

**VILLAGE OF MONROE PLANNING BOARD
REGULAR MEETING
FEBRUARY 12, 2018
MINUTES**

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

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. **Monroe Shop Rite Plaza –Verizon Micro Cell – (203-2-5)**

Present: Hyde Clarke, Esq.

Chairman Parise explained that the applicant submitted a new application as they have relocated the proposed antenna to a different location on the same property. Because of the new application, this public hearing should be closed and the board will proceed to the regular meeting to discuss the new application.

On a motion made by Member Karlich and seconded by Member DeAngelis, it was unanimously **Resolved, that the Public Hearing for Monroe Shop Rite Plaza – Verizon Micro Cell be closed.**

Before the regular meeting began, Attorney Levinson informed the applicants that a vacancy exists on the board, and because of that there are only 4 members of board. Any applicant who requires a vote for any item must receive a majority of a fully constituted board, or at least 3 members. All applicants have the option of adjourning their matter until a new member is appointed. The planning board cannot represent when a new member might be appointed.

REGULAR MEETING:

1. **Monroe Shop Rite Plaza –Verizon Micro Cell – (203-2-5)**

Present: Hyde Clarke, Esq.

Attorney Clarke informed the board that after discussion with the board, and understanding the board was not satisfied with the visual aspect of the antenna on the roof of the building, the applicant determined that service could be provided if the antenna was mounted to an existing light pole in the existing parking lot. The light pole chosen is located in the south east portion of the parking lot in front of the beginning of the Shop Rite building. The location was chosen so as not to be immediately visible from Route 17M, or the entrance road into the plaza. The light pole is presently 42' 6" tall and the replacement pole will be the same size, with a small cell antenna on the top. A photo of the proposed pole with antenna was submitted along with a complete new

application, amended site plan and other supporting documents. Chairman Parise asked if the entire pole was being replaced? Attorney Clarke stated that for structural reasons, and because fiber and wires need to be run through the inside of the pole, the entire pole needed to be replaced. The electric will be trenched underground from the pole to the grass area where the electrical panel will be located. Bracketing was discussed regarding safety for anyone parking underneath the pole. Attorney Levinson asked if any parking stalls were going to be lost due to the new pole. Attorney Clarke stated no parking spaces were being eliminated, but the base was going to be slightly larger for support, and he would check into the exact size and advise if the base would encroach into any parking spaces. Engineer O'Rourke stated that structural calculations will need to be provided in order to confirm that the light pole can safely support the proposed antenna and that the structure will be constructed in compliance with all relevant codes and standards. Member Cocks asked if the meter shown on the pole is Verizon's meter, or the utility company's meter. Building Inspector Cocks stated that if it was O&R's meter then it was located too high off the ground as the plan shows 10 feet off the ground. O&R's regulations state the meter can't be over 5 ½ feet off the ground. Attorney Clarke will clarify the meter. Member Cocks wants it shown where the power is coming from. The board agreed that a new public hearing should be held.

On a Motion made by Member Cocks and seconded by Member DeAngelis it is unanimously **Resolved that the Planning Board deny the initial application of Verizon Wireless submitted 7/12/17 predicated upon the change of location of the antenna as well as a new application submitted by Verizon Wireless on 1/29/18.**

On a Motion made by Member Karlich and seconded by Member DeAngelis it is unanimously **Resolved that a Public Hearing be set for Monroe Shop Rite Plaza – Verizon Micro Cell Site Plan on Monday, March 19, 2018 on or about 7:00 p.m. Monroe Village Hall, 7 Stage Road, Monroe, NY.**

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

Present: Michael Merchant, P.E.; Dr. Mohammed Iqbal, Applicant; Hari Godhwani, Property Owner

Engineer O'Rourke stated there was no review sheet needed as we only needed the revision dates placed on the site plan. Other than a typo of the latest revision dated showing 1/25/17 when it should be 1/25/18, the plans are in order. Member DeAngelis commented that she would like to see alternating types of spirea for the landscaping.

