

**VILLAGE OF MONROE
PLANNING BOARD
WORKSHOP/MEETING AGENDA**

**MONDAY, NOVEMBER 8, 2021
7:00 P.M.**

PRESENT: Chairman Boucher, Members Allen, DeAngelis, Hafenecker, Karlich, Kelly, and Umberto; Attorney Cassidy, Engineer O'Rourke, Building Inspector Cocks.

Chairman Boucher 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.

Workshop

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

Engineer O'Rourke provided an overview of his comments for the board. His office is generally satisfied with the proposed site plan. All comments relate to the storm water management system and the erosion and sediment control. Clarification on the additional construction sequencing, specifically along Stephen Lane, was requested. Engineer Esposito verified that all comments provided by the public have been received. Engineer Esposito noted that the 14-day comment period is due to ends on November 10th, 2021. A response memo to the comments is being prepared. Member DeAngelis asked about the existing flooding situation on the project site. Engineer O'Rourke stated that the flooding will not be worse than it is now, and the numbers indicate that there may be improvements. The culvert on 17M that flooded doesn't really relate to this project. The water on Route 17M comes from the large wetlands area behind the project site. Some of the water, but not much water, also comes from the adjacent golf course. Engineer O'Rourke stated that the applicant will have to provide a construction costs estimate once the SWPPP is finalized. Engineer Esposito expressed an interested in concluding the SEQR process with a neg dec during the December meeting so that the applicant can go to Orange County for sewer and water. Engineer O'Rourke stated that Planner Fink will want the SWPPP to be finalized before a neg dec is issued.

2. **310 Stage Road Multifamily – Field Change – (213-1-31)**
Present: Paul Edwards, Owner

Chairman Boucher stated that the Chief Scherne had confirmed that the placement of the hydrant was acceptable. Chairman Boucher stated that the turnaround and the driveway meets code without the sidewalk. Mr. Edwards stated that an illustrated lane was added on the asphalt shop drawing. The lane is shown with an image of a small person walking to clarify that the lane is the replacement for the sidewalk. The lane is shown on the plan with blue coloring, but will in

fact be built as white. Member DeAngelis asked why the railings in the rear of the buildings have been only partially built and not finished yet. Mr. Edwards stated that the two of the back doors are about 3-4ft off the ground as the grade near the plumbing supply building drops off. All the other backdoors are at grade and do not require a railing. Member Hafenecker noted that the absence of railings creates an unfinished look. Chairman Boucher asked Mr. Edwards if adding railings would be feasible. Mr. Edwards stated that he can look into it. The doors which are at-grade have a small area which one can walk out to, like a small backyard. Mr. Edwards stated that in his opinion functionally railings may not work. The board continued to discuss the railing issue. Mr. Edwards stated that if the board wishes he could have the existing posts be connected with railings. Chairman requested that Mr. Edwards add the connected post railing as discussed. Engineer O'Rourke stated that the certification for the retaining wall was reviewed and is found to be satisfactory. Attorney Cassidy stated that she will type up an approval motion for the November 23rd regular meeting. Attorney Cassidy stated that normally this meeting would be a work session only. Attorney Cassidy stated that the board can approve an oral resolution that she will type up later so that the board doesn't have to come back to a meeting again to make the approval. The board discussed approving an oral resolution and the retaining wall. Member Hafenecker noted for the record that the retaining wall being moved will make it difficult for **emergency services** to **? inaudible**. Attorney Cassidy stated that in the written resolution the sidewalk will be referred to as a "painted sidewalk" which will be clarified in the motion. The approval resolution will also include a note that approval be subject to the installation of the four railings on the 17M side of the building. The board discussed the driveway and potential issues of entering and exiting the property, as well as the ability of the posts to remain structurally sound in the event of a car accident.

On a motion made by Member Allen, seconded by Member Kelly, it was unanimously **Resolved to approve the field changes reviewed by Engineer O'Rourke and Building Inspector Cocks regarding the additional sidewalk with striping as laid out in the plans by Engineer Mike Morgante which satisfactorily meet board expectations.**

3. **494 Route 17M – Informal Presentation - (215-1-11)**

Present: Maximiliano Jedrzejczyk, Applicant; John Loch, AFR Engineer and Land Surveying

