

**VILLAGE OF MONROE PLANNING BOARD
WORKSHOP MEETING
NOVEMBER 14, 2018
MINUTES**

PRESENT: Chairman Parise, Members Cocks, DeAngelis, Karlich, 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.

Chairman Parise announced that the YMCA cancelled so will be removed from the agenda.

1. 310 Schunnemunk St. – 2 Lot Subdivision – (202-1-7.2)

Present: Larry Torro, PE, Civil Tech Engineering

Michael Aiello, PE was present as an alternate engineer for the Village due to a conflict with Lanc & Tully.

Engineer Aiello discussed his comments. Engineer Aiello stated the cul-de-sac was a unique configuration and understood that emergency services voiced some concerns which have been addressed. Engineer Torro stated the circle portion was enlarged to accommodate the fire department vehicles. Engineer Aiello noted there were drywells proposed and connected to the catch basins and suggested DPW review for acceptance as they are located within the ROW. If there is an overflow outlet with the drywells then the location of discharge should be specified and labeled. Engineer Aiello added that the size and material of the existing water main along Schunnemunk Street should be labeled on the plan; the water department should specify how the connection is to be made and details should be noted on the plan; the hydrant should be located at the very end of the proposed main for flushing purposes; and Department of Health approval will be required for water and sewer extensions. Referrals for 239 OC sewer, Town of Monroe and Water Dept. as well as a public hearing will be required. Member Cocks asked why an 8" line was being proposed for only two houses.

2. Review of Draft Local Law #7 FAR

Chairman Parise confirmed that the board had the opportunity to review the draft local law #7 establishing maximum gross residential floor area ratios for dwellings within certain districts. Chairman Parise questioned why the chart ended at 20,000 sq ft of lot area, and was looking for clarification on what to do on larger lots. Engineer O'Rourke noted that the square footage of the lot would be multiplied by the ratio to determine the

maximum square footage. Member DeAngelis questioned where the numbers in Maximum FAR column came from. The board agreed they would like clarification as to how that number was achieved. What is the FAR based on? What is the reasoning? The board did not dislike the concept but wanted more clarification as to where the actual numbers came from. Attorney Levinson submitted comments regarding certain verbiage. A letter will be drafted to the Village Board with all comments.

3. Review of Draft Local Law for Adaptive Reuse of Buildings Listed on the National and State Registers of Historic Places as a Special Use Permit.

Chairman Parise confirmed that the board had the opportunity to review the draft local law for adaptive reuse of buildings listed on the national and state registers of historic places. Chairman Parise commented that his first thought in reading the law was why was this being done? Has a need been presented? Many of the aspects of this law are already in our zoning code and it is unclear why this chapter is necessary.

Senior Housing - A law was adopted a few years ago, 200-49.3, which covers senior housing in the village. This new law contradicts many of the aspects of the law which already exists and it is not clear why the village board felt the need to adopt another law on top of what already exists. Chairman Parise felt that most buildings which were historic were traditionally small, and when you look to allow senior housing, small buildings would not typically meet the need. Attorney Levinson questioned the logic of a lot area requirement which focused on "square footage per senior citizen". Attorney Levinson also questioned what happens if there is a married couple who are senior citizens, will this accommodate them? The board questioned where the age of 62 came from and noted the conflict with the age of 55 already in the code. In reading the description of senior housing and the proposed accessory uses, the description sounds more like a boarding house than an assisted living facility. The board voiced concern over the term "community room". Any amenities for residents should not be open to the public community. The restriction on exterior illumination is vague and should be clarified. The existing senior housing law requires a market study to determine need. This draft law should reflect the same requirement. Discussion was held regarding multi floor buildings which could be used for senior housing, and wouldn't they have to meet certain ADA requirements and fire code requirements. These alterations could affect the historic character of the building. Was an historic building really a good fit for senior housing?

Chairman Parise added that the proposed law as a whole is scattered and does not offer much guidance for the planning board when reviewing proposed applications. The proposed law attempts to permit uses in historic buildings in zones where the uses are not permitted, but there are no guidelines provided on how to review them. Discussion was held by the board regarding the terms of the draft law. Member DeAngelis stated that in order to determine if a building was historic the village would have to hire an historic architect who specialized in these types of buildings. The board felt it would be difficult to find such a specialist. The board questioned if emergency services had an opportunity to review this law.

A list of historic houses in the village was provided by Engineer O'Rourke. Of the 30 homes on the list, 2/3 of them did not meet the bulk requirements of lot area and/or lot width outlined in the draft law. A law that would cause 2/3 of the properties to have to apply for variances is not smart zoning. When a zoning law is crafted it should be tightened up so as not to cause the need for multiple variances. This draft law as written would require most of the properties to have to apply for variances which is not intelligent zoning.

The board would like to see what need generated this law. The board was concerned that these proposed uses could be permitted in any zone if the building was historic. It is disturbing to think a historic building located in a residential district could be converted into office space. The board was not accepting of allowing office use in residential districts. The law appears to be spot zoning and contradicts the zoning we have today.

Chairman Parise asked if the building department has had issues with people owning historic homes and not being able to use their buildings. There were no issues. How many inquiries have there been to open an arts and crafts studio? A museum? Building Inspector Cocks stated there have been no inquiries.

It was questioned if all of the individuals who currently owned the historic buildings have been made aware of this proposed law?

There was concern that some aspects of this law made certain uses which were already permitted now subject to special use permit review, thus creating a hardship to those owning historic properties. For example, today a historic property in the CB district can have office space as a permitted use, but under this new law they would require a special use permit and planning board review. Why? Which regulation would be followed? The permitted use in the district? Or this law?

The draft law provides for a certificate of compliance to be issued every 3 years. Special use permits are typically issued for 6 months at the onset, and then usually once per year. In addition, senior housing would fall under the village's rental law which requires inspections and registration once per year. The 3 year term is conflicting with what is already established in the code. For the safety of seniors the most frequent time period review/inspection should be considered, and all terms should be consistent, not conflicting with each other.

The board felt that the requirement of a public hearing should not be permitted to be waived. Parameters for site plan review were not provided. Lighting was discussed in a restrictive way, but parking, traffic, ingress/egress, have not been addressed.

The board felt the law was written poorly; the terms are scattered; it appears as a type of spot zoning; it conflicts with existing law; procedure was not followed when drafting the law; should have consulted with the planning board, building department, legal, engineering when drafting the law, not upon adoption.

A written response outlining the boards concerns will be presented to the Village board.

ADJOURNMENT

On a motion made by Member Cocks and seconded by Member Karlich it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 7:45 p.m.