On a Motion made by Member Cocks, and seconded by Member Karlich it was unanimously **Resolved that the Planning Board grant approval for the amended site plan for Monroe Pharmacy last dated 1/25/18 conditioned that the two types of spirea plants as submitted in December of 2017 be included as a note on the plan; subject to final review by Engineer O'Rourke; and subject to all conditions and notes on the plans; and all fees, bonding and administrative actions are paid.**

3. YMCA – Discussion – (201-3-1.11)

Present: Michael Sandor , MJS Engineering; Ira Bedansky, Ross Muselli, YMCA

Engineer Sandor wanted to update the planning board on where the project is. The YMCA now owns the property and plans to move forward with their expansion and driveway reconfiguration. Inspire and Ali Press plan to remain on the site, with Ali Press reducing in size to approximately 5000 square feet. The proposal is for a commercial driveway entrance/exit off of Route 17M into the site. Permission has been received to cross the Heritage Trail with the condition that the crossing ceases if the YMCA ever moves from the property. The layout of the building will remain the same. One of the biggest issues at this point is the traffic light at Route 17M and Gilbert Street and dealing with the NYS DOT requirements along Route 17M. There is a meeting scheduled with DOT on 3/9/18. Engineer O'Rourke added that the board will require copies of any approvals from Orange County, DOT, the Village, easements etc. In addition, easements and access coordination with Wally's and the Laundromat will have to be addressed. Other general engineering issues to address include sidewalks, curbing. Chairman Parise asked if the infrastructure was installed when the improvements were made to Gilbert Street from the Smith Farm development. Engineer O'Rourke stated the Village wanted to install the infrastructure when the road was dug up for Smith Farm improvements but DOT would not allow it.

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

Present: Joseph Haspell, Esq., Brian Brooker, Brooker Engineering; Mr. Frank, Applicant

Attorney Haspell informed the board that the applicant went to the Village Board, per the planning board's request, to make it clear to the Village Board how the applicant intended to proceed with regard to the application as well as the offers of dedication of the 3 lots along Lakes Road. Attorney Haspell stated that it was made clear to the Village Board that they intended to proceed through to final approval and upon final approval the 3 subject lots would be offered to the Village for dedication. The Village Board has made no decision. The Village Board was given a one year time frame to decide if they wanted to accept the dedication or not, and if not, then the lots would be further subdivided. The lot with the dam and water is being dedicated to the Village regardless of their decision. The remaining 2 lots surrounding the existing house are the lots in question at this point. Attorney Haspell remarked that the Village Board's response was one of silence. In addition, Mr. Dwyer seemed to be fixated on the idea that 5 lots comprising the entire Lakes Road frontage would be dedicated to the Village, but that was never an offer. It was unclear where the idea of 5 lots came from, as it has always been 3 lots, and remains 3 lots. At this point the applicant plans to complete the engineering issues and move forward. Engineer O'Rourke had several comments regarding stormwater management. Some of the upper lots failed some of the soil testing which needs to be addressed. There were several other technical issues which needed to be resolved as well. Engineer Brooker would review Engineer O'Rourke's comments and communicate with him to resolve these issues. Engineer O'Rourke added that if the Village Board were to accept the two lots surrounding the existing

house, there will have to be a solution to the fact that the lot line runs right through the house. The Village Board would have to make a decision before those lots can be approved. Attorney Haspell suggested that if the Village board does not respond timely, then at the point of approval the final plat would show no lot lines around the subject lots, and if the Village ultimately decided not to accept dedication then the applicant would come back for a minor 2 lot subdivision. Attorney Levinson suggested the planning board write to the Village Board for their answer as this has been going on for 2 years with no response. Engineer Brooker reiterated that the larger lot which encompasses the dams, water, and other artifacts, is being dedicated to the Village regardless of whether the Village decides to take the 2 lots surrounding the existing house. Member Cocks stated the concept of Neil Dwyer wanting all 5 of the lots along Lakes Road is a new one and asked if Attorney Haspell knew why he wanted all of them and what he planned on doing with them. Attorney Haspell stated that he was told by Mr. Dwyer that he intended to make it a performing arts center. The board was confused by this and asked where parking would go for a performing arts center? How could that area handle that kind of traffic? This is a residential district. Is he aware there is a road proposed to run directly between those lots? Attorney Haspell had no response or comment regarding Mr. Dwyer's plan, he was simply reiterating what he was told. The board voiced their frustration over the silence and lack of communication and decision making by the Village Board over this issue as it has been lingering for at least 2 years now. Discussion was held about writing a letter because the board was concerned they would get no response anyway. Attorney Levinson felt that if the planning board sent a letter to the village board, at the least it put the village board on record that the planning board requires their decision, and that the village board is delaying this process. Debbie Behringer, Village Trustee, was present in the audience and was asked to clear up some of these issues. Trustee Behringer stated she was confused by what she was hearing and felt the Village Board was being told different stories than what was said tonight. Trustee Behringer stated that the Village Board was informed they were able to acquire the house and 5 lots along the whole frontage of Lakes Road. That's what she was led to believe. Trustee Behringer represented that she was present to take notes on Mr. Dwyer's behalf as Mr. Dwyer could not attend this planning board meeting. Trustee Behringer acknowledged to the planning board and applicant that she has been hearing of this issue for the two years she has been on the Village Board, and added that she is totally confused, as what she heard at this meeting was completely different from what she's been told by Mr. Dwyer. Attorney Haspell understood how Trustee Behringer could be confused as Mayor Purcell has always understood the details with the 3 lots being offered for dedication, but Trustee Dwyer has always had insinuated that the offer was always for the 5 lots. Attorney Levinson suggested that Attorney Haspell put on the record what the official offer is. Attorney Haspell stated the offer of dedication is lots 44, 45 and 46. Lots 44 and 45 surround the existing house and are the lots that the Village Board needs to make a decision on. Lot 46 surrounds the water area and is being dedicated to the Village regardless. Engineer Brooker added that these 3 lots were part of the preliminary approval granted for this project, as well as in the stipulation of settlement in prior litigation. This has never changed. Trustee Behringer was shown these lots on the subdivision map for clarity. Trustee Behringer asked if this offer meant the house was

