

**VILLAGE OF MONROE PLANNING BOARD
WORKSHOP MEETING
MARCH 15, 2017
MINUTES**

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

ABSENT: Member Karlich

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. Crystal Run Lab 807 Rte. 17M – Amended Site Plan – (203-2-2.2)

Present: John Loch, AFR Engineering

Chairman Parise explained that there was a conflict with Lanc & Tully and Crystal Run. Engineer DePuy is the alternate engineer for the Planning Board but was not available for this meeting. Engineer Loch described the project as an existing site and building which used to house the medical offices but will now be converted to a lab. This lab will not be serving the public, but will processing things collected at other Crystal Run locations. Engineer Loch explained that one of the most critical items necessary to run a lab is electricity, therefore Crystal Run is proposing to install a backup generator. They propose to remove one parking space near the main entrance and install the generator in that parking space. A chain link fence will be installed around the generator for protection. The generator will have one test run per week and will only be used during a power outage. Engineer Loch stated the generator was natural gas powered. Chairman Parise stated that Engineer DePuy will review the plans and submit a report. Member DeAngelis questioned if the parking would be adequate with taking away the parking space. Engineer Loch stated the parking requirement is met. Member Cocks asked if there would be slats installed in the chain link fence. Engineer Loch stated brown slats were proposed to blend in with the color of the building.

2. Orange Collision – Conditional Use/Site Plan – (220-5-20 & 21)

Present: John Bell, PE, KC Engineering; Joel Jacobowitz owner Orange Collision

Engineer O'Rourke stated it need to be clarified whether this application is for one lot or two lots, and if two lots would cross easements be required. Mr. Jacobowitz stated his attorney is working on cross easements. Chairman Parise stated that in the check box on the application for Conditional Use the numbers 017 were typed and questioned what that meant. Engineer Bell would look into that. Engineer O'Rourke stated that the proposed project is a conditional use with an amended site plan; this requires a public hearing; due to its proximity to Route 17M, 239 referral to the County is required as well

as to NYS DOT; the EAF submitted is satisfactory, Type II action because there is no expansion. This is an existing site with existing buildings and no additions are proposed. Notes #7 and #8 need to be completed/clarified. It is unclear if there is a dumpster enclosure on site or if one is proposed. Engineer Bell stated that a dumpster is proposed for the site and the location is shown. Engineer Bell will provide details to ensure the enclosure meets Village code. Engineer O'Rourke noted the bulk table does not match the dimensions on the plans; the building size should be noted for each building; parking calculations should be clarified; setbacks need to be clarified; plan set notes 'sheet 1 of X', this needs to be adjusted. The board should discuss hours of operation, any additional landscaping and lighting requirements, and ADA requirements will need to be met. Member Cocks asked if there would be any signs. Mr. Jacobowitz stated he would use the existing sign on the lot and change the panels to say Orange Collision, and would change the letters on the building to say Orange Collision. The sign on the adjacent lot is not for him, it is for BMW. Building Inspector Cocks asked how they would be handling scrap and junk parts. Mr. Jacobowitz explained he has a contract with a company who carts the scrap away, and there is a fenced in area at the rear of the lot where the scrap would be stored until it is carted away. Attorney Reineke noted that if the site would potentially be used after hours for potential drop off of a towed vehicle, this should be noted on the plans with the hours of operation.

3. Threetel Holdings – Conditional Use/Site Plan – (203-3-3.2)

Present: No one present

Engineer O'Rourke noted that Engineer Torro contacted him and was still digging out from the snow and would not be present tonight. Engineer O'Rourke noted that the public hearing was closed at the last meeting; the entrance has been revised and accepted by the Board and DOT has signed off on it as well. Cross easements have been reviewed and accepted by Attorney Levinson. A construction cost estimate was submitted and found acceptable and is ready to be submitted to the Village Board for approval. All other engineering issues have been satisfied. The board had no other issues or questions.

