

**VILLAGE OF MONROE  
PLANNING BOARD  
WROKSHOP MEETING MINTUES**

**MONDAY JUNE 12, 2023 7:00 PM**

**Present:** Chairman Boucher, Members Allen, Hafenecker, Karlich, Kelly, Iannucci and Umberto. Attorney Cassidy, Building Inspector Cocks and Engineer O'Rourke

Pledge of Allegiance.

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

Aye – 7

Nay – 0

**Monroe-Woodbury Islamic Center (MWIC) – 1431 Orange Turnpike – first appearance - (231-3.42-1)**

Present: Mr. Miah, the President of MWIC, and Ryan Nasher, Engineer for the applicant.

Engineer O'Rourke stated the only issue he could speak about is the issue of timing. The moratorium will be extended for three months. The application is using the new bulk table which has not been adopted by the Trustees yet. Under the new zoning laws, they will need variances. Therefore, change will have to be made or the applicant can use both bulk tables. The applicant is proceeding at their own risk and the variances they need are significant. Board Engineer O'Rourke stated the parking needs to be addressed. The new code does not allow parking in the front of a building so the building needs to be moved to the front and the parking needs to be put in the back. A country 237 GML cannot be done yet as the new zoning code has not been approved.

Board Attorney Cassidy stated their plans are based on the zooming code that has not been approved yet. You can proceed under the current zoning code and hope you get far enough along and get SEQRA complete before the zoning code is changed or have both bulk tables which may trigger a double review by the County, or wait till the zoning code changes.

Engineer O'Rourke stated the plan meets all present zoning codes.

Chairman Boucher asked for clarification on if the Trustees have voted to extend the moratorium or if that will be voted on at the June 20, 2023 Trustees meeting. Engineer O'Rourke stated what impacts this application is not the moratorium but the adoption of the new zoning code.

Board Attorney Cassidy stated that the plans are based on the new zoning code and those have not been adopted yet. Therefore, we cannot send the applicant to the ZBA. Due to the waiver the applicant has they can proceed under the current zoning code but if the zoning code changes, the applicant will have to update their plans and the plans will need to be reviewed a second time.

Engineer O'Rourke stated the new zoning code will not allow parking in the front of the building. Parking will need to be moved to the back of the property. Engineer O'Rourke suggested that the applicant go to the next Trustees meeting in regards to extending the moratorium.

Board Attorney Cassidy stated there needs to be a ten-foot buffer if they have more than four parking spaces. She also stated the storm water and sewer go through an easement. It looks like it crosses a third-party's property so they need to make sure the drainage falls into the easement and that it allows drainage for sewer.

Ryan Nasher, Engineer for the applicant, stated he needs to find out if Orange Turnpike falls within five-hundred feet from the Town of Monroe town line. Ryan Nasher, stated it did not. Engineer O'Rourke stated if it does not no 239 GML County approval will be needed.

Ryan Nasher, stated based on the Board Engineer's comments, they need address those comments and re-do their map. He will make the changes but will need ZBA approval. The applicant knows he is taking a risk.

Board Engineer O'Rourke asked if there will be a coordinated SEQRA review and without the new zoning code, can the Board even start a SEQRA review? Board Attorney Cassidy stated with the variances being so large a coordinated review will be needed. Board Attorney Cassidy stated if the applicant chooses to proceed, and then local laws are changed, the SEQRA documents would have to be updated and the SEQRA process would begin again.

Mr. Miah, the President of MWIC stated they respect the law and if the new zoning code is accepted they will follow the new zoning code as it is a local law but he thinks we should start.

Chairman Boucher stated that it becomes a matter of cost, if the applicant has to re-do things because the zoning code changes, the Board professionals may need to do another review. The applicant would have to pay for the double review. As long as you understand that there could be additional expenses, we are fine with that.

Mr. Miah, stated he understands and is fine with that.

Board Attorney Cassidy stated this is a unique situation and the applicant is proceeding at their own risk.

Board Engineer O'Rourke stated if they are moving forward under the current zoning code only the current zoning code bulk table is needed.

Building Inspector Cocks stated if they are proceeding they need to address the ten-foot buffer for the parking as it is in the current zoning code.

Board Attorney Cassidy and Board Engineer O'Rourke agreed the applicant needed to decide if they wanted to proceed under the current zoning code or not and if they did want to proceed under the current code, we can proceed. As the applicant has changes to be made, they will not be ready for the June 27, 2023 meeting agenda. When those changes are made and submitted, the Board will proceed.

Also, Board Attorney Cassidy and Board Engineer O'Rourke agreed that a traffic study needs to be done. And, this would be listed as an unlisted item under SEQRA.

Chairman Boucher asked if there were any other comments from applicant and his engineer. They had no more questions.

Chairman Boucher stated we did not have the Board Planner's comments. Board Attorney Cassidy stated we can wait till the next submission to get the Board Planner's comments.

Chairman Boucher asked if any of the Board members had any questions. The Board members did not have any questions.

Member Iannucci asked Board Attorney Cassidy if the applicant was aware of the changes that are proposed for historic building and demolition of historic buildings.

Board Engineer O'Rourke stated the current building the MWIC is using is not on the list of historic buildings the Trustees have proposed. Attorney Cassidy stated yes, the applicant is aware and the proposed changes to the zoning are public documents.

Board Attorney Cassidy stated that as the MWIC was the only item for the June 27, 2023 meeting and they are not ready as they have to make changes, the meeting should be cancelled. The Board agreed.

On a motion by Member Hafenecker and seconded by Member Allen it was resolved: **to close the meeting.**

Aye – 7

Nay – 0