

Town of Monroe Planning Board Regular Meeting MINUTES

— 03/18/2025

Town of Monroe Planning Board Regular Meeting (Tuesday, March 18, 2025)

Generated by Bonnie Franson

Draft

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera, Robert Garstak

Members Absent:

Pat Shea

Planning Board Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Action, Discussion: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Returning Projects

Action, Discussion: 2.1 **Target Expansion** (0234-2024) SBL # 2-1-38 Bailey Farm Road, Monroe, NY

Applicant Representative: Casey Lieberman, Kimley Horn

C. Lieberman presented on behalf of Target which is proposing a drive-up expansion. She discussed prior application for the Target remodel exterior improvements that were discussed last time. She described the remodel. Since Target is moving the drive up to the side of the building based on the board's recommendations, it was determined the applicant would get expedited ARB review and approval. The drive up wall sign is being moved from the front of the building to the side of the building so it's directly across where the new drive up area will be. Elevations were submitted - the drive up wall sign is moving signs on the facade and construction is starting tomorrow. The right elevation shows the new placement of the drive up wall sign based off of the board's recommendation to move drive up to the side.

R. Garstak asked to confirm that the drive-up is now on the side rather than in front of the building. Ms. Lieberman confirmed this. The employees don't have to fully walk across the main drive aisle – Target found this change acceptable. The purpose of the drive aisle sign was to have it direct customers when you pull into the parking lot where to go. She submitted

a comment response letter that hits all of Sean's technical comments and also added a section that addresses Board comments.

S. Arnott had a couple questions on how the existing striping was going to be removed. Couple of lighting comments and to point out to the board so the lights are proposed to be 4,000 Kelvin color temperature. The board typically prefers 2,700. The existing lights are 4,000 so it's probably more important to match the existing color rather than try to update to get the lights to be 2700 or 3,000. Need to make sure that the parking stall lengths meet the town code and are called out. Mr. Arnott did not receive hard copy of the elevations but it was provided.

A. Torre indicated the Planning Board previously classified the action as a SEQR Type II action. It does require GML referral to the county so that needs to be done. Applicant should update the Planning Board on the parking stall numbers so it is in the resolution. The Entity disclosure form section B needs to be filled out by Target. C. Lieberman indicated it was signed and sent in.

Ms. Torre asked for a signage table. Unclear if the beacons are being considered signage since they have words on them so if you could add an updated signage table showing calculations for the existing and all proposed signs.

B. Franson noted that she believes Section B has not been filled out – page 2. Ms. Liberman will send in updated form.

Regarding signs, most signs are being relocated, but the beacon signs are a question.

B. Franson asked for any Board comments on the application.

Mr. Garstak asked if the applicant's representative was clear on what was being requested for signage. Ms. Liberman asked if the bulk table is it to include beacons and wall signage or everything.

Mr. Arnott indicated he sent an email to the Building Inspector regarding another application with a similar question. Once he receives a response he will advise Ms. Lieberman. There does not appear to be an issue because of the amount of signage allowed but wants to make it clear for the record.

J. Manson indicated he had an opportunity to take a couple of trips over to Target since the last meeting. He was there on February 22nd a little bit before 4 in the afternoon store was relatively busy for winter months. He took a few pictures which he reviewed. His observations were that where Target formerly looked to expand, that row was well taken up with cars going well back into the lot. There was one car in the pickup slots at that point. He looked at where Target now proposes to move the project against the building. The first 14 spots, two of them are open. It's a fairly popular area of the lot to park. He agrees that it is a safer location. He observed a Target employee was not going to walk down the side of the building to the proposed new ramp and cross the lot in the way that the crosswalks are arranged. In the new plan those crosswalks will do the exact same thing what the Target employee did was come out the front door and angle directly to the car. He explained his thoughts on the crosswalk locations. He does not believe the crosswalks are truly representative of where the employees are going to be safest and what their behavior is going to be. The row behind that just to the

west of that, not right up against the building, was virtually empty. He consistently observe where Tesla is planning on putting their chargers is empty. He pointed to the screen where he recommended where crosswalks should be situated. Ms. Franson then summarized his points. Mr. Manson approached the screen to illustrate his thoughts on the location of the parking and crosswalks.

Mr. Rivera had a chance to go to Target and met Caitlyn. He believes the layout submitted by the applicant is perfect layout and it's safe. It's fine the way it is.

Mr. Penn asked the number of drive up spots - it is driven by statistics. He is aligned with the Board's thoughts and whichever orientation it thinks is appropriate.

