

**VILLAGE OF MONROE PLANNING BOARD  
WORKSHOP MEETING  
JUNE 8, 2016  
MINUTES**

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

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. Panzarella/Gilbert Street – Retaining Wall – (203-3-1)  
**Present:** John Stramiello, Verticon, Ltd.**

Mr. Stramiello explained that in the process of the Gilbert Street improvements it was discovered that the gas line needed to be relocated into the properties of three property owners along Gilbert Street. Due to the slope of their properties it is necessary to construct retaining walls, which will be built after the installation of the gas line. The homeowners have chosen the Versa-Lok block, Hickory Blend for the color, and the weathered finish. The design of the walls has been approved by Engineer O'Rourke. The applicant is seeking approval from the Planning Board as to the material and color in an effort to coordinate with the retaining walls for the Smith Farm site. Engineer O'Rourke commented that the design is satisfactory, the walls coordinate with the walls on the Smith Farm site, and that of the 3 property owners, 2 have signed off on the specifics and the last is waiting for the Planning Board's approval. As long as the Planning Board approves the material then the last owner will accept the specifics. Chairman Parise stated that the Board's concern is the happiness of the property owners.

**2. Bridges at Lake Park – Site Plan – (211-1-1)  
**Present:** Joseph Haspell, Esq.; Alan Lipman, Esq.; Brian Brooker, P.E.**

Chairman Parise summarized the past 6 months of the project involving the issue of Trustee Dwyer showing an interest in saving the Roscoe Smith house. The Village Board had instructed Trustee Dwyer that in order to pursue the potential restoration of the Roscoe Smith house he would need to come up with a plan and an agreement with the applicant regarding the house and property. To date the Planning Board has not received any status or direction from the Village Board regarding the Roscoe Smith House, other than Trustee Dwyer's interest in possibly restoring it. Chairman Parise contacted Mayor Purcell today to find out what was discussed at the Village Board meeting on 6/7/16 and was informed nothing specific was discussed but Trustee Dwyer stated he would be present at the Planning Board meeting tonight, unfortunately Trustee Dwyer did not show up. Chairman Parise stated at this point the Planning Board is looking for direction from the Village Board and the applicant as to the status and direction of the house and the project. Attorney Haspell stated he attended a

Village Board meeting a few weeks ago where Trustee Dwyer addressed the Village Board and indicated he wanted to attempt to restore the house and although he did not have any money in place to do this restoration, he had ideas on how he could potentially obtain this money. Attorney Haspell stated that the Village Board gave Trustee Dwyer the authority to pursue his ideas. Attorney Haspell subsequently spoke with Trustee Dwyer and informed him that the applicant was willing to work with him to resolve this issue and at that time Trustee Dwyer requested copies of the maps which were provided to him. Another conversation between Attorney Haspell and Trustee Dwyer was held to attempt to come to an agreement which would satisfy Trustee Dwyer but at the same time not delay the project. Attorney Haspell explained that the applicant offered to Trustee Dwyer a solution which would involve two lots within the Bridges subdivision, the one containing the Roscoe Smith house, and the adjoining lot. The offer is to continue with the subdivision and site plan, but give the Village an option to acquire the two lots within a reasonable amount of time, for the price of \$1. The reason for the option and the time limit would be to give Trustee Dwyer enough time to attempt to successfully raise enough funds for the restoration of the Smith house so that the cost would not become a burden to the taxpayers, an issue other Village Board members brought up. If the funds were raised within the time period, and the Village was interested in letting Trustee Dwyer proceed, then the lots would be transferred over to the Village. However if Trustee Dwyer could not raise adequate funds within the agreed upon time period, then the Village would not have the burden of these lots and house, and the lots would remain with the applicant for development per the subdivision and site plan. Discussion was held regarding what a reasonable amount of time would be and somewhere between 2 and 5 years was discussed. This would be a detail to be worked out if and when the Village accepted the offer. Another issue that Attorney Haspell brought up that would need to be addressed is potential liability issues if this venture carries on for too long causing the house to be in such disrepair that it becomes a liability and insurance will not cover it, but added that this too was a detail that could be incorporated into any agreement drawn up between the applicant and the Village. Trustee Dwyer's response to this offer was that it sounded good but he needed time to review the maps first. After Trustee Dwyer reviewed the maps another conversation was held with Attorney Haspell at which time Trustee Dwyer raised questions and issues which predated the court proceeding which led to the Stipulation of Settlement which is currently binding to all parties. Attorney Haspell expressed his concern with the turn the conversations had taken, as they no longer concerned the Roscoe Smith house, and was disturbed to discover that Trustee Dwyer was not aware that there was prior litigation involving this property, not aware of a settlement agreement, not aware of an executed stipulation in place and actually told Attorney Haspell that the stipulation is invalid because it was never signed, which is false. At this point, Attorney Haspell and his client feel they have bent over backwards to accommodate Trustee Dwyer and his quest, but are not willing to revisit and rehash old, settled information, none of which have any relevance to restoring a potentially historic house. The applicant and Attorneys feel that at this point in time there is absolutely nothing in place that should prevent this application from moving forward before the Planning Board. Attorney Haspell wanted it known that the applicant has made every effort to accommodate Trustee Dwyer, an offer has been made to satisfy his venture, and to date no response

