

**VILLAGE OF MONROE PLANNING BOARD  
REGULAR MEETING  
MAY 14, 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. **ACP Kmart Plaza – Amended Site Plan – (222-1-5.1, 5.2)**

**Present:** Larry Torro, PE, Civil Tech Engineering

Chairman Parise read the public hearing notice into the record. Engineer Torro submitted the proof of mailing of the public hearing notices. Engineer Torro described the project as a partial demolition and reconstruction of an existing 50,000 sq. ft. building to allow for a new Planet Fitness (20,000 sq. ft.), and an Auto Zone (6,950 sq. ft.). Phase 2 of the project involves a new pad site of 5,500 sq. ft. which does not yet have a tenant. No new additional impervious work is to be done, the existing footprint of the building will be used. Some additional parking is proposed to be added in between the buildings with some new landscaping. Chairman Parise opened the hearing to the public.

A woman from the public asked how much additional parking would be added and voiced concern that Orange Regional Medical was in the same shopping center which would utilize a lot of parking especially for urgent care. Engineer Torro stated there is adequate parking within the plaza, but 22 additional parking spaces are proposed in between the new Auto Zone and future pad site. The same woman asked what the reason was to allow another Planet Fitness since we already have one by Shop Rite. She was informed that the gym by Shop Rite was called Retro Fitness and was a different company. She complained that we have so many gym's around here now why would be adding an additional gym to the area and what benefit would that be to the Village of Monroe? Engineer Torro explained that Planet Fitness' corporate offices determine where they want to locate their facilities. Chairman Parise explained that as long as the use is permitted in Village zoning, which this use is, it is the applicant's right to rent their space. Member DeAngelis added that there is no regulating which business can open; the type of use is the only thing that can be regulated. There were no further questions from the public.

Attorney Levinson informed the applicant that there are only 4 board members on the board due to a vacancy and because of this, any action made by this board must be by a majority vote of the fully constituted board. Attorney Levinson advised the applicant that he has the right to request an adjournment of this application until such time as a

fully constituted board is in place. The board does not know when a 5<sup>th</sup> member will be appointed. Engineer Torro understood and was ready to proceed.

On a motion made by Member Cocks and seconded by Member Karlich, it was unanimously **Resolved, that the Public Hearing for ACP Kmart Plaza Amended Site Plan be closed.**

### **REGULAR MEETING:**

#### **1. ACP Kmart Plaza – Amended Site Plan – (222-1-5.1, 5.2)**

**Present:** Larry Torro, PE, Civil Tech Engineering

Engineer Torro stated he submitted an amended site plan showing a proposed sidewalk on the Still Road side of the property as was requested by the board and discussed at the workshop meeting. Engineer Torro showed a sidewalk along the back of the curb parallel to the parking spaces and ending at a crosswalk at the entrance by Star Liquors. Member Cocks asked about the lighting and commented that the lighting in the back is not adequate. Engineer Torro understood and made modifications to the plan adding a double head to the pole out front, and by adding additional wall packs on the existing building. Member Cocks felt those adjustments would help and added that a double head should be placed on the pole in the back as well. Engineer O'Rourke added that the notes discussed at the workshop need to be added, a time frame for the temporary parking/pad site should be agreed upon by the board, and sidewalk updates are the outstanding engineering issues. A construction cost estimate has been submitted and was approved, however with the additional sidewalk the cost needs to be modified. Chairman Parise asked if Engineer Torro confirmed with County sewer if they had enough capacity. Engineer Torro explained that County sewer will not provide anything in writing ahead of time but that when you apply for the sewer permit, getting the permit is their indication that there is enough capacity. If there is not enough capacity they will not give you the permit. Member DeAngelis commented that some of the shrubs in the existing islands are dead and need to be replanted. Member Karlich asked if the back of the shopping center was going to be painted and cleaned up? The back of the shopping center is a mess. Engineer Torro stated the rear would be blacktopped and cleaned up.