Ms. Franson stated it's a total of 12 spaces converted in that one area. She asked if the store is trying to minimize the length an employee has to go to a car to provide the delivery. Ms. Lieberman indicated yes.

Mr. Garstak asked do we know how wide each space – Ms. Franson indicated they are 9' x 18' and be aware they double up the parking spaces and then on either side of those double parking spaces they have a no parking area. Along either side of a couplet they have a no parking area. Ms. Lieberman stated its where the employees will push the carts into because you get to choose like what window your order gets dropped in if you want your trunk window wherever so there is a safe buffer where they're operating and bringing out the goods along sides of the cars. Mr. Garstak states that there is minimal amount of difference between putting 12 spaces down one aisle and having people go from let's call where the bottom 25 foot and 6 foot area is to across.

Ms. Franson indicates she is ok where shown. Either way this is superior to having to go across the street. This is a main drive to come into the store. Is a traffic table needed to slow traffic. Is there a visual cue to be added?

Ms. Lieberman could add a yield for pedestrian sign. Ms. Franson indicated she liked a speed bump or just concrete because it is very visual - you expect pedestrians to be walking toward the parking areas over that concrete pad and would like some kind of textured pavement or something similar that would let you know that you're hitting the pick-up area.

Mr. Garstak asked whether a stop sign right before this area could be installed. The Board and engineer discussed use of a stop bar or movable yield to pedestrian signs with movable bottoms. Consensus was reached that there should be something added and Ms. Lieberman would address.

Ms. Franson asked if the majority of the Board was ok with the design with the additional enhancements for pedestrian safety. Mr. Manson agrees that the slightly elevated concrete in front of the door works very well. Mr. Manson expressed his observations regarding pick-ups and deliveries at his own place of employment. The vast majority of it is going out the door to the customers rather than the customers coming in. Mr. Manson noticed that the entire interior area as you first walk into the Target on the right hand side where the pickup area is and where the curbside orders go out from is under significant renovations and it's looking to at least reorganize it if not expand it. Do you know anything about what's going on with that and

how that's going to affect this project.

Ms. Lieberman indicated that was store remodel for the interior and exterior.

Ms. Franson, Mr. Rivera, Mr. Garstak and Mr. Penn are ok with the plans. On plans, take out the word "subdivision".

Ms. Franson asked should a public hearing be held. Consensus was that it is not required.

Ms. McSweeney will hopefully be back to send the plans to the County. Plans to be sent to the Planning Board attorney as well.

BE IT RESOLVED, that the Planning Board motions to authorize the Planning Board Attorney to prepare a resolution for the revisions to the Target parking area and amended ARB decision for sign location:

Motion made by B Franson, seconded by J. Manson:

Ayes – R. Garstak, J. Manson, B. Franson, L. Rivera (alternate), D. Penn

Nays – None

Abstentions – None

Action, Discussion: 2.2 **O&R Substation** (0237-2025) SBL # 1-2-43 Off Forest Ave, Monroe, NY

Applicant Representative: Leslie Snyder, Esq., Snyder & Snyder

Leslie Snyder, Partner of Snyder & Snyder presented for Orange and Rockland Utilities Inc. along with Chris Mink from EN Engineering. O&R is seeking a special permit, site plan approval and a wetland permit to construct a public utility substation facility on their property on Forest Avenue. The property is in a Light industrial Zone and currently there are existing transmission lines on the property so the use is consistent with its current use and it is permitted by code. The plans have been revised in accordance with Mr. Arnott's memo. A storm water management report has been submitted to show there'll be no net runoff from the facility. Applicant submitted a wetland narrative to show that the wetland permit standards are met. A visual of the existing substation which is in the town currently on Orange and Rocklin Road was provided. Ms. Snyder indicated they are ready to answer any questions. Applicant would like to move forward with the GML 239 referral. A notice of lead agency was done at the last meeting so have 30 days for the confirmation of the lead agency.

Mr. Arnott stated that the applicant's engineer address many previous comments. There were a couple additional with regard to the bulk table - the minimum lot area noted except that the code requires the net lot area be included in the bulk table so that should be updated specifically for the wetland deductions as well as any other environmental constraints. Maximum lot coverage has to be based on the net lot area not the the gross. MHE is reviewing the SWPPP and will provide comments. The board last month had asked for a narrative to support the wetlands permit requests. The applicant is going to proceed as if the DEC is taking jurisdiction of the on-site wetlands and given the recent changes to the state's jurisdiction DEC will also be providing comments and has the same 100 foot buffer as the

Town. Regarding wetlands it was discussed to address the potential use of pesticides and the transformer oil best management practices that are utilized on the site. I didn't see that in the narrative or on the plan so asking that those notes and mitigations be provided on the plans and updated in the narrative. The applicant provided a tree preservation plan identified all the trees and the trees that are going to be removed - typically we see a chart identifying the species and dbh and whether or not it's going to be removed. Mr. Arnott had a few lighting comments - the board typically likes 2,700 and 3,000 Kelvin color temperature. The landscape plan was referred to the board's landscape architect. I have not seen any comments from her yet. Plans should be referred to the joint fire district for review and comment given the dead end of the driveway and its length.