to the offer has been given. The applicant is ready to move forward as if this whole episode with Trustee Dwyer has not happened. The applicant represents that during the continued planning board review process, if the Village does chose to proceed with taking the two lots, the applicants offer will still be in place. However once final approval is granted, if the offer has not been exercised it will be lost. Attorney Haspell wanted to make it clear that the applicant is willing to cooperate fully with Trustee Dwyer in his venture, however at the same time the applicant does not want to delay the review process, does not want to incur liability and wants to ensure there is a deadline date so that this does not continue on indefinitely. Attorney Haspell stated that the applicant is ready to move forward now, despite Trustee Dwyer's venture, and is looking for the Planning Board's opinion on this issue. The Planning Board unanimously agreed that Trustee Dwyer has had 6 months to put a plan together and arrange agreements with the applicant but has failed to do so. The Planning Board unanimously agreed that with no communication from Trustee Dwyer and no new action by the Village Board modifying the Resolution made in 2014, this application should move forward. Engineer Brooker stated that he would be scheduling a meeting with Engineer O'Rourke to address the comments in Engineer O'Rourke's 2/26/16 review letter and once those issues are addressed, they will resubmit to the Planning Board. Attorney Levinson asked what the square footage of the houses will be and requested the square footage be noted on the subdivision plan. Mr. Frank stated the houses would be between 2400-2600 square feet each. Member Cocks requested renderings of the homes. Chairman Parise added that a traffic study needed to be updated, the EAF needs to be corrected, and details on blasting, if any, should be provided. Chairman Parise polled the Board and nobody had any additional comments or issues.

Mr. Panzarella, the applicant for the Retaining wall on Gilbert Street appeared and was updated by the Board as to the outcome of the discussion of his application.

**3. YMCA – Discussion – (201-3-1.11)**

**Present:** Michael Sandor , MJS Engineering; Irving Zuckerman, Verticon;  
Ira Bedansky, Ross Muselli, YMCA

Engineer Sandor explained there were a few slight modifications to the County Resolution which was signed and executed by the County Executive. Engineer Sandor will provide a copy of the new Resolution. Letters were received from the two adjoining landowners, Wally's Ice Cream and the Laundromat which were provided to the Board. The Laundromat would like to maintain access to the road as they have today. Wally's is looking to have his deck relocated since it will now be very close to the new road. The adjoining landowners concerns will be addressed in the plans. Chairman Parise noted concern with the possibility of people driving through the parking lot to cut through between 17M and 208 and according to the County's agreement this cannot be used as a cut through. Options need to be considered and presented in order to prevent this being used as a cut through. Engineer O'Rourke stated that the traffic consultant should be coming back with some options to alleviate this issue. Engineer Sandor stated the next step for this project is getting the DOT involved with the intersection. Once the traffic consultant's review is received documents will be submitted to NYS

DOT for review. The Board expressed concern with either of the adjoining neighbors having traffic entering the new road and felt both properties should utilize their exit/entrances onto Route 17M. Attorney Levinson commented on the easement agreement provided and in the agreement it runs to the YMCA's successors in interest, however they do not define what that means and definition is left to the County. Wording in the easement could inhibit resale of the property if the YMCA is no longer using the property. Mr. Bedansky stated it was his understanding that if the YMCA were to leave the easement becomes null and void, and the current property owner was aware of this and okay with the terms. Member Cocks asked who would be responsible for maintaining the driveway. Engineer Sandor stated the YMCA would be responsible for all maintenance. Attorney Levinson stated that the maps should reflect the easement agreement, its recording date, and the maintenance agreement and date, and the Board will need certified copies of both agreements.

**4. 112 Forest Avenue – 2 lot Subdivision – (204-3-1.1)**

**Present:** Mark Siemers, Pietrzak & Pfau

Engineer Siemers described the project as a parcel approximately 1 acre on Forest Avenue between Brooks Avenue and Franklin Avenue and located in an SR10 zoning district. The parcel currently contains an existing single family home. The proposal is to subdivide the lot into 2 lots, maintaining the existing home on a lot of approximately 20,000 square feet, and building a duplex on the new lot which would be approximately 15,000 square feet. Engineer Siemers acknowledges that this is a sketch plan without much detail and agrees to provide full details, topography, site distances etc. The submission for this meeting is only to introduce the proposal to the Board. Attorney Levinson asked what the square footage is of the existing house, and what the square footage would be for the proposed house. Engineer Siemers did not have answers regarding square footage but would have a footprint size as the plans proceed. Attorney Levinson stated that due to prior representations of foot print size versus actual square footage when building permits are submitted is problematic and needs to be addressed in the Planning Board stage. The square footage will be required to be noted on the plans. Engineer Siemers stated engineers will always talk in foot print size. Attorney Levinson stated that due to misrepresentations made in a different project the Planning Board will be requiring maximum square footage sizes to be approved and listed on the maps. Engineer Siemers stated that in order to do that, finalized architecturals will need to be submitted prior to a final approval of a proposed subdivision and that is not a typical request. The Board as a whole agreed that final architecturals needed to be done as they would not accept misrepresentations based on foot print size. Member Cocks asked if there was a garage for the proposed new house as a subdivision and new house would have to fit in with the character of the neighborhood, and the neighborhood has garages with driveways. This sketch shows no garage and parking on the front lawn. That is not acceptable. Member DeAngelis agreed and stated we have learned from issues we have had in the past and are adjusting and changing for the future. Engineer Siemers agreed to address all of Engineer O'Rourke's comments and will submit for a future meeting.

## **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 8:10 p.m.