

**VILLAGE OF MONROE
PLANNING BOARD
MEETING MINTUES**

**TUESDAY October 25, 2022
7:00 P.M.**

DRAFT

Present: Chairman Boucher, Members Karlich, Kelly, Umberto, Iannucci, and Attorney Cassidy

Absent: Members Hafenecker and Allen

On a motion by Member Kelly and seconded by Member Iannucci it was unanimously resolved:
To open the meeting.

There were no applications on the agenda.

New Business:

The Village Board adopted Local Law #9 which establishes the Village Board as the Board to determine the Monroe Balancing Test. The Monroe Balancing Test was established years ago by the New York Supreme Court and it says municipalities that own property in another municipalities, can waive the hosting municipalities zoning codes. But, the Monroe Balancing Test needs to be done to determine if the zoning codes can be waived. Typically, the hosting municipalities preforms the Monroe Balancing Test. Just because another municipality owns the property does not give them the right to waive the hosting municipalities zoning codes. What Local Law #9 does is codify that the Village Board will be the Board to make decisions on the Monroe Balancing Test.

The Board received notification from the Town of Monroe Planning Board that they have declared themselves Lead Agency for 20 Owens Drive. This parcel is located in the Town of Monroe and it is the top of Smith Farms. While this project is within the Town of Monroe's boundaries, traffic exits into the Village on High Street. There is a road that is used for emergencies which could be impacted as it could be used as a public road. This will have an impact on emergencies as well as the traffic in that area. The Board Traffic Consultant is looking into it.

While the Board does not have a problem with the Town declaring Lead Agency, the Lead Agency form can be used for comments. While the Board does not have approval authority, we can make our concerns about the road known. Board Attorney Cassidy stated this was the last large lot in that area. Board Attorney Cassidy stated she would write a letter to the Town of Monroe stating our concerns about the road.

Also, there may be a problem with supplying water to the project as the Village of Monroe is at its water capacity and cannot provide water to the project. This is also being looked at and the Town of Monroe has been advised.

The 2023 calendar was discussed. It was suggested that due to the moratorium the Board should mark all work sessions as being "as needed". The Board calendar for 2023 needs to be

approved by December. Chairman Boucher stated he put the calendar together for review by the Board and would like the Board to look at it so it can be voted on at the November meeting.

The Board discussed if 208 business Center had received a wavier from the Village Board or not. At this time the Village Board has not made a decision.

The Chairman, the Board Attorney and the Village Attorney have spoken in regards to the Zoning Board of Appeals (ZBA) application for an appeal to the Building Inspectors decision for the Spring Hill apartments and the best way to handle it. While the ZBA has the authority to over turn the Building Inspectors decision but it cannot enforce it. The only way to enforce the decision would be to not approve the certificates of occupancy. Chairman Boucher stated the Board spend a lot of time to reviewing the appearance of the Spring Hill apartment. The stone that is being used it not the stone that was approved. The Board's approval for the stone stated a specific type of material and a specific look to the material including color. The stone being used does not follow any of the approved conditions stated for the stone. Also, all field changes are required to come to the Board. This was not brought to the Board. The Board feels several items in the approvals were not adhered to and procedures for approval were not followed, which is why the Board is going before the ZBA.

Chairman Boucher stated he is working with the Board professionals to have a training for the Board. The training would be for training credits for the Board members. The Village Board would need to approve the training.

On a motion by Member Kelly and seconded by Member Umberto it was unanimously resolved:
To close the meeting.