Ms. Torre indicated that the Board circulated a SEQR lead agency notice after the last meeting - the 30 days hasn't passed yet so cannot assume lead agency status. This does require referral to the county. Regarding the wetland buffer impacts on Sheet 20 there's a table showing the different wetland impacts and buffer impacts I think it would be helpful if the column for buffer impacts could be moved up so that it coincides with what wetland the buffer is related to that's being disturbed and there are certain Army Corps wetlands that aren't showing a buffer that might be subject to the local buffer so those might need to be added onto the plans. Identify whether the buffer is related to the Town or NYSDEC jurisdiction. The board does have architectural review so they did provide an image of a similar facility. Elevations should be provided and a color sample so some type of architectural plan can be reviewed.

Ms. Franson asked if the Board had comments. Mr. Garstak had none. Mr. Manson had none. Ms. Franson asked whether Orange and Rockland is already altering the site because it looked like there had been some clearcut.

Mr. Minka indicated O&R is currently doing geotechnical soil borings on the site. Was there any permit from the building department because a land disturbance permit is needed in advance. Mr. Arnott indicated the building inspector typically issues a permit for any work. Ms. Franson would like a response since the Board is in the midst of SEQR. It is understood they need to get in and do Geotech but on the other hand there should not be significant clear cutting to get in to do the Geotech

Ms Franson indicated all wetlands should be shown. Didn't see in the statement in support is what kind of wetlands there are - were there amphibians there - are they vernal pools?

Mr. Minka indicated they are seasonally inundated wetlands. Ms. Franson asked if they are vernal pools, which are seasonally inundated. Wetland function - it's what kind of wetland, what is the quality of it, what are the impacts to it. The applicant indicated they would provide detailed report. The town wetland consultant needs to go out to check the delineation.

Ms. Snyder states elevations will be provided. It was confirmed the image provided was of the substation by the park and ride. Ms. Franson noted there are comments on storm water management, information needed on wetlands, elevations to be provided. It's premature to submit for GML review.

The chart on Sheet 20 is to be updated. Ms. Torre indicated it's to be clear on from the plan where the buffer disturbances are shown and to make sure if there's Army Corps wetlands that don't have their federal buffer but they do have a town buffer make sure those are all included. Ms. Snyder believes they received a land disturbance permit. Applicant to provide the color of the metal – will be clarified. MCC will look at the trees, and coordinate with the MCC when wetland consultant visits site. Applicant would like their wetland scientist to be present when the Town consultant is present.

Action, Discussion: **2.3 Tesla Charging Station at Target** - (0232-2024) SBL # 2-1-38 128
Bailey Farm Rd, Monroe, NY

Applicant Representative: Franz Gerdes, Tesla

Tesla presented their application.

Mr. Arnott commented we should connect on the phone to make the parking tables between the projects consistent. Mr. Arnott and Ms. Torre describe the various parking statistics. Check the Target expansion table. Determine whether the signage calculation is ok. Mr. Arnott did not receive a determination on that. However, in my opinion regardless of whether it will be counted or not it will not affect or there will not be a need for the signage.

Ms. Torre indicated that the Entity disclosure form - section B - needs to be completed. Architectural for sign posts – both sides to be submitted so it can also be made part of GML referral. A tree plan over 6" dbh to be removed to be shown. Provide a table of trees to be removed and added.

Mr. Gerde was hoping to hear back from the board landscape architect. New tree revisions to law not yet been adopted.

Ms. Torre indicated County GML referral required. Action was previously classified as Type II action under SEQR. A public hearing is discretionary.

Ms. Franson asked the Board if they had any comments. Mr. Penn had no comments. Mr. Rivera suggested that given the current climate, it was suggested that the word Tesla not be used out of concern with vandalism. Mr. Gerde indicated that they do not currently have a

model without the Tesla name on it. Mr. Manson had no comments. Ms. Franson wanted to ensure the logos are understated. Mr. Gerdes indicated they are. Mr. Manson had no comments.