4. Luke & Friends Day Care – Amended Site Plan – (201-1-9.3)

Present: David Niemotko, Architect

Chairman Parise noted the board conducted a site visit on March 5, 2017. Chairman Parise, Member Cocks and Member Karlich were present as well as Architect Niemotko, Margaret Barry from Monroe Florist, and Jennifer Lenoci from Luke & Friends. Architect Niemotko discussed that at the site visit it was agreed to add some more signage directing parents at the entrance of the site indicating the main drop off area is in the back of the building, and also a stop sign at the exit from the site back onto Talmadge Court. Member DeAngelis noted she has been visiting the site several mornings in a row and there has been a black SUV parked on the side of the building which blocks the exit driveway. Member Cocks noted that he visited the site as well and there was a pickup truck parked in the same location which also stuck out into the driveway. Member Cocks added that when he's visited the site he has witnessed a

vehicle in the handicapped parking space, which did not have a handicapped tag. Building Inspector Cocks stated the Village Police can regulate the handicapped parking and can issue tickets if necessary. Member Cocks commented that placing the main entrance at the rear of the building is the best and safest situation and that if measures are not taken to eliminate the other entrances, parents will continue to use them. Building Inspector Cocks suggested taking the outside handles off the doors and making the current front entrances exit only doorways, then there will be no option for parents to use those doorways. It was also suggested to have the front parking spaces for employees only to free up spaces in the rear for the parents to use. Member DeAngelis questioned how large the property was and could they add more parking in the rear of the building. Architect Niemotko stated there is a lot of land but it would be cost prohibitive to add more parking. Chairman Parise added that two of the parking spaces are for the two family house. Member DeAngelis asked how many more children are expected with the expansion. Architect Niemotko stated 14 more children would be added to the facility. Member Cocks asked how many more employees that would require. Architect Niemotko stated there are 8 employees now and any additional employees would be sporadic throughout the week. Engineer O'Rourke noted that the public hearing was closed at the last meeting, however there were concerns raise by the public which prompted the site visit. With these latest submissions all comments discussed by the board have been addressed with the exception of a safety management plan as well as discussion about the liability of Monroe Florist as a result of day care customers parking in the Florist parking spaces. Engineer O'Rourke added there is a shortage of parking on the plans and the board needs to discuss this. Engineer O'Rourke commented that a referral to emergency services could be warranted based on the discussion from the public hearing regarding busses and safety of the children. Architect Niemotko stated that buses are not related to the day care. Engineer O'Rourke remembered hearing a comment made at the public hearing by an employee of the day care where she stated she walked the students to the bus. It was confirmed in reading the prior minutes that Lisa Trimbley stated at the public hearing that she was an employee of the day care center and she walked students to and from the bus. Chairman Parise read the minutes from the 2/27/17 public hearing *Lisa Trimblay – Ms. Trimblay works at Luke and Friends as is present in the morning when parents are dropping off their children. Ms. Trimblay complained that Mr. Schuck came whipping past her while parents were dropping off their children. Ms. Trimblay stated she walks children to a scheduled bus stop every morning and they are safe.*

Building Inspector Cocks stated when the project was first approved it was stated there would not be any children coming from a bus. Architect Niemotko stated he has asked the day care owner numerous times if there are children being dropped off from Monroe Woodbury and has been told there are not, but would discuss buses with Jennifer again. Attorney Reineke suggested getting a written statement from Ms. Lenoci regarding busing, either that they have none registered, or on what occasions children are being dropped off and what measures are in place to escort those children from the road to the facility. Chairman Parise noted that Mr. Schuck commented at the public hearing that he frequently sees children in the road. Chairman Parise noted there was discussion about a management program but in reality, the conditional use is the management program. The day care center needs to understand that the children are

