

**VILLAGE OF MONROE PLANNING BOARD
REGULAR MEETING
JANUARY 25, 2016
MINUTES**

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

ABSENT: Member Wright

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. Shop Rite Plaza – Conditional Use Renewal – (203-2-5)
Present: Ron Kossar, Esq.**

Chairman Parise explained to Attorney Kossar that the Conditional Use Permit for the Shop Rite Plaza expired 10/1/15. The property management company, Brixmor, was notified by the Building Department in September that the Permit was set to expire. They were reminded again in October. When there was still no response from Brixmor, a Notice of Violation was sent in order to get Brixmor to apply to the Planning Board and renew the Conditional Use Permit. Brixmor was notified of the January meeting date. No one appeared at the workshop on 1/20/16. A letter was sent to Mr. Fogarty at Brixmor informing him that he must appear at tonight's meeting since he missed the workshop. Mr. Fogarty responded that he couldn't attend the meeting. Brixmor seems to require the threat of Code Enforcement in order to do anything. This is not acceptable. They need to be good neighbors. They need to understand their responsibility to the Village and their tenants. Mr. Fogarty received a copy of the Conditional Use Permit from last year, with the expiration date and the instructions about returning to the Planning Board for renewal. In addition to not complying with the Planning Board and renewing the Conditional Use Permit, they have not complied with the zoning or the terms of the conditional use permit, such as timely removing snow last winter, and again Code Enforcement has to get involved. There needs to be a resolution to the lack of cooperation Brixmor exhibits. Attorney Kossar offered no excuses as to the behavior of the property management company, felt the fact that Brixmor did not apply for renewal of the Conditional Use Permit was probably an administrative oversight, agreed that Brixmor needs to be more cooperative with the Village, and requested a 2 year renewal period as opposed to 1 year, as 1 year goes by too quickly. The Board disagreed with 2 years and felt that Brixmor has not shown responsibility in maintaining the site and suggested 6 months. Maintaining the landscaping has been an ongoing issue with this site, and during the last renewal Chairman Parise and Member DeAngelis met with the landscaper hired for the site to discuss alternate solutions for landscaping, as the Board understands it is difficult to maintain living plants in the small parking lot islands. A suggestion of pavers in the

islands with movable planter boxes was made but Brixmor turned it down. So now the issue of continuously dying plants will continue. Member Cocks commented that the site must continuously be maintained and cleaned for litter. Chairman Parise noted the damaged wall behind the Shop Rite store which was mentioned in Building Inspector Cocks' memo still needs to be repaired. Parking has also been a continuous problem on the site, and last year the Board requested that Brixmor write to the Monroe Police Department granting them authority to patrol and issue tickets for illegally parked cars on the site, as this is private property. Brixmor has refused to do so. Because of these ongoing, unresolved issues the Board could not agree to extend the conditional use permit for more than 6 months. Attorney Levinson suggested extending the permit for only 90 days, as 6 months brings us into the middle of the summer at a time which would not be conducive for planting. Since the Board has issues with landscaping, 90 days would be April, which is a better time to plant. Attorney Kossar agreed to the extension until April, and added that Brixmor would be putting up the new pylon sign in March as soon as weather allowed.

On a Motion made by Member Cocks and seconded by Member Graziano, it was unanimously **Resolved, that the Conditional Use Permit for Shop Rite Plaza is extended until the workshop meeting of April 13, 2016. The applicant must appear before the Planning Board on April 13, 2016 for review.**

APPROVAL OF MINUTES

On a motion made by Member Karlich and seconded by Member Graziano, it was Resolved **that the Minutes of the December 9, 2015 meeting be approved.**

On a motion made by Member DeAngelis and seconded by Member Karlich, it was Resolved **that the Minutes of the December 14, 2015 meeting be approved.**

ADJOURNMENT

On a motion made by Member DeAngelis and seconded by Member Graziano it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 7:20 p.m.