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.**

#### **2. Threetel 2 Lot Subdivision – (203-3-3.2)**

**Present:** Larry Torro, PE, Civil Tech Engineering

Chairman Parise stated he drove through the property after the last workshop meeting to check the slope of the driveway per Member Karlich and DeAngelis' concern. Chairman Parise stated the driveway is fine and the slope is not dangerous and not an issue. Chairman Parise stated the note required for the improvements were added to

the plan and Attorney Levinson stated he reviewed the note and found same acceptable.

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 Member Cocks and seconded by Member Karlich, it was unanimously **Resolved, that the Planning Board grant subdivision approval for Threetel 2 lot Subdivision last revised 5/11/2018; all fees, bonding and administrative actions are paid.**

Engineer Torro submitted a request for a field change on the Threetel Amended Site Plan approval. The board agreed to discuss the field change.

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

**Present:** Larry Torro, P.E., Civil Tech Engineering

Engineer Torro requested a field change for the concrete island to be installed along Route 208 to allow for color stamped concrete as opposed to brick pavers. Building Inspector Cocks and Engineer O'Rourke felt that stamped concrete would be easier to maintain and was a better material for that entrance. The board agreed that stamped concrete was a better fit and discussed what color the stamped concrete should be.

On a Motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that the Planning Board grant approval for the field change of red colored stamped concrete for the concrete curb island along Route 208.**

**3. 104 Elm Street – Conditional Use Renewal – (207-2-8)**

**Present:** Michael Sandor, PE

Chairman Parise stated that the terms of the site plan are not being complied with. Cars are parking on the lawn, the grass needs to be repaired, and there are materials and debris being left outside. Because of this, the board cannot renew the conditional use permit. The applicant needs to ensure that they are in compliance with the approved plan. If the applicant is interested in amending their site plan with more parking that would be for a separate application at another time. For now, the applicant must come into compliance with the current approved site plan, otherwise the conditional use permit will not be renewed and the applicant cannot continue to operate. Engineer Sandor spoke with the applicant and they agree and understand and will clean up the site.

On a Motion made by Member Cocks and seconded by Member DeAngelis, it was unanimously **Resolved, that the Conditional Use Permit for 104 Elm Street is temporarily continued until 6/18/18; and it is further resolved that the applicant will ensure that parking will be discontinued on the lawn area; that the lawn area**

**will be repaired and reseeded; and that all materials will be stored inside; and that deliveries will be made in the driveway, not on the street; and that all terms of the approved site plan will be complied with; and it is further Resolved that the applicant must reappear before the Planning Board at the workshop on 6/13/18 at which time all issues must be addressed and the applicant is to be in compliance.**

**4. Shop Rite Plaza – Conditional Use Renewal – (203-2-5)  
No appearance**

Chairman Parise acknowledged receipt of a letter from Attorney Kossar confirming that Brixmor Property Group would replace the dead shrubs on the front entrance embankment and replace the smashed islands located in front of Retro Fitness and the Post Office by June 1, 2018. Chairman Parise added that he would like to see the bullet item #4 from the prior conditional use permit regarding parking of post office employees remain on the conditional use permit. Attorney Levinson stated that the issue the last time was that there was no certain date as to when the post office lease would be up for renewal. The board also wanted to keep the snow removal conditions on the permit, as well as maintaining the plantings as per the last approved planting plan. It was added that all of the uses within the plaza requiring conditional use are now included under the one permit for the plaza as a whole, which includes Retro Fitness and Verizon Wireless cell antenna. Attorney Levinson suggested extending the conditional use permit for a month for confirmation of the status of the post office lease and whether the designated parking area has been included in the new lease.

On a Motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously **Resolved, that the Conditional Use Permit for Monroe Shop Rite Plaza is temporarily continued until 6/18/18 to ensure compliance with the planting replacement and repairs of the concrete islands; and to obtain status of the post office lease and designated parking areas.**

**APPROVAL OF MINUTES**

On a motion made by Member DeAngelis and seconded by Member Karlich, it was unanimously **Resolved that the Minutes of the April 11, 2018 meeting be approved.**

On a motion made by Member Karlich and seconded by Member DeAngelis, it was unanimously **Resolved that the Minutes of the April 16, 2018 meeting be approved.**

**ADJOURNMENT**

On a motion made by Member Cocks and seconded by Member DeAngelis it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 7:35 p.m.