their “product” and it is the day care’s responsibility to ensure that the children are safe. It was mentioned at last month’s meeting that there should be an employee stationed outside to monitor the children when they are being dropped off or picked up, almost like a crossing guard. This employee can oversee the safety of the children and also ensure that parents are using the proper entrance and parking in the day care designated parking spaces, not the other properties. It is not practical, nor proper to put the onus on Monroe Florist. It is Monroe Florist’s responsibility to manage their own business, just as it is Luke and Friend’s responsibility to manage theirs. It is the responsibility of Luke & Friends to ensure the safety of the children as well as proper behavior of the parents. Luke & Friends has to be liable for the safety of the children, not Monroe Florist. The day care needs to be responsible for its business, and customers. Architect Niemotko recommended making outside monitoring of the safety of the children during pick up and drop off, as well as parking as a part of the conditional use permit. Attorney Reineke suggested a note on the plan stating anytime children are outside the building they will be monitored by adult supervision. Chairman Parise discussed the lack of parking and although the board waived the parking requirement at the beginning, now with the additional children the board needs to decide if they want to continue to waive the parking requirement. Member Cocks stated that they could make the expiration of the conditional use permit shorter, such as 3 months, in order to review the parking and pick up/drop off situation. Architect Niemotko stated he is only short by 2 spaces. Engineer O’Rourke commented that Architect Niemotko could potentially provide parking for the two family house at the rear of the house, and free up some more space to add the remainder of required parking for the day care center. Discussion was held by the board regarding parking and when it should be completed. Architect Niemotko noted that 9 more parking spaces are being added for this expansion. Engineer O’Rourke added that a construction cost estimate will be needed.

5. 577 Route 17M – Conditional Use Renewal – (220-5-16.1)

Present: John Loch, PE, AFR Engineering

Chairman Parise commented that there are unregistered cars on the site which are not permitted. Member DeAngelis asked why the cars were there. Member Cocks added that three of the cars are wrecked. Member DeAngelis asked how many businesses are at this site now. Engineer O’Rourke noted that the previous approval was for dumpster storage but that business seems to be gone and now there is a business having something to do with automobiles. There is an addition to a shed on the property, and there are now storage containers on site. Engineer Loch stated the applicant requested an amended site plan because they will no longer be storing dumpsters, now they want to store automobiles. Changes on the site also include a garage bay added to a small shed in the back. The containers which were on site have been removed. Engineer Loch was provided with the building department’s list of issues with the site. Some of these issues could not be evaluated today due to snow cover, however, the applicant stated some of the potholes have been repaired and the garbage cleaned up. As for the vehicles, the applicant claims he has a tenant who purchases lots of off lease vehicles, no wrecks, fairly new vehicles. The applicant states the wrecks are not associated with that tenant, and they are in the process of

being removed. Member DeAngelis asked if these vehicles were for sale. Engineer Loch stated the vehicles are stored and then moved on to other sites. The applicant indicates any plantings that need to be replaced will be done in the spring. Chairman Parise fears the site will become a junkyard and added it is difficult to get this applicant to maintain the property. The board agreed to limit the conditional use for no more than 3 months as he cannot maintain the site. The building department cannot be a baby sitter. The applicant must be responsible for maintaining their site. The board discussed the list of violations from the building department and how to handle this site. Chairman Parise commented the applicant should've come to the building department to discuss the potential changes he wanted to do, instead of making the changes without checking if they were permitted and then the Village has to police everything. That is not the way these things should be handled. The applicant needs to be more responsible. Attorney Reineke noted that the existing conditional use permit expired in February 2017 and was extended for one month to address the violations on the property as well as come up with a new site plan for the new and changed uses on the site. Attorney Reineke informed the board that they cannot entertain any new site plan applications for this site while the site is not in compliance with the original conditional use permit. The applicant needs to bring the site into compliance with the prior approved site plan and conditional use permit. Once the site is in compliance, only then can the applicant return to this board with any proposed changes. Chairman Parise confirmed that the applicant will need to get rid of the unregistered vehicles, clean up the garbage, repair the potholes and take down the new structure built onto the shed before he can make any changes to the site. It was agreed by the board to give the applicant 2 weeks to bring the site into compliance, and if he brings the site in compliance in that 2 week period, then he may submit a new application for the new uses on the site. If the applicant does not bring the site into compliance with the original approved plan, then the building department will issue violations and bring the applicant into court.

6. **Monroe Pharmacy – Site Plan – (220-5-16.31)**

Present: No appearance

Chairman Parise noted that nobody appeared for Monroe Pharmacy therefore there will not be any discussion on this application.

ADJOURNMENT

On a motion made by Member Cocks and seconded by Member Graziano it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:30 p.m.