Engineer O'Rourke provided an overview of the application and his comments for the board. The proposed project requires a special permit in the GB zone, so a public hearing is required. The project site's proximity to Route 17M means that a 239 referral is required. The site plan shows outdoor dining which is listed as temporary. New York State permits temporary outdoor dining. In the GB zone of the Village permanent outdoor café eating establishments are permitted. One section of the proposed outdoor dining is listed as "temporary" which is fine as the area is a parking lot. The other section of proposed outdoor dining is also listed as "temporary" but sidewalk improvements are proposed so that table and chairs can be accommodated. Engineer O'Rourke suggests that the applicant fully follow the code, which would only require minor adjustments, so that the outdoor dining on the sidewalk can be permanently approved. The existing site plan hasn't been revised for a long time. The signage for one-way direction is missing. Parking striping is missing. Although not included in his comments Engineer O'Rourke noticed that the existing dumpster enclosure does not meet Village Code. Construction details regarding the connection for the sprinkler system to the

waterline, trench details, connection details, and details regarding any lighting which would be proposed on the site should be added to the plan. Engineer O'Rourke stated that with the 11-3-21 L&T Memo he included two pictures that can be seen via Google Earth. The property is near a sidewalk but not connected; there's a gap. There is no sidewalk across this property, only concrete curbing which contains stone and dead plants. Engineer O'Rourke suggests that the applicant consider potentially replacing the stone and plants with concrete. As discussed with Engineer O'Rourke by Planner Fink the applicant may also want to consider moving the landscaping behind the concrete curbing and move those existing six parking spaces. The board has the authority to reduce parking in the area. What is existing now is an old body shop. As the body shop building is vacant, the applicant can afford to lose those 6 parking spaces, which are currently utilized as spots to sell used cars. The applicant and the board should discuss how to proceed with the parking spaces and concrete curbing. Member Hafenecker stated that on the Apple Automotive section on the site plan there is parking shown inside of the building. Engineer O'Rourke confirmed this was the case and clarified that those parking spaces are a holdover from a previous site plan. Attorney Cassidy stated that those 9 parking spaces shown inside of the Apple Automotive aren't included in the parking count. Engineer O'Rourke further explained how the parking is structured on this site plan for the board. Engineer Loch stated that property owner Hagopian plans to extend the sidewalk across and have the appearance of the area be similar to that of nearby Flowershop and Cumberland Farms properties. There is no sidewalk in front of CVS, only grass. Over the years there have been difficulties growing and maintaining vegetation in the area of concrete curbing; the area is salted during the winter. Member Allen asked about the possibility of planting small trees in the concrete curbing area. Engineer Loch stated that the applicant would like to avoid reducing the parking. Attorney Cassidy stated that the concrete curbing area is in the DOT right of way. The sidewalks might actually be easier to obtain permits for. Engineer Loch stated that he will discuss potential landscaping with the applicant and property owner Hagopian. Landscaping could potentially block the view of the building and signage. Chairman Boucher stated that if possible the board would prefer landscaping to keep the areas with Route 17M frontage looking nice. The board continued to discuss potential landscaping and the need for parking on the property. Engineer O'Rourke stated that the applicant may consider installing a split-rail fence in lieu of landscaping to visually break the concrete curbing area up. Chairman Boucher noted that the landscaping in the area as of now is in poor shape. Chairman Boucher stated that it would be ideal for the applicant to put together a landscaping plan, and a note on the site plan should be adding to require the maintenance of landscaping in perpetuity. Mr. Jedrzejczyk stated that it would not be worth it for him to invest in a permanent outdoor dining space and he wishes to eliminate outside dining entirely. Mr. Jedrzejczyk would prefer to keep the parking spaces. Engineer Loch stated that the property owner Hagopian had previously obtained a building permit for the free-standing sign in the front of the property and will forward that information to Engineer Loch. Engineer Loch stated that the sign on top of the building will most likely be illuminated as the existing sign is illuminated, and only the display sign will be replaced. Engineer O'Rourke stated that there are two outdoor dining areas on the site plan which appear to be for two different restaurants. Engineer Loch stated that property owner Hagopian wanted to add outdoor dining in the event of future indoor dining restrictions and wished to look into the possibility of widening the sidewalk to accommodate outdoor dining. If widening the sidewalk would delay the application then property owner Hagopian will not pursue that development. Utility demands on the property will increase somewhat as a portion of the facility has been vacant for a while, but will not exceed what the building was designed for. Engineer O'Rourke asked if the proposed 6in waterline will be explicitly for the sprinkler systems. Engineer Loch confirmed that it will be only for the sprinkler systems. Engineer Loch stated that property owner Hagopian believes that the vacant autobody shop will be converted to retail and wanted to ensure there was adequate parking on the site. Currently the vacant autobody shop is being

