

Town of Monroe Planning Board Regular Meeting MINUTES

— 03/15/2022

Town of Monroe Planning Board Regular Meeting (Tuesday, March 15, 2022)

Generated by Norinne McSweeney

DRAFT

Members present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Members Absent:

Jason Czerwinski

Vacancies:

two

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Public Hearings

Action, Discussion: 2.1 **DG Management** (0172-2019) SBL # 69-1-1.2 Schunnemunk Road

John Queenan - Lanc & Tully

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby motion to open the public hearing for DG Management located at SBL # 69-1-1.2 Schunnemunk Road Monroe NY

Motion by Chairperson - Bonnie Franson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Absent: Jason Czerwinski

Mr. Queenan reviewed the project:

cluster subdivision 9.5 acre parcel of land along Oreco Terrace

cluster subdivision of 9 lots 15 residential units 3 single family dwellings and 6 duplex dwellings

number achieved by conventional plan to yield 15 lots
cluster subdivision reduces down to 9 lots
kept unit count the same to 15
tenth lot 10 for remainder of property open space of 1.65 plus the O&R easement
the lots range in size from a net lot area of 10,500 square feet to maximum of approximately 15,500 square feet
the property is located in the SR10 Zoning with a minimum lot size of 10,000 square feet
access will be through an extension of a road being constructed in the village extending the cul-de-sac an additional 400 square feet into Schunnemunk Road, all the units will have access off the cul-de-sac which will be proposed for dedication to the town
all lots will be serviced by private well and municipal sewer through Orange County Sewer district # 1
extensive review with the Planning Board
prepared a significant landscaping plan
1 light at the end of cul-de-sac
under review by OC Sewer and the DEC
we have completed a full SWPPP
Planning Board has declared a negative declaration

Chairwoman Franson opened the meeting up to the public regarding this application and offer comments

Ward Brower Conservation commission Town of Monroe:

What is the maximum density per dwelling and how many people per dwelling maximum?

Mr. Queenan that is a question that I can't answer each unit will have 5 bedroom minimum of 5 up to 8-10 people if you are figuring 2 people per bedroom.

Chairwoman Franson addresses Ms. Torre don't want to close the public hearing tonight should we just hear consultant comments or what do you suggest

Ms. Torre you can keep it open and have a general discussion this evening or you can move on to the next project

Chairwoman Franson once we close the public hearing we only have 62 days to make a decision and we don't know what the status of the ZBA determination is.

Mr. Queenan ZBA held public hearing in February and the hearing was closed, there has been no decision made at this time so they are on the 62 day clock. They will have to make their decision by the April meeting. If you so chose to close the public hearing the applicant can relieve the board of the 62 day time clock.

Ms. Torre for the board keeping it open might be two-fold where you might also want to ensure that there's going to be no changes to the plan as a result of the ZBA process that the public should have the opportunity to comment on, and if we leave it open and changes have been made it won't be necessary to re-notice the hearing.

Mr. Arnott no comments for tonight

Ms. Torre nothing for tonight

Member Manson relation to the SWPPP and the drainage it is going to primarily flow into trap from there where to does the water go?

Mr. Queenan down through the proposed village street to connect to the proposed extension of drainage from Schunnemunk out to RT 208

Member Manson what method will it go village?

Mr.. Queenan piped through

Village has signed off and at DPT for review

Chairwoman Franson where are we with the Village in regards to the section not in the town?

discussion regarding the status of the road and what the village decision is and what other options will be available. Attorney reaching out to the Village attorney to get their standing on the matter.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to continue the public hearing at the April 14, 2022 meeting.

Motion by Chairperson - Bonnie Franson, second by Jeff Manson.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Absent: Jason Czerwinski

Action, Discussion: 2.2 **J Squared HH RD** (0191-2021) SBL # 47-1-16 Harriman Heights Road

Michael Morgante - Arden

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to open the public hearing for J. Squared at Harriman Heights Road.

Motion by Chairperson - Bonnie Franson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Absent: Jason Czerwinski

Presentation:

2 lot subdivision off Harriman Heights Road near intersecting on 17m and Village of Harriman
SR15 Zoning district

municipal water and sewer proposing to connect to

meets all bulk requirements for this zone

2 individual lots are .46 acre in size

proposing a 4 bedroom maximum dwelling on each lot

extensive review by the Planning Board predominantly the tree plan

Received comments from Karen Arent Landscape Architect Consultant those comments have
been addressed in the current submission

noted some comments from the planning board engineer regarding the tree plan minor
housekeeping items

we have correspondences from the Village of Harriman for inclusion into the water district

there is a resolution that will be sent to the board

received permits from OC Sewer District #1 for connections to the sewer

waiting on responses from OCDPW for the actual permits for driveway, but we do have
conceptual approval waiting for final approval

Chairwoman Franson opened the meeting to the public that would like to speak on this
application

Jamel Evans 404 Harriman Heights Road

where is this project located?

any parts of drainage plan in question as that intersection floods heavily when it rains

Mr. Arnott what intersection are you referring to?

Mr. Evans Rt. 17M & Harriman Heights Road

Mr. Evans continues:

what intention of 2 lots

who is the owner of these lots and can we see what else they have done in the area

where are the houses going to actually be

Chairwoman Franson answered the questions:

reviewed the plans pointed out where the houses would be located

both lots will front to Harriman Heights Road

they are single family homes

it is a wooded area so there will be tree clearing, part of the review is to retain some of the
vegetation and then supplement with additional vegetation

Mr. Morgante:

drainage 2 single family limit of disturbance is less than 5 acres possibly even less than 1 acre, stormwater management from a quantity standpoint and a quality standpoint as it relates to NYS DEC SWPPP is not required typically a small project like this does not generate significant amounts of run off that would impact anything down stream of it. As far as an actual development of a drainage mitigation plan nothing has been prepared.

The project has been reviewed by OCDPW and initial comments had no concerns with the drainage. We have prepared an erosion and sediment control plan to deal with any erosion or sedimentation that might occur.

In regards to the landscaping the tree survey plan has a lot of time and effort to mark all trees on sight over 6" in diameter, there is an extensive tree survey table noted trees being removed and also a tree replanting plan

in addition to tree planting proposed there is an existing stone wall being relocated to the frontage along Harriman Heights Road

in between dwelling and property line we're proposing to plant white furs, eastern red buds, dogwoods, red maple. This plan has been accepted by the Landscape Consultant
Owner Paul Edwards

Jamel Evans wants to get neighbors comments regarding the woods as they are very familiar with the area

Will there be another hearing for them to be heard?

Chairwoman Franson the meeting notice was sent certified notice, you as the general public can reach out to them that is not something we control. The board has to decide if whether to keep the public hearing open or adjourn it and that depends on what items are still outstanding and how close we are to completing the process. If the hearing is closed tonight you can still submit via email any comments before the next meeting for us to consider.

Member Shea would just like to clarify what your concerns are flooding, drainage, trees being removed and replanted, changes to the neighborhood.

Jamel Evan yes I live next door to where this property is and I do get some flooding there. Going to miss the trees thought it was protected land.

Ward Brower Conservation Committee Town of Monroe

Selection of white fur not native of this area what is the purpose of them just purely for aesthetics and landscaping or is it to replace a native species?

Chairwoman Franson will ask the Landscape Architect regarding the white fur if there is something else that would be more appropriate.

Chairwoman Franson addresses Mr. Arnott and Ms. Torre do we want to close the public hearing or keep it open? What items are still outstanding?

Mr. Morgante we have sewer permits, we have resolution from the Village of Harriman for water connection, we are still waiting on final acceptance letter from OCDPW for the driveway access points, they are conceptually approved, some minor typos and cleanup items on the plans, a couple of notes to be added, very minor stuff that is outstanding. We would appreciate the board considering closing the public hearing tonight as tree cutting deadline is March 31st for this particular site so if the board cannot render any action tonight on some type of approval is it within the board's purview to be able to allow us to cut trees otherwise this waits until November.

Chairwoman Franson we can't render a decision as we don't have a resolution is prepared, so there won't be an approval tonight. As far as cutting or doing any advance work I think that is a question for the building inspector. I don't know if our regulations say that no activity can occur before the approval, we have completed SEQRA, completed SEQRA

Ms. Torre not aware of a separate grading and or clearing permit either is Mr. Arnott

Chairwoman Franson we can certainly research for the clearing through a permit but nothing we can act on this evening

Chairwoman Franson address the board consultants in terms of what has been submitted are we pretty close to be able to make a decision of approval. Mr. Arnott says yes. Ms. Torre there are still some things in regards to the tree preservation that remains open. They are not replacing trees on a one to one basis, so they can either plant elsewhere within the town for a lesser fee in lieu or pay the higher fee in lieu for the ones not be replaced. That is something the board has to decide on.

Chairwoman Franson board members do we want to leave the public hearing open or close it with 14 day time frame for written public comment?