The plans can be referred to the county subject to receiving the sign renderings.

BE IT RESOLVED, that the Planning Board makes a motion to forward the Tesla application at the Target site to Orange County Planning for GML review, subject to receiving the additional renderings for the charging stations.

Motion made by B. Franson , seconded by J. Manson:

Ayes – J. Manson, B. Franson, L. Rivera (alternate), D. Penn

Nays – None

Abstentions – None

Absent: R. Garstak

Ms. Franson indicated the Board did not feel the need to hold a public hearing, SEQR not required.

BE IT RESOLVED, that the Planning Board makes a motion to direct the Planning Board Attorney to prepare a draft resolution for the Tesla at Target application:

Motion made by B. Franson, seconded by L. Rivera:

Ayes – J. Manson, B. Franson, L. Rivera (alternate), D. Penn

Nays – None

Abstentions – None

Absent: R. Garstak

Mr. Arnott reminded the Applicant to get the renderings in as soon as possible given they have 30 days to review the application. Ms. Torre indicated that the referral is needed before a decision can be made. Ms. Torre will prepare the referral.

3. New Projects

Action, Discussion: 3.1 **KJ Cemetery** (0236-2025) SBL # 1-2-29 off Schunnemunk Rd, Monroe, NY

Applicant Representative: Joel Mann, Brach and Mann Associates

Joel Mann is representing for this project. He just got involved the last couple of weeks as the cemetery built a building. He did not know the history that it's at the boundary line with the village and the town. Some told them the building is in the Village. A year ago the Town Building Inspector noticed it was built in the town without a permit and they were violated. Mr.

Mann is before the board to get it approved. He research the code - the use of the building is for the cemetery offices, conference room, maintenance of the equipment but as per the plan the next property is being used for bus parking lot. The owners use the building for the bus operations - it's two non-profit organizations. They use the same building to maintain the buses. Cemetery is permitted, bus parking lot is not permitted use. Working with the court we research the code, submitted a building permit application, full set of plans to the building inspector. We got referred to the planning board. Mr. Mann hope to get clarification in the next week or two to get the busses off the property so that only permitted uses are on the site. It is unclear whether the Planning Board will need to refer us to the ZBA or we'll start with the building inspector. Applicant will follow the process and we'll follow the board's direction too again. Mr. Mann believes it's probably a use variance rather than area variance. Mr. Mann indicated he is move quickly to get this in front of the planning board but still needs to update the as built because the as built does not show changes in paving. He would like to understand the issues.

Ms. Franson brought up online maps for discussion. Mr. Arnott noted the building is fully in the Town.

Mr. Arnott indicated Mr. Mann noted the cemetery use is a permitted use within the Zone – there is a section of the code 57- 17 the application will have to comply and the information has not been submitted. Mr. Mann indicated he will provide on the next submission. There are comments on the bulk table. Mr. Mann indicated the building is on septic. Mr. Mann will see if he can connect to sewer. Sewer may be on a road in back of the building. The EAF had a hit for a potentially sensitive area for archaeology so it have to be submitted to SHPO. Mr. Mann believes the building is connected to the village and it will be verified. Lighting detail and illumination will be added. The approval box will have to be added to the plans.

Mr. Arnott – the parking will be removed from the Town? Mr. Mann will confirm in the next week or two. Mr. Mann is trying to remove the bus aspects of the operations. If not, a use variance will be pursued.

Ms. Torre asked about the size of the building. Mr. Mann states it is 4500- 4600 square feet. For purposes of SEQR it would be an unlisted action. There are two levels - another 1400 square feet for partial second level. It requires referral to the County under GML. Provide side yard measurement along eastern property line. Provide elevations and what the outside looks like, colors and materials. It can be classified as an unlisted action under SEQR. There may be other agencies involved.

Ms. Franson would like to hold referrals until the Board has the survey.

Mr. Manson asked about access to bus parking lot – Mr. Mann can coordinate a site visit.

Is parking a separate use or associated with the cemetery? Buses are moved when the cemetery is being visited such as in August. Mr. Mann stated the main use of the buses is for the children being bused to the schools around the village. They have consolidated as much use as they can on the property to save money. The maintenance building is used for the cemetery but also as a bus maintenance building

Ms. Franson asked about the need for a use variance. The office building is for the cemetery and not for buses. Buses being parked on this facility so the question is do they need a variance because that's not an accessory use of the land associated with the cemetery even though it times it's used nor is it a permitted use within that zoning district. Need to look at whether there's a wetