

**VILLAGE OF MONROE  
PLANNING BOARD  
WORKSHOP/REGULAR MINTUES**

**MONDAY FEBRUARY 22, 2022  
7:00 P.M.**

**Present:** Chairman Boucher, Members Hafenecker, Karlich, Umberto, Attorney Cassidy, Engineer O'Rourke, Building Inspector Cocks

**Absent:** Members Allen and Kelly, Planner Fink

Chairman Boucher opened the meeting at 7:00 p.m. with the Pledge of Allegiance.

**PUBLIC HEARING**

**3 Angel Road – Amended Site Plan - (214-1-58)**

**Present:** David Niemotko, Architect

Board Attorney Cassidy read the public notice. The public notice was not published in the paper so the hearing will be opened and public comments can be heard but the public hearing will not be closed until after the legal notice is published in the paper.

Motion by Member Hafenecker seconded by Member Umberto it was unanimously resolved: **to open the Public Hearing for 3 Angel Road.**

Attorney Cassidy wanted to know if proof of mailing of the legal notices was complete. At this time the Board did not have that proof.

David Niemotko, Architect for the project, explained the project. 3 Angel Road is currently a single-family house in the URM district. The URM district allows a one-family house to be converted into a two-family house. This project is converting a one-family house to a two-family house. This project will comply with all zoning code regulations. Each apartment will have at least 1,000 sq. feet. This house has a foot print of over 2,200 sq. feet which has been verified by the surveyor which is noted on the site plan. In addition to that field measurements were done to confirm the foot print of the house. The owner has no plans to change the foot print or exterior of the house. Minor changes will be made to the interior of the house such as new windows. This project started a few months ago. This project needed an area variance from the ZBA as the lot was a pre-existing non-conforming lot so a rear set back area variance was needed. That variance was approved by the ZBA. There is an accessory garage which needed to be updated. The work on the garage was completed.

Chairman Boucher informed the public that they can address comments to the board and they may or may not get an answer to their comments at this time but all comments will be addressed. The questions/comments will be recorded.

Bill Schmitt, a member of the public, inquired that when 3 Angel Road is converted will it look like the house that was expanded and converted at 43 Freeman Street? How much of the hard woods in back of 3 Angel Road will have to be cleared? Mr. Schmitt stated that the house on 3 Angel Road is very close to the hard woods in the back. He also asked if there would be a chicken coop would be built on the property? Mr. Schmitt's concerns about the chicken coops was the noise. Mr. Schmitt wanted to know if any portion of the house would extend into the hard woods?

David Niemotko stated there will be no change to the current foot print of the house. Also, there is no plan for a second floor to be added. Because the foot print of the house is not changing, the wooded area will not be cleared. David Niemotko, stated he is not familiar with the house on Freeman Street so he can't speak to that. Engineer O'Rourke, stated that according to the site plans there are no changes to the foot print of the house. And, as far as the chicken coop, does the code allow it? Building Inspector Cocks stated yes, but there would be a 200-foot set back from the neighbors and the property line. If a chicken coop was to be added to the property a request would have to go thru the Building Department and there is a square footage requirement for chicken coops and this property does not meet that requirement. Therefore, a chicken coop for this property would have go thru the Planning Board and/or the ZBA. Each Board would require a public notice which would be mailed and published in the paper. Chairman Boucher asked if there were any other comments from the public in regards to 3 Angel Road. There were not other comments from the public.

Chairman Boucher asked if the changes to the site plan that were asked for were done. David Niemotko stated no revisions to the site plans had been done. Engineer O'Rourke stated the submission deadline for March was Friday February 25, 2022. The changes that needed to be done were in regards to the sewer and water lines so the revisions should not take that long to get done.

On a motion by Member Karlich and seconded by Chairman Boucher is was unanimously resolved: **to continue the public hearing for 3 Angel Road at the March 22, 2022 Planning Board meeting.**

Motion by Member Hafenecker seconded by Member Umberto it was unanimously resolved: **to open the Public Hearing for 494 Rt.17M Karaoke Bar and Restaurant.**

Board Attorney Cassidy read the public notice. The public notice was not published in the paper so the hearing will be opened and public comments can be heard made but the public hearing will not be closed until after the legal notice is published in the paper.

Attorney Cassidy wanted to know if proof of mailing of the legal notices was complete. It was confirmed the mailings were done and were complete.

#### **494 Rt17M – Karaoke Bar and Restaurant**

**Present:** John Loch, Engineer

John Loch, Engineer for the applicant, presented a quick overview of the project. The restaurant is in a small strip mall shopping center. The Karaoke Bar and Restaurant is a new client to the strip mall. There is minimal impact to the outside of the restaurant. There will be a new side walk on Rt. 17M. There are a few minor changes being made inside and it will get new paint. There will be no changes to the building. There will no longer be auto body work being done on the premises. The small strip mall shopping center will have retail business going in as well.

Chairman Boucher informed the public that they can address comments to the board and they may or may not get an answer to their comments at this time but all comments will be addressed. The questions/comments will be recorded.

Luis Ferrara, a member of the public, stated he lives right around the corner from this building. He inquired about the noise level at night. Luis Ferrara stated he is worried about he and his family being kept up all night due to the noise, as this is next to a residential neighborhood. He stated the neighborhood does not need a Karaoke Bar. If the noise was contained that was one thing but he does not want he and his family to be up all night due to the noise. He was also concerned about people being unruly when leaving the bar, and the mess it would bring to the neighborhood. Luis Ferrara stated no one in his neighborhood knew about this meeting until one of the neighbors said something about it. Chairman Boucher stated the neighbors will have an opportunity to be heard as this public hearing will be carried over till next month and a notice will be published in the newspaper. The neighbors have a month to check their schedules and get their comments in. All are welcome to question and/or comment. This public hearing will continue on March 22, 2022 and it will be published in the paper prior to that date.

Chairman Boucher stated there are no plans for an outdoor seating area. If there is anything that involves noise or music it will be on the inside of the building.

Luis Ferrara stated he is very concerned with people from the bar being unruly and making a mess in the neighborhood and by people using the neighborhood as a bathroom. He is also concerned because this is the most congested street in

Monroe. He stated he has a hard time getting on Rt. 17M during the day and now we are adding more congestion to the area. Chairman Boucher asked if there were other comments from the public. There were no other comments from the public.

On a motion by Member Hafenecker and seconded by Member Umberto it was unanimously resolved: **to continue the public hearing for 494 Rt. 17M Karaoke Bar and Restaurant at the March 22, 2022 Planning Board meeting.**

On a motion by Member Hafenecker and seconded by Member Karlich it was unanimously resolved: **that the regular Planning Board meeting be opened.**

## **Regular Meeting**

### **236 High Street Extension**

Chairman Boucher stated 236 High Street is Rest Haven.

Engineer O'Rourke stated this project got a six-month extension on October 26, 2021 which will expire on April 26, 2022. Engineer O'Rourke stated in order for the Board to consider the extension beyond April 26, 2022 the Board is requesting a letter as to why the extension is needed, and where the project stands in the process. Also needed: the current status of working with outside agencies, and where and when will the response with outside agencies will be received. The reasons why there is a delay with outside agencies, should be documented. Building Inspector Cocks stated that all the building permits will expire soon and two have already expired this month.

Chairman Boucher asked if there were any updates that could be shared with the Board.

Sabastian from David Niemotko office, Architect for the project, stated there was a problem with the Health Department in regards to the sprinkler system. The state says the sprinklers are not required but the health department is requiring them. The problem is if the sprinklers are installed they will damage the historical significance of the building which is part of State Historic Preservation Office (SHIPO). This is being worked on at this time. Attorney Cassidy stated the Board spent a lot of time on the historical aspects of this building. Building Inspector Cocks stated a historical architect was brought in when those discussions were taking place.