Discussion among the board, consultants and applicant in regards tot he tree preservation code (57-84) and planting of the trees. The applicant feels that the code was written for a much larger project and that the smaller projects will be bankrupted in trying to replace the trees on a one-to-one basis and or fee in lieu. This is something that the Town Board would have to make a decision on. A decision needs to be made as to how to finalize that part of the site plan.

Chairwoman Franson let the record reflect that the applicant has waived the 62-day decision time frame. This time frame will remain open until said time the applicant wishes to close it which will trigger the 62-day time for a decision.

Mr. Arnott comments:

the plan indicates the preserving or taking of additional trees the table that corresponds to that needs to be updated

we been discussing how the board wants to handle the mitigation and the fee in lieu of the one to one replacement this still needs to be decided

sent to current plans to Karen Arent for final review

stonewall fence provided a picture with a few notes located where board requested outside agency approvals noted in comment 5

Ms. Torre comments:

emailed a few map note changes and where to put a couple of things on the plans subdivision that's adding residential units you will have to address recreation fees and public improvements typically done in the resolution

Member Shea what is the maximum population of the homes how many bedrooms?

Mr. Morgante maximum 4 bedroom 1500 square foot print on the first floor garage

Mr. Edwards (owner/builder) more likely 3 bedroom, net will be about 2200 sq feet colonials 2 car garage 3 bedroom

Mr. Edwards mentioned regarding the tree replacement about the ash trees that are dying why should he have to replace them, and then he went out and remeasured trees as someone at the last meeting mentioned didn't think there were that many trees over 6 dbh. Mr. Edwards found that the surveyor rounded up trees that were over 5.5 dbh. Would be happy to meet with board member or Mr. Brower to review the trees at the site.

Chairwoman Franson my perspective if the trees are dying or dead it's not right to include them. Regarding the DBH on the trees are you going to send the surveyor back out to remeasure the trees?

Ms. Torre there is a provision for dead trees you are permitted as of right to remove dead trees provided they are determined to be dead by an arborist, forester or landscape architect prior to removal. Dead trees do not have to be replaced once removed except upon the direction of the planning board as part of a subdivision or site plan.

Chairwoman Franson first trying to straighten out the payment or replacement. So the survey

needs to be done right away, needs to be witnessed. Second a conversation with Mr. Maldonado, Mr. Arnott and Ms. Torre regarding whether or not you can proceed with cutting of trees.

Mr. Edwards I don't see the reason for the surveyor if we already know the location of the trees we are just going to go out and measure if a board member or Mr. Brower can come out we can do it that way.

Mr. Morgante we will have the surveyor go back out and then revise the plan.

Mr. Arnott said his office could assist in the matter as well.

Ms. Torre once the trees have been verified the chart will have to be updated

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion that we consent to the extension of the decision time period and that upon notification that the applicant no longer consents to that extension of time the 62-day time period will start tolling within which we have to render a decision.

Motion by Chairperson - Bonnie Franson, second by Jeff Manson.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Absent: Jason Czerwinski

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to close the public hearing subject to allowing the record to remain open for additional written public comment to be received for a 2 week period ending on March 29, 2022 at 4pm either by email, mail or drop off at Town Hall.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Absent: Jason Czerwinski

3. Returning Projects

Action, Discussion: 3.1 **Pallotti Village** (0196-2021) SBL # 33-1-1.21 98 Harriman Heights Road

Michael Morgante Project Engineer

Frank Filiciotto Creighton Manning Traffic Engineer

AKRF VIA Zoom (very hard to understand - inaudible)

development of the SWPPP getting closer, received latest comments from MHE, spoke to

Scott Quinn from MHE regarding some questions came to a consensus on some design points
started progressing the site plan
next submission we'll continue to develop the water and sewer
we have the hydrogeologist getting prepared they are developing a work plan for drilling and testing of the wells, which will be submitted to the health department
we have retained a consultant to do the visual analysis
traffic impact study prepared by Creighton Manning some comments from AKRF can be discussed tonight
getting closer to completing the SWPPP portion of the project

zoom call opened with AKRF for Traffic conversation

Frank Filiciotto from Creighton Manning review:

last meeting in February concerns with traffic generation how much senior housing will generate and the traffic at the intersections
we agreed to do a sensitivity analysis which looked at a hypothetical development on the property that was much larger than what was proposed to illustrate how much capacity is available in the surrounding roadway network. We looked at a development plan that is significantly larger than what we are proposing (250 senior units, 400 multi-family units, and 100 town houses compared to 100 units senior, 60 unit of multi-family and 18 units of townhouses).
calculated trip generation of the hypothetical with the same assumptions in the original traffic study and analyzed the intersection of Harriman Heights Road and Orange Turnpike still have a level c during peak hours
still a level c at that intersection during peak hours and the change in delay was a matter of seconds we concluded even if the traffic associated with the senior housing project is double what we are proposing there is still more than enough capacity in the roadway to handle and wouldn't be any adverse impacts.
we are working with AKRF they issued a letter which we have reviewed and it focuses on the prior traffic study from December as well as the sensitivity analysis. There were a number of comments on the traffic study which we are more than happy to address and incorporate, but in my expert opinion none of them would change the findings of the analysis.

AKRF comment memo
Alex Auld

majority of bulk comments fall into 3 categories
requested additional back up data from Creighton Manning agreed to provide that more for technical review to solidify our findings

comments 1-3 fall into category one request for backup data
comments 4-5 peak hour factors verification of peak hour factors
6-8 request for technical back up to verify review finding
9 & 10 planning board comments trip assignments in terms of demographics

Mr. Filiciotto feels the sensitivity analysis addresses comments 9 & 10 that were brought up by Member Czerwinski

discussion regarding the sensitivity analysis between AKRF, board members and CM

comment # 11 trips with soccer field substantial difference between the use of ITE rates and fitted curve equations. Want more information regarding the reasoning for use ITE rate versus fitted curve equation

12 & 13 are request for additional back up information

14,15 & 16 measure be placed on scale engineer drawing and some technical questions and waiting for Creighton Manning to get back to us

Mr. Filiciotto OCDPW has reviewed the site distances for the driveways and we already received conceptual approval letter for the driveways by OCDPW

Chairwoman Franson site distance there are older pillars and stone walls along segments of the property to meet site distance are there taking out pillars

Mr. Filiciotto proposed modification to them slant them to be outside the drivers eye
discussion about the location of the pillars, move them out of the way, scenic road and those are the things need to be preserved

Alex # 17 queuing analysis to be included in the traffic study, blocking any driveways or intersections

#18 trip generation for the soccer field verification regarding ITE or equation

discussion regarding trip generation for the soccer field.

no new comments on the sensitivity 19-21 just a summary of what we are requesting

site plan comments:

#23 reviewed parking spaces some may cause issue need to be reviewed

#24 recommended one way traffic counterclockwise circulation

#25 additional pedestrian facilities - sidewalks and crosswalks

#26 no ADA parking at soccer field area

#27 stop signs and stop bars be added

#28 provide a truck turning analysis

#29 unmarked paved area by building # 2 what is the purpose of that area

discussion in regards to the one way parking by the senior housing, removing some spaces near the entrance would have to be relocated elsewhere causing more impervious area.

Mr. Arnott comments:

third SWPPP submission there were some significant changes that Mr. Morgante and my office are working on together

water system southern side realized fire hydrants close to the buildings previously referred to the fire department - Monroe Joint Fire have not heard back as of yet

water system on the north side exiting well noted to be reused in the ultimate build out

Mr. Morgante will get back to you on that needs to be pump tested to see if it has adequacy

existing distribution system who it currently serves and will serve

note about retaining wall on northern site cleanup with parking stalls

applicant noted they are currently working on a visual assessment

need to hear back regarding water and wastewater and the SWPPP before the board can complete SEQRA

Ms. Torre:

nothing really to report

still looking at things from a SEQRA perspective

follow up with outside consultants

Mr. Morgante noted that they did find an additional wetland on the site when they were setting up for soil testing for infiltration basin number one it is apparent to me to be a fairly wet area. I believe the wetland consultant showed the location wrong on his map. I have sent the water consultant back out last week. Just didn't want it to be a surprise with my next submission. This wetland discharges underneath a footbridge that goes through Mansion Ridge.

two wastewater treatment plants on each side of the road. There is work being done on the wastewater treatment plant on the northern side there are new contractors maintaining the systems who recommended some upgrades. Work was done on both sides. On the south side we replaced the flow meter and the transducer so we are now getting super accurate readings.

4. Minutes

Action, Discussion: 4.1 January 13, 2022

held over no quorum

Action, Discussion: 4.2 January 19, 2022

held over no quorum

Action, Discussion: 4.3 February 10, 2022

not circulated

5. Adjournment

Action, Discussion: 5.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn tonight's meeting.

Motion by Chairperson - Bonnie Franson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli

Absent: Jason Czerwinski