

**VILLAGE OF MONROE PLANNING BOARD
WORKSHOP MEETING
SEPTEMBER 12, 2018
MINUTES**

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

ABSENT: Member Karlich

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

Present: Mark Siemers, Pietrzak & Pfau

Engineer O'Rourke stated the public hearing was closed last month; revised plans have been submitted and all outstanding engineering items have been addressed. Engineer O'Rourke added that a fence should be installed on the top of the retaining wall due to the height of the wall. The Planning Board Attorney should review note #13 to confirm its acceptability with the cross easements. Chairman Parise apologized to Engineer Siemers regarding the discrepancy from a prior meeting over the square footage issue, Engineer Siemers was correct. Chairman Parise reviewed the comments received from the public. The issue of water runoff raised by the neighbor has been addressed with the addition of the dry well. The concern of site distance out of the driveway has been addressed by Engineer O'Rourke and found acceptable. The project meets all zoning and conforms to Village Code. Chairman Parise asked the board if they had any additional comments or concerns. Member DeAngelis asked if any written comments were received for the public hearing. Secretary Proulx stated no written comments were received. The board had no additional comments. Chairman Parise discussed a comment raised at the public hearing regarding the existing house supposedly being inhabited by numerous people. Building Inspector Cocks stated he was at the house last week for an inspection and it is a single family house being rented to a family, the owner is registered and the property is in full compliance. Chairman Parise stated that all concerns raised at the public hearing have been addressed.

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

Present: Brian Brooker, PE, Brooker Engineering; Mr. Frank, Applicant

Engineer O'Rourke was able to briefly review the submission, however due to the late submission was not able to do a complete review yet. The subdivision plats still need to be reviewed, and then there are numerous outside agency permits which need to be obtained such as the ACOE permit, the DEC permit, OC Sewer permit, cost estimates,

easements and dedications, and Orange County planning comments. Chairman Parise informed Engineer Brooker that since the submission was sent over a week after the submission date a complete review has not yet been completed. Chairman Parise added that the matter was placed on the agenda so as not to delay the applicant, but our engineer will need some time to review. Engineer Brooker fully understood. Chairman Parise added that the issue with the Village Board regarding acceptance or non-acceptance of the existing house and lots still needs to be resolved. Also, retaining wall ownership and cross easements still need to be provided and reviewed by counsel. Engineer O'Rourke added that this board does not grant conditional approvals, therefore these issues all need to be addressed prior to any approval. Engineer Brooker did not feel this was typical or reasonable to not allow conditional approvals. Chairman Parise stated the board prefers to have everything completed before issuing any approvals. Engineer Brooker stated that this makes it very difficult to finish by requiring all permits ahead of time. Member DeAngelis added that this board does not give conditional approval. Engineer Brooker felt this was a burden for all the permits they would need. Engineer O'Rourke outlined the permits needed: ACOE, DEC, OC Sewer, a construction cost estimate needs to be submitted, easements and offers of dedication, parkland fees, SWPPP, Orange County Planning comments to be addressed, and the Village Board disposition of the existing house and lots. The issue of renderings of the proposed homes was brought up, however Mr. Frank stated he did not want to discuss this without his attorney present. Engineer Brooker asked how they were supposed to resolve the issue with the Village Board. Engineer Brooker felt the option proposed, with placing the house and lots in the last phase to give the Village Board time to make decisions was a viable option. Chairman Parise stated that option was not unacceptable, however there are procedures through Village code which must be followed prior to him being permitted to signing any plans. One of those procedures is the collection of fees in lieu of parkland which according to code must be done prior to signing plans, but cannot be determined until the Village Board decides whether or not they are going to accept the house and lots which creates complications that only the Village board can remedy. To date no direction has been received by the planning board from the village board as to how to proceed. The planning board has no authority to waive any requirements of the village code. If the Village board wants to waive certain code requirements, then they have to provide that in writing to the planning board. Until that happens the planning board cannot deviate from the code. Another issue the village board has to address is the lot line running through the existing house, but again this would be discussed if they were to accept the house. It would be in the applicant's best interest to discuss these issues with the village board and resolve the issues with them. Engineer Brooker stated they already went to the village board and has had no response. Chairman Parise responded that we have a different village board now, a new mayor and two new trustees. Attorney Levinson suggested the applicant's attorney contact the village board to determine what their position is, and any correspondence should be copied to the planning board so that the planning board is informed. Mr. Frank voiced his frustration with the village board, as he has approached them to make a formal offer, but he cannot force them to make any agreements if they don't act. Attorney Levinson understood Mr. Frank's frustration but the planning board does not know what the village board intends to do and without

direction from them the planning board cannot act. Mr. Frank said he is fine with paying the parkland money, he is fine giving the house and lots, he doesn't care he just wants to move forward. What happens if the village board never makes a decision, never gives a direction. Chairman Parise understood Mr. Frank's frustration but added that the planning board can't change procedure without the village board's direction. The planning board has no jurisdiction to waive parkland fees, or make decisions on accepting property; those are village board issues which need to be addressed between the applicant and the village board.

ADJOURNMENT

On a motion made by Member DeAngelis and seconded by Member Cocks it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 7:40 p.m.