

**VILLAGE OF MONROE PLANNING BOARD
REGULAR MEETING
JUNE 19, 2017
MINUTES**

PRESENT: Chairman Parise, Members Cocks, 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.

PUBLIC HEARING:

1. **Northeast Community Bank – Site Plan – (214-1-53., 54)**

Present: Larry Torro, PE, Civil Tech Engineering; Jose Collazo, President, Northeast Community Bank; Ryan Karben, Esq.

Chairman Parise noted this was a continuation of a public hearing which was held open due to DOT and 239 responses as well as traffic issues. Engineer Torro noted that DOT responded and requested additional information, which was provided, but no subsequent response has been received. Chairman Parise opened the hearing to the public. No one from the public had any questions.

On a motion made by Member DeAngelis and seconded by Member Graziano, it was unanimously **Resolved, that the Public Hearing for Northeast Community Bank Site Plan be continued to the next regular meeting of the Planning Board on July 17, 2017 to allow for time to resolve NYS DOT and traffic discussions.**

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

Present: Joel Jacobowitz, Owner

Mr. Jacobowitz informed the board his engineer was running late. Chairman Parise asked if anyone from the public was present for the Orange Collision public hearing. No one responded. Since no one from the public was present, Chairman Parise agreed to continue with the regular meeting and revisit the Orange Collision public hearing at the end.

REGULAR MEETING:

1. Northeast Community Bank – Site Plan – (214-1-53., 54)

Present: Larry Torro, PE, Civil Tech Engineering; Jose Collazo, President, Northeast Community Bank; Ryan Karben, Esq.;

Chairman Parise noted for the record that the traffic study for this project was conducted in April 2017, with counts done in March 2017. Counts were not conducted in the summer. It was done while school was in session. Chairman Parise noted that the 239 review was received from the County and commented that it appears the County reviewed the wrong parcel, as there are no wetlands on these lots. Engineer Torro discussed the other 239 comments. Referral has already been made to DOT and Village DPW; the issue of lining up the driveways with the Cumberland Farms driveway had already been discussed and cannot be done as the Bank property does not extend far enough up Freeland Street to do this. The board had discussion on the timing of the signals at Hidden Creek and Freeland, and Route 17M and Freeland and all agreed the timing needs to be adjusted to allow for better flow. Engineer Torro discussed the county comment regarding one way in, one way out and noted that this solution never came up during any traffic studies, evaluations or discussions about the site, and would severely restrict movement on the site. Attorney Karben added that the restricted circulation would significantly compromise the project and the site. This suggestion has never been brought up before and would be problematic. Chairman Parise stated he did have concern with left turns into the site. Engineer Torro stated that forcing cars to make a left turn from 17M to Freeland and then another left off of Freeland is problematic and restrictive. Engineer O'Rourke added that the State most likely would not allow a configuration like what Orange County planning has recommended as it would create an issue with stacking. There would not be enough room to stack the cars. Engineer O'Rourke added that it did not appear that the county consulted any traffic engineers with this suggestion, and would defer the comment to the traffic engineer, but as a civil engineer would not recommend a configuration such as this one. Chairman Parise agreed that DOT and the traffic consultants should evaluate the County's comment. Attorney Karben noted that the upgrade to the site is an overall improvement in safety. Engineer Torro added that there were 3 entrances to the site and it has now been reduced to two. Chairman Parise suggested having a meeting with DOT and the planning board regarding the traffic issues. Engineer O'Rourke offered to contact Kim Henken and send her the County comments and request their input. Engineer Torro stated that the crosswalk comment has already been addressed by the traffic consultants, and the storm water comments were reviewed by Lanc & Tully. Engineer O'Rourke added that the statement that the project will increase the surface of the project site is incorrect. They are not increasing any impervious area. They also note an elevation difference which is incorrect, and refer to wetlands on the site, which is also incorrect, there are no wetlands. It appears Orange County Planning reviewed the wrong site. Engineer Torro agreed the comments did not reflect what was actually on the site. Attorney Levinson noted that the exterior property is not being maintained right now and suggested the weeds be taken care of.