Sabastian stated yes, that is the issue but he believes this issue will be resolved soon.

Chairman Boucher asked to have all the issues/updates put in writing for the Board. This will help the Board in its decision-making process. There were no further comments from the Board.

### **Somni Restaurant**

**Present:** Luis Naula, applicant/restaurant owner

Chairman Boucher stated he had talked to the restaurant owner and while the application came in a day late, Chairman Boucher approved it. Currently the restaurant is located on Rt. 208 but they want to move into the Village. The building is located at 13 Lake Street and is the DeAngelis building which was dedicated to Geri DeAngelis's late husband. The building is owned by the Town of Monroe. The applicant was led to believe that the Town of Monroe could handle the approvals but as the building is in the Village of Monroe, the Village of Monroe must approve. The owner has been in this process for at least four months.

Chairman Boucher asked Luis Naula, the owner of the restaurant, to give the Board a brief overview of the application.

Luis Naula stated his restaurant has been operating for 2 year at the Rt. 208 location and the business is growing. Part of the reason he wants to move into the Village is rent and he hopes in the future to buy the 13 Lake Street building. Luis stated at his current location they can seat sixty-seven inside and ninety-seven outside for a total capacity of 145 seat capacity. The building at 13 Lake Street will have an open kitchen viewing area which takes some of the seating away so the capacity will be around 55 – 57 seats. There is room for expansion with a second floor and potential for a roof top bar. At this time there are no plans for those areas.

Member Karlish does not think that the building can be purchased as it was gifted to the Town of Monroe.

Board Attorney Cassidy suggested the applicant check with his attorney if the building will made available for sale as it was a gifted to the town.

Engineer O'Rourke stated this building is in a CD District which means park where you can. What was submitted with the application does not meet the Board requirements for a site plan. But, the Board can waive the site plan requirement as this is an application for a special use permit and there are no changes to the exterior of the building. The public water and sewer are certified. If the applicant wanted to do anything with the second floor or roof top at a later date he would have to appear before the Board for that.

The property line only extends about 3 inches out the back door so there is no room for a dumpster. A restaurant requires a dumpster. The applicant will need to negotiate with the owner of the building, the Town of Monroe, about where the dumpster can be located. The Town of Monroe owns a parking lot near by that could

be used for the dumpster. The short EAF was included in the application and this would be a type 2 action under SEQRA. A special use permit requires a public hearing and a 239-county referral. Engineer O'Rourke suggested the Board can submit the 239-county referral while Luis gets information from the Town of Monroe about the dumpster. If there is a plaque on the building approval would require that the plaque remain.

Chairman Boucher stated the dumpster needs to be addressed. This property has no land and a restaurant requires a dumpster so that has to be worked out. The

Village code states what is needed for a dumpster enclosure. Engineer O'Rourke provided the applicant with a copy of his comments.

The owner was asked if there were plans for the second floor and if an elevator was being installed. The owner stated the second floor may have the bathrooms but that is all that is planned at this point. There is no elevator in the building.

Luis Naula, the applicant, stated he was going to look into a sprinkler system so piping is there for future use. Engineer O'Rourke stated the building Department can help with that but if the 2<sup>nd</sup> floor was to be updated, the applicant would need to come back to the Planning Board.

Attorney Cassidy stated a document of the walkway and the easement on the town property for the dumpster is needed. The 239-county referral can be submitted while the applicant is getting the paper work ready for the public hearing and the public hearing date can be set.

On a motion by Member Hafenecker and seconded by Member Umberto it was unanimously resolved: **That the 239-county referral be submitted to the county.**

On a motion by Member Hafenecker and seconded by Member Karlich it was unanimously resolved: **The public hearing date for this application be set for the March 22, 2022 meeting.**

On a motion by Member Karlich and seconded by Member Umberto it was unanimously resolved: **The minute from the January 25, 2022 meeting be accepted.**

On a motion by Member Hafenecker and seconded by Member Umberto it was unanimously resolved: **The meeting be adjourned at 8:00.**