used a storage for property owner Hagopian's oil body operation. Engineer Loch will return to the waterline construction comment at a later date. Engineer Loch stated that pavement markings and signage are on the original site plan, but currently are very faded and need to be restored. Engineer Loch will provide specific details for the pavement markings. Details for the building-mounted sign will be added, including illumination. Engineer Loch stated he will discuss the concrete curbing and improving the landscaping in the island between the parking lot and building with the applicant. Engineer Loch stated that a north arrow and location area map will be added to the site plan. A revised EAF will be provided. Engineer Loch explained the waterline improvement. The applicant's goal is to install the whole sprinkler system for the karaoke part of the building as a sprinkler system improves occupancy limits and safety. The applicant is facing a deadline on when the sprinkler system can be installed by as winter is approaching. The applicant would like to work out the sprinkler system details with Engineer O'Rourke and the Water Superintendent. The applicant does not consider the sprinkler system an item that necessarily required planning board approval as these improvements are upgrades to the building which only require building permits. Would the applicant be allowed to act on the sprinkler system improvements without explicit planning board approval. Engineer O'Rourke stated that typically once an application is before the planning board no other permits are granted before approval. The applicant will need a highway work permit for the sprinkler system improvements. Engineer O'Rourke and Attorney Cassidy have no objections with the applicant carrying out the proposed sprinkler system improvements. The planning board discussed whether the applicant should go through with the sprinkler system improvements, which would happen at the applicant's own risk. The board had no objections with the applicant proceeding with the sprinkler system improvements. Chairman Boucher stated that he is in favor of the applicant adding a split-rail fence, preferably with a material that won't deteriorate quickly. The board and applicant discussed possible materials for the split-rail fence, including wood, vinyl, and composite. Member Hafenecker asked if the applicant had considered using the vacant autobody building space instead for greater visibility. Engineer Loch stated that property owner Hagopian was currently using this space for storage and was also looking to market the vacant space for other kinds of retail, such as a hair salon. Attorney Cassidy stated that she would email her comments to the applicant. Chairman Boucher noted for the record that the board was in favor of permitting the applicant to proceed with the waterline upgrade for the building, although the applicant is still required to obtain the required permit. Member Umberto noted that he has concerns about the waterline upgrade, as the parking lot from Freeman Street would be disrupted and the work will be done around two existing stores, the Jade Dragon and the Latino Restaurant. Mr. Jedrzejczyk requested that the board provide an estimate of when approval can be expected. Chairman Boucher stated that the applicant will have to address all comments provided by the board. The planning board will also have to conduct a 239 referral as the property has frontage on Route 17M. A public hearing is required for the application as well. Attorney Cassidy stated that if the applicant is able to resubmit by the next deadline, a 239 referral can be sent out by the board during December 2021. The required public hearing could potentially be held January 2022. Approval could potentially take place during the January 2022 or February 2022 meeting.

4. **Smith Farm - Amended Open Space Plan**
Present: Mark Siemers, Pietrzak & Pfau

Engineer Siemers provided an overview of the project's history for the board. The overall site plan was approved August 2015. Phase one of construction is completed. Most of the

infrastructure in Phase 2 is also completed. Infrastructure and road construction is being worked on currently during Phase 3. The project has 4 Phases which have had their subdivision maps filed with the Orange County Clerk. There was a multipurpose area in Phase 4 that was approved on the other side of the Orange and Rockland power lines. This application to the board is on located on top of the Phase 4 multipurpose area, which was originally planned to be a grass open field. An additional full-sized pool, a smaller kids pool, a pool house, and a playground area are being proposed in the multipurpose area. Some of the area will remain as a grass field. A 22-space parking area and a stormwater detention area are proposed as well. Engineer Siemers stated that the applicant had appeared before the Village of Monroe planning board during 2019 and there was discussion about if the Town of Monroe should review the application as the project was largely located within the Town. Then the applicant had been before the Town of Monroe planning board for two meetings where the applicant had determined what their proposal for the pool was going to be. Engineer Siemers stated that he had received a letter from Engineer O'Rourke which indicated that there was more discussion on the SEQR process which until now was not communicated to his office. In the original August 2015 approval, the Village of Monroe planning board was the lead agency in the SEQR process, the Town of Monroe planning board was included as an involved agency. The Town of Monroe planning board has requested that a SEQR consistency document be provided so that the disturbance area, impervious surface, and stormwater can be analyzed. The applicant is currently preparing the consistency narrative for the Town of Monroe's review. Will the review on this application be a joint review between the Town of Monroe and the Village of Monroe. Will the Village of Monroe planning board remain as lead agency or will the Town of Monroe lead the review. Engineer O'Rourke stated that the project site is located in the Town of Monroe, so the Town will have to approve the site plan. If the applicant conducts a consistency review then the Village of Monroe planning board will have to be involved. Engineer Siemers asked if the entire review needs to be parallel between the Town and Village planning boards. Engineer O'Rourke stated that if a consistency review is to be done then parallel review is required. From the perspective of a lead agency the Village of Monroe planning board needs to determine that the finding statement is consistent with the previously approved finding statement. Engineer O'Rourke stated that the approved findings statement listed a set amount of water usage which was not to be exceeded. The proposed pools will have to be reviewed to confirm that the water usage is not exceeded, otherwise the pools will have to be filled by an outside tanker. Attorney Cassidy stated that the approved finding statement did allow for an alternative water infrastructure. There was a discussion after the site plan approval and also were changes to what was proposed. If the Village of Monroe planning board is revisiting these plans our board should make sure that those changes are reflected in the finding statement. Attorney Cassidy noted that the approved finding statement did allow for that change. Engineer Siemers stated that the water tower is no longer shown on the proposed amended open space plan. Engineer Siemers requested that the Village of Monroe Planning board provide a letter memorializing the SEQR review process so that the applicant can provide it to the Town of Monroe planning board. Attorney Cassidy stated that a letter can be provided and Secretary Doherty can forward it to the Town of Monroe planning board. The board discussed the water usage of the Smith Farm project and potentially commissioning another water analysis. Attorney Cassidy stated that the Building Department had received a letter from Orange & Rockland Utilities regarding an easement issue. Engineer Siemers stated that the reason for the letter was that O&R have an older document that show a wider easement than the filed maps and deed descriptions that the applicant has. The applicant is working with O&R to resolve this issue. Engineer O'Rourke stated that once the applicant submits their consistency review and comparative analysis Planner Fink will conduct his review. Attorney Cassidy stated that as her and Planner Fink are new to the board and are not entirely familiar with the project it would be a more efficient use of their time to wait until the consistency review and comparative analysis are provided before

conducting their reviews. The board continued to discuss the proposed pool and stormwater detention pond. Member Umberto expressed concern that the stormwater detention pond will not be large enough to hold all the stormwater. Chairman Boucher asked if anybody could use the proposed pool. Engineer O'Rourke stated that the pools are private and are intended only for the Smith Farm residents.

Special Meeting

1. Local Law – Minimum Square Footage Requirements – CB

Attorney provided an overview of the procedure for planning board comment on the CB Square Footage Local Law. The planning board can elect to say nothing, and after 45 days the Board of Trustees can take action on the Local Law. Under the Village of Monroe Zoning code there are four statutory questions. “. Whether such change is consistent with the aims and principles embodied in the chapter as a to the particular district concerned? b. Which areas, land uses, buildings and establishments in the Village will be directly affected by such change and in what way they will be affected? c. The indirect implications of such change in its effect on other regulations. d. Whether the proposed amendment is consistent with the aims of the Comprehensive Plan of the Village of Monroe?”. The use section of the bulk table for the CB Zone would be eliminated. Attorney Cassidy stated that after discussion with Planner Fink there are some talking points from the Comprehensive Plan which should be discussed by the board. The board should have discussion regarding the retail market section on page 95 of the Comprehensive Plan. The board should also review the policies section e.1.1 ,e.1.1.4, e.22.1 e.113. There has been discussion on keeping small scale retail in downtown CB districts and then reserving the larger scale retail for the GB district. Chairman Boucher stated that this proposed local law makes sense and that the changes are in line with the Comprehensive Plan. Attorney Cassidy stated that the proposed local law does not affect any of the other bulk standards, such as allowing for more units. All of the other remaining bulk standards for building lots and exterior dimensional requirements stay the same. Engineer O'Rourke stated that basically the local law would permit the establishment of the Marketplace. A member of the public affiliated with the Marketplace, Victoria Gabay, was present and provided an overview of the Marketplace for the board. The Marketplace can house up to 21 small businesses. The cost of the building space is divided amongst the small businesses, which makes the cost of having a brick and mortar store more affordable. The Marketplace is located on Lakes Street where the old fitness club was. The entire building is around 700 sq. ft., and each unit is about 100 sq. ft.. During the winter there was a marketplace at a Church in the Town of Monroe which was extremely successful. The Emporium Marketplace in Middletown is also successful. Ms. Gabay believes that a Marketplace in the Village of Monroe may also see good success. Engineer O'Rourke stated that Marketplace establishments can be found in other places of the country such as Union Market in Washington DC. The board agreed that the answer to statutory questions a and d are “yes”. The board agreed that regarding question b smaller scale, special businesses will be affected by allowing them to have more affordable space. The answer to question c is “no”.

On a motion made by Member Kelly, seconded by Member Allen, it was unanimously **Resolved to prepare a letter to the Village Board regarding planning board comments on the Local Law – Minimum Square Footage Requirements.**

Adjournment

On a motion made by Member Kelly, seconded by Member Hafenecker, it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:35 p.m.