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

Present: Jennifer Lenoci, Owner; Michael Maroff, Property Owner

Chairman Parise noted that the conditional use permit issued 4/17/17 indicated a start time of 3 months after a certificate of occupancy is issued, but at the meeting a resolution was made requiring the terms of the conditional use permit to begin as of 4/17/17. The reason for this was to utilize the back door as the main drop off point right away, as this is an active, operating business. The new location for drop off was made at the rear of the building due to the safety of the children, which was a large part of the discussion during the renewal process. Chairman Parise noted that there is a new sign on the door at the front of the building indicating that door is the main entrance. That sign has to be removed as the main entrance is now in the rear. Ms. Lenoci remembered that the new location at the rear would begin once the work is completed, not before. Ms. Lenoci does not have parking or a place to drop off in the rear until the work is done. Things are working fine now. There are no issues. Ms. Lenoci stated she never would agree to drop off and pick up at the back of the building and requested the board reconsider the terms. Ms. Lenoci added that the front door has always been and still is the main entrance to her business. Chairman Parise advised Ms. Lenoci that due to the safety issues presented with parents parking on Talmadge Court to drop off children, parking in the florist which is a liability to the florist, and otherwise blocking the road, the best and safest solution was to keep her patrons on her property and utilize the rear entrance. The rear entrance is already being used and functional as access to the playground area. Mr. Maroff explained to the board that in order to do the work for the amended site plan, there will be construction vehicles and workers and is concerned having children and parents walking through an active construction zone. Mr. Maroff requested an 8 week extension of the use of the rear door as the main door, in order to have the construction completed. Mr. Maroff agrees that the rear door should be used for the main drop off and pick up but cannot have construction done while children and parents are parking and walking. The board discussed the request and agreed the request was reasonable in order to allow time for the construction to be completed, but a deadline would be imposed in order to ensure that the rear door would be used. If the applicant requires more than the 8 week extension then the applicant will need to return to the board for further discussion.

On a motion made by Member Cocks and seconded by Member Graziano, it was unanimously **Resolved, that the terms of the conditional use permit dated 4/17/17 and amended 5/15/17, specifically regarding the use of the rear door, is hereby extended for a period of 8 weeks from 7/5/17 or until 8/30/17 to allow for time to complete the construction on the property. If the applicant cannot complete the construction by 8/30/17 then the applicant must return to the planning board for further review and discussion.**

4. **Copy Center – Amended Site Plan – (202-1-3)**

No one present

Chairman Parise stated he visited the site and noticed a large mailbox installed with over 20 individual mailboxes and questioned how many tenants were in this building. Building Inspector Cocks stated the 1st and 2nd floors are individual offices and the 3rd floor is an empty attic. The board agreed that the sign needs finishing around the base.

On a Motion made by Member Cocks and seconded by Member DeAngelis it was unanimously **Resolved that the Planning Board declare itself Lead Agency for Copy Center – Amended Site Plan.**

On a Motion made by Member Cocks and seconded by Member Graziano it was unanimously **Resolved that the application be sent to Orange County Department of Planning for 239 review.**

5. **Lenza – Amended Site Plan (Granite Store) – (223-1-4)**

Present: Steve Brown, Hudson Valley Realty

Chairman Parise asked Mr. Brown if he resolved the car situation. Mr. Brown stated he spoke with the tenants and is awaiting a response from them. Chairman Parise noted there is no grass planted in front. Mr. Brown indicated there was grass planted. Engineer O'Rourke and Building Inspector Cocks added that the grass was planted when they did their final inspection. Engineer O'Rourke reviewed the turning radius diagram submitted and stated it needs some work. The vehicle used for the example was a bus, not a flatbed truck. Engineer O'Rourke will forward information to the applicant's engineer regarding specific technical issues they should use. With regard to the actual site plan a lighting plan still needs to be submitted; the height and screening for the outdoor storage area needs to be provided, and the open gate in the front should have slats or screening. Engineer O'Rourke asked for clarification of the use of the dumpster and how to access the dumpster from this side of the lot. Mr. Brown described the additional granite waste roll off which will be in the dumpster enclosure and added there is access through the site to the dumpster. Engineer O'Rourke requested the access be noted on the plans. Engineer O'Rourke added that the turning radius will work, it just needs some tweaking.

On a Motion made by Member Graziano and seconded by Member DeAngelis it was unanimously **Resolved that the Planning Board declare itself Lead Agency for Lenza Amended Site Plan (Granite Store), and it is further; Resolved that the Planning Board refer the plans to Orange County Department of Planning for 239 review as well as to emergency services for their review.**

On a Motion made by Member DeAngelis and seconded by Member Karlich it was unanimously **Resolved that a Public Hearing be set for Lenza Amended Site Plan (Granite Store) on Monday, July 17, 2017 on or about 7:00 p.m. Monroe Village Hall, 7 Stage Road, Monroe, NY.**

6. **Chabad of Orange County – Site Plan – (206-6-1.2)**

Present: John Petroccione, P.E.

Engineer O'Rourke confirmed there was confusion with regard to what was submitted for review, and a complete review has been conducted. Engineer O'Rourke noted that standard technical details have been noted. Bollards are now proposed as part of the handicapped and no parking signs and should be placed to allow pedestrian access to the sidewalk. A construction detail for the drop curb at the entrance to the overflow parking area should be provided. The plans should indicate curbing as well as a sidewalk for Gilbert Street. Construction details for the proposed crosswalk signs should be provided. Engineer O'Rourke recommended a fence around the storm water pond. Engineer Petroccione added that the play area has a picket fence around it, and the whole property has a chain link fence with the pond having its own chain link fence around it. Engineer O'Rourke stated the details on the fencing should be noted on the plan. Member DeAngelis asked if there would be shrubs or other landscaping on the berm. Engineer Petroccione stated all landscaping is outlined on the landscape plan. Chairman Parise asked member DeAngelis if she reviewed the landscape plan and details. Member DeAngelis did not review the landscaping plan. Engineer O'Rourke added that the in perpetuity clause for landscaping needs to be added to the plan. In addition a construction cost estimate should be prepared. The board did not have any additional comments.

7. **Bridges at Lake Parc – Site Plan – (211-1-1)**

Present: Joseph Haspell, Esq., Alan Lipman, Esq.; Liz Mello, Brian Brooker, Brooker Engineering; Mr. Frank, Applicant

Chairman Parise stated that Engineer O'Rourke, the applicant, and Secretary Proulx prepared checklists of outstanding items. These items include:

Village Board

Final determination of ownership of "Dam", storm water basin, roadways and easement areas and all walls

Lot 46 - Demolition/ownership of House /and ultimate responsibility of property

Planning Board

- Traffic Village Consultant -- review report
- SWPPP Village Engineer -- reviewing report
- NYSDEC Permits for sewer extension, stream disturbance and water quality certification
- Plan set Missing Sheets 1 and 2 - Subdivision Plans - Bulk Table, etc.
- Dedication/Easements Applicant to submit to Village for review and approval
- Cost Estimate Applicant to submit for review and approval
- Landscaping Plan (storm water basin) Applicant to submit for review and approval
- Road Design Applicant to review with the Planning Board
- County Comments Applicant to address

- General Comments:

- Individual driveways - or combine - 6 lots - Lakes Road
- Note Knox Box for Emergency access on plans and coordinate with Emergency Services
- Road slope 11.25% versus 10% discuss with the Planning Board
- Response - Notes - Guiderail - Culvert design to be completed by applicant
- Preliminary Approval requirements --- Address all comments/requirements Sub-paragraph 9
- Orange County Sewer District #1 approval required

Building Inspector Cocks noted that a few of the lots as situated on the plan would cause problems for homeowners when wanting to utilize their rear yards. Lot 5 should be turned to face Hill Street to allow for a usable backyard. The way the footprint of the house is now provides for a very large side yard but no rear yard. Lot 10 should be moved forward as close to the front yard set back as possible to allow for somewhat of a usable rear yard due to the retaining walls. And Lot 27 should be rotated slightly clockwise to make a more useful rear yard.

Chairman Parise added that street names need to be addressed; parkland fees need to be calculated, and the traffic study needs to be discussed. Chairman Parise noted for the record that a traffic study was done 1/7/10 with counts done in November 2009, and has been updated again on 4/17/17 with counts done in March 2017. Chairman Parise noted for the record that the studies and counts were not done during the summer. Chairman Parise noted that areas of concern regarding traffic included High Street approaching Lakes Road both from the east and the west, with limited site distance from the east; as well as the intersection with Center Hill Road and Hill Street. Attorney Haspell understood that the only traffic issue to be decided was whether or not a traffic signal was needed and Creighton Manning agrees with Maser Consulting that the area does not warrant a signal. Chairman Parise did not mention a traffic signal, but there are other issues regarding traffic that impact this area. Member Cocks noticed that the recent counts done in March had the counters on the road which were quickly ripped up by snow plows after a snow storm and never replaced. Member Cocks asked if they got enough information, or should those counters have been replaced. Member Cocks added that he lives on Lakes Road and drives these roads every day, multiple times a day and traffic is absolutely an issue, especially when trying to turn off of the side streets. Chairman Parise recommended that both traffic consultants appear at the next workshop to have a discussion with the board and applicant. Member Karlich asked who would be responsible for maintenance of the retaining walls and if it was the Village, would there be some sort of maintenance agreement in place. Engineer O'Rourke responded that the Village is responsible for anything within the right of way. Engineer O'Rourke added that the applicant should review the issues listed in #9 of the resolution of preliminary approval and make sure each comment is addressed. Engineer Mello explained that there will be offers of dedication made to the Village which will include the roads, sidewalks, curbing, drainage easements, retaining walls, as well as the parcel with the existing house and the two parcels next to the house.

