boucher it is unanimously **Resolved that a Public Hearing be set for 310 Stage Road Multifamily Housing on Monday, February 10, 2020, on or about 7:00 p.m. Monroe Village Hall, 7 Stage Road, Monroe, NY.**

**3. The Q – Site Plan – (222-1-13, 14, & 15)  
Present: Steve Esposito, PE**

Chairman Parise noted that Attorney Reineke provided a draft Resolution for the waiver request for the board to review and requested Attorney Reineke discuss the Resolution wording. Attorney Reineke stated the Q asked the board to consider two things. One was to make a determination on whether rental apartments were considered residential or commercial. The other was to provide a waiver of 175-2 (C) in accordance with the subdivision section. As there are conflicts between different sections of the Zoning Code and Subdivision code it was difficult to determine if rental apartments are commercial or residential. Because the law regarding merging of lots is found in the subdivision regulations the ZBA could not make a determination. The subdivision section does however have a provision for a waiver of any of the parts of the subdivision regulations to be given by the planning board provided the applicant can demonstrate that there is something unique with their property which would allow the planning board to find that it would be impossible or impractical for them to proceed without a waiver. Engineer Esposito provided a map showing the constraints on the property from easements, ROW's, wetlands, wetland buffers and setbacks. This map shows that developing the lots individually is virtually impossible with the uses permitted in the zoning district. Engineer Esposito's position is that by combining the lots there leaves a reasonable buildable portion to be able to build multi family housing which is what this area is zoned for. Attorney Reineke added that in order to consider the waiver the board has to make a determination that it is in the best interest of the Village to grant

the waiver, and that the waiver is in compliance with the overall intent of the zoning. The positives to the Village as presented by the applicant are it eliminates a landlocked parcel; it eliminates an unusable parcel accessed only by a right of way; it allows development of this property for what is called for on the master plan; and the current private unimproved road will be improved. This area was designated for multi family URM. Engineer Esposito stated that multi family residential could not be developed if the applicant was restricted to the three separate lots. Attorney Reineke commented the constraints on these lots, i.e the combination of the existing lot lines, the wetlands, the setbacks and the buffers make this an extremely unique property in the village and make it virtually impossible to have any type of productive development on it. Attorney Reineke advised the board that the request at this point is to give the applicant the ability to come in with a site plan which would affect the overall parcel. There are no approvals at this time. It's a judgment call for the board if they want to grant the waiver or not. Attorney Reineke added from a legal standpoint, by granting the waiver it could eliminate a possible claim of inverse condemnation which, if successful then the Village would end up having to buy the property if it isn't allowed to be developed. Chairman Parise added that this piece of property is listed in the comprehensive plan to be developed as multi family and the zone was changed to URM for this purpose but the inability to merge lots prevents this property owner from developing his property within our zoning. Member Boucher asked if this had to be voted on tonight or could the board have some time to digest the information provided. Due to the constraint analysis and other information being supplied at the last minute he would feel more comfortable if he had some time to review and address this at the next workshop. The board agreed to table this until next month to allow ample time to review the material and make a decision.

**4. Spring Hill Apartments – Multi Family Housing Site Plan (207-4-11.1 & 15)**  
**Present:** Ira Emanuel, Esq; Brian Brooker, Brooker Engineering; Kevin Brody, Architect

Chairman Parise addressed the piecemeal way the applicant submitted their documents for this agenda and informed the applicant that the planning board has a yearly calendar with submission deadlines for each month and informed the applicant that any submissions must be submitted in a complete and timely manner in order to be placed on an agenda. Incomplete submissions will not be considered. Attorney Emanuel stated the applicant was before the board in June with an informal presentation with a sketch showing 52 upscale apartments on the site. At the time the applicant felt they received positive feedback from the planning board and were sent to the ZBA due to the numerous variances needed. The applicant received opposition at the ZBA from the neighbors who were not in favor of the project and not much positive feedback from the ZBA as well. The applicant feels that this is a good project and if they had been able to continue forward as originally presented, this project could have given a boost to the Village and downtown area. Based on the opposition from the public and the ZBA at this time the applicant is going to move forward with the current proposal which is intended to be an absolutely conforming proposal under the zoning code. The intent is to provide for 36 garden apartment units which are conforming to the zoning code.

Based on the conforming plan, these apartments will not be upscale apartments like the ones originally presented. There will not be high end finishes, there will not be any amenities and there will be no public improvements all of which were proposed in the previous plan. Attorney Emanuel stated there is not enough money to be made with this project as it conforms to the zoning code to do all the extras so the developer will not provide any extras. Engineer Brooker described the project as being located at the corner of Spring St and Franklin Avenue. The existing building on site will be torn down and three separate buildings will be constructed, all of which will meet setbacks. Engineer Brooker received the comments from the Building Inspector regarding separation of the buildings and adjustments will be made to the plan to accommodate the zoning requirements. Sidewalks will be installed along Spring and Franklin. Three parking areas will be on site to accommodate the apartments. An entrance will be on Spring St. for two of the buildings and another entrance on Franklin for the third building. No improvements will be made to Spring Street as previously proposed. Ground penetrating radar was performed on the cemetery on site to locate the exact burial sites and the area will be preserved. Appropriate landscaping and lighting will be presented at a later date as will stormwater details. Engineer Brooker stated this plan was only conceptual and a full site plan would be submitted at a later date. Architect Brody described the layout of the units. The design of all buildings have been simplified as directed by the developer and will have a hip roof with a 5/12 pitch, vinyl siding and double hung windows. Building 1 will have six 3 bedroom units and four 2 bedroom units; building 2 will have four 3 bedroom units and six 2 bedroom units and building 3 will have four 3 bedroom units and ten 2 bedroom units. Each unit will have its own laundry facility. The board noted that the backs of the buildings are proposed to face Spring Street and Franklin Avenue and they were not satisfied with that. The board did not want to look at the rear of buildings as it was not appealing. Member Cocks asked if it was just straight vinyl siding or would there be other elements like stone. Member DeAngelis asked why other components such as brick were not included. Architect Brody responded the owner wanted the project scaled down because by complying with zoning it was not cost efficient enough for the applicant. Architect Brody was directed by the developer to make it the least expensive for him to build since he now had to comply with zoning. Architect Brody added this was only a conceptual plan at this time and a full plan would be submitted at a later date. Chairman Parise stated that despite the profit the developer would see the project had to be presentable and reminded the applicant that the planning board also handles architectural review. Engineer O'Rourke reviewed the submission and stated the lots are zoned for this use; it fits nicely within the zoning; this is only a conceptual plan and a full site plan will need to be submitted requiring more details. The buildings are situated closer to the road with the parking in the rear which is part of the comprehensive plan, and the parking is far enough away from the neighbors to not cause an issue. The board was satisfied with the location of the buildings closer to the road but their appearance and materials for finishes would have to be discussed. Chairman Parise asked about the open space and recreation requirements. Attorney Emanuel stated that no specific recreation has been provided and they are next door to Smith Clove Park and felt that would suffice. The lots meet the required open space. Member DeAngelis felt if they were not providing recreation, then fees in lieu of parkland should be paid. Chairman Parise asked how snow removal

would be handled and also asked if there is enough parking provided as 2 and 3 bedroom apartments will warrant more than one car. Chairman Parise added that there is no overnight parking in the Village from Nov. 1 through April 1 so overflow parking on Franklin is not an option. Engineer O'Rourke stated that land bank parking could be provided as there is plenty of space on site. Attorney Emanuel stated they would look into additional parking solutions but right now this was only a conceptual plan. Member Cocks asked if there will be a designated parking space for each unit, and have they considered aligning the entrance on Spring Street with Mapes Place and the traffic light, instead of adding another driveway along Spring Street and so close to the traffic light intersection. Engineer Brooker stated that there will be one assigned space per unit and also their traffic engineers have looked at this and the driveway is sufficient. Chairman Parise stated that Village traffic consultant would have to look at this as well. Attorney Emanuel requested the board declare its intent for Lead Agency. The board did not feel the application was at a point to declare Lead Agency yet. This is only a conceptual plan and a full site plan needs to be submitted. Numerous issues have been raised by the board which needs to be adjusted. The EAF submitted is for the prior application, not this one. A correct and complete EAF should be submitted. Chairman Parise added the involved agencies aren't known at this point. Submit complete and correct forms for next month.

### **Approval of Minutes**

On a motion made by Member DeAngelis and seconded by Member Cocks, it was unanimously **Resolved that the Minutes of the December 11, 2019 meeting be approved. Member Karlich abstained due to absence.**

On a motion made by Member Karlich and seconded by Member Boucher, it was unanimously **Resolved that the Minutes of the December 16, 2019 meeting be approved.**

### **ADJOURNMENT**

On a motion made by Member Boucher and seconded by Member Karlich it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:05 p.m.