coming down. Attorney Haspell said no, the offer includes the house as well as any artifacts located on these 3 lots. Trustee Behringer was informed that all 5 lots along Lakes Road was never a consideration. Attorney Levinson added that the Village Board made a resolution in 2014 to not accept the 2 lots which include the house, due to the exorbitant cost estimate they received to repair and renovate the structure, deal with asbestos abatement, and bring up to code. That resolution still stands today. Chairman Parise stated that this board needs to move forward to completion on this project with the applicant, and the Village Board needs to make a timely decision on the lots. If the Village Board chooses to remain silent this board will still move forward. Chairman Parise added that streetscapes and renderings have yet to be submitted. Square footage also needs to be noted on the lots. In addition, the board needs to decide on street names.

5. 112 Forest Avenue – 2 Lot Subdivision (204-3-1.1)

Present: Mark Siemers, PE, Pietrzak & Pfau

Engineer Siemers described this project as a 2 lot subdivision on Forest Avenue. Lot one would encompass an existing single family home which would remain, and on lot 2 it is proposed to build a single family home. The project was originally to build a two family house on the new lot but due to the timing and the moratorium and the code change, two family homes are no longer permitted, therefore a single family home will be built. Engineer O'Rourke discussed the new definition for basement since this appears to be a walk out basement. Depending on how much of the basement is exposed, the basement could be considered a story, which would limit the number of stories which could be built above. Another issue would be the location of the guide rail along a portion of the property which could be an issue if the board wanted to require sidewalks. Chairman Parise added that streetscapes and architectural renderings should be provided for the new home as well as square footage. Engineer O'Rourke stated the plan indicates 4,500 sq. ft. per floor. Chairman Parise asked if this was for one family. Engineer Siemers stated it was one family. Member DeAngelis felt that size house would be oversized for the lot. Member Cocks added that the new house needs to fit the character of the neighborhood.

6. 296 Schunnemunk St. – 2 Lot Subdivision (202-1-9.21)

Present: Mark Siemers, PE, Pietrzak & Pfau

Engineer Siemers described the project as an existing lot with a duplex currently under construction. The owner is now looking to subdivide the property into two lots, carving out one lot for the duplex, and creating a flag lot for a single family home. Chairman Parise stated that architectural renderings and streetscapes need to be submitted, along with square footage of the proposed house. Engineer Siemers stated he received Engineer O'Rourke's comments and would address the issues. Engineer O'Rourke noted that the driveway is very steep and long and close to a neighboring gravel driveway. In addition the proposed driveway for the duplex under construction is also nearby, and suggested possibly combining some of the driveways. Engineer O'Rourke noted that the same comment about the basement applies to this house as well.

Member Cocks asked why lot 1 is proposed to be so small and suggested moving the line over to give some more yard to lot 1. Member DeAngelis stated that sidewalks need to be added.

7. **Monroe Ambulance – Amended Site Plan – (220-3-1.2)**

Present: Robert Minicucci, PE; Nancy Peifer, Monroe Ambulance

Chairman Parise noted that the 239 review came back from the County with no recommendations and local determination.

On a Motion made by Member Cocks and seconded by Member Karlich, it was unanimously **Resolved, that the Planning Board approve the Amended Site Plan last revised 12/1/17 for Monroe Ambulance for a proposed free standing LED sign subject to all conditions and notes on the plan, and all fees, bonding and administrative actions are paid.**

APPROVAL OF MINUTES

On a motion made by Member DeAngelis and seconded by Member Cocks, it was Resolved **that the Minutes of the January 17, 2018 meeting be approved.**

On a motion made by Member Karlich and seconded by Member DeAngelis, it was Resolved **that the Minutes of the January 22, 2018 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 8:25 p.m.