Whether the board accepts the offers or not is entirely up to the Village Board. The lot lines have not changed since the preliminary approval in 2008. Engineer O'Rourke commented that if the Village Board were to accept the house, the house would not meet setbacks. Engineer Mello noted that this is the layout from the original subdivision plan, and if the Village took the lots they would own all 3 and could adjust if necessary. Engineer Mello continued that if the Village chose not to accept the house and the lots, then the lots would revert back to the developer, the house demolished, and the lots developed. Engineer Mello noted that at preliminary approval, Lakes Road was a county road and the county required shared driveways to eliminate 7 potential entrances onto Lakes Road. Now that the Village owns this portion of Lakes Road, would the Village be amendable to individual driveways for each lot? An option of placing the driveways back to back along the property lines resulting in 3 larger curb cuts with individual driveways would better serve both the Village and the future homeowners as opposed to shared driveways. A grass strip in between the driveways could be installed delineating the separation. It would still provide for fewer entrances onto Lakes Road, without the issue of sharing and maintenance agreements. Engineer O'Rourke and the board were agreeable to the idea. Building Inspector Cocks questioned how parkland fees would be calculated with the acceptance of the 3 lots being uncertain. Attorney Haspell felt the parkland fees were addressed in the stipulation. Chairman Parise responded that if the Village doesn't take the land for park land, then park land fees will be due.

Chairman Parise noted that the applicant and engineer for Orange Collision have arrived. The board agreed to hold the public hearing for Orange Collision.

PUBLIC HEARING:

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

Present: Joel Jacobowitz, Owner; Ryan McGuire, KC Engineering

Chairman Parise read the public hearing notice into the record. Engineer McGuire submitted the proof of mailings to the board. Engineer McGuire presented the project to the public. He described the project as an existing auto repair and body shop with offices, used car sales, leasing and towing to be moving into an existing building on Route 17M which was formerly Rallye Motors. The rear building will be used for auto repair and body shop. The front building will be offices for used car sales, leasing and towing office. The parking will be overhauled with re striping and some new paving, and a small fenced area will be added at the rear of the property for an impound lot. A dumpster enclosure is being added and some landscaping will be planted along the front of the property in the form of ornamental trees. Signage clarifying one way in and out of the property will be installed. Cross easements have been executed between the two properties for access in and out of 17M and through the property using the existing curb cuts. DOT has reviewed the project and has not required any additional work within the right of way or with ingress and egress. Chairman Parise opened the matter to the public. There was no public comment.

On a motion made by Member Cocks and seconded by Member Graziano, it was unanimously **Resolved, that the Public Hearing for Orange Collision Conditional Use / Site Plan be closed.**

REGULAR MEETING:

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

Present: Joel Jacobowitz, Owner; Ryan McGuire, KC Engineering

Engineer O'Rourke stated the only outstanding issue is the standard village landscaping note should be added to the plan; and the lighting, which is existing, was not turned on therefore a note should be added referencing the existing lighting facilities and that the Building Department should review the lighting after the site is operational and make any recommendations for modification at the time of renewal of the conditional use permit. Engineer O'Rourke stated Orange County 239 came back with local determination. A recommendation from the County noted that there is pavement in the 100ft buffer zone and suggested requiring the removal of this pavement. Engineer O'Rourke noted that the pavement is existing and if removed would cause the lot to not have adequate parking. The board agreed the area has already been disturbed and utilized and is not necessary to require the removal of this pavement. Attorney Levinson commented that a note on the plan refers to the existing use as car dealership. The property has been vacant for well over a year so the use should reflect vacant property with a previous use of a new car dealer. Member Cocks questioned what "car display" meant in the parking lot. Engineer McGuire explained that would be a space to display cars for sale with a regular parking space for patrons behind it. Member Cocks asked if this site was going to be for one company or multiple tenants. Mr. Jacobowitz stated Orange Collision will be the only company using the site. One tenant.

On a Motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that the Planning Board types this application as an unlisted action, and issues a negative declaration under SEQRA.**

On a Motion made by Chairman Parise and seconded by Member Cocks, it was unanimously **Resolved, that the Planning Board grant approval for the site plan for Orange Collision subject to the Building Department reviewing the lighting after the site is operational and make any necessary modifications; correcting the existing use to reflect vacant with a prior use of new car dealership; reference to the cross easements; and all conditions and notes on the site plan dated 5/24/17; and all fees, bonding and administrative actions are paid.**

On a Motion made by Member Cocks and seconded by Member Graziano, it was unanimously **Resolved, that the Conditional Use Permit for Orange Collision is issued for a period of one year from the date the Certificate of Occupancy is issued at which time the applicant must reappear before the Planning Board 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 May 10, 2017 meeting be approved.**

On a motion made by Member Graziano and seconded by Member DeAngelis, it was Resolved **that the Minutes of the May 15, 2017 meeting be approved.**

ADJOURNMENT

On a motion made by Member DeAngelis and seconded by Member Karlich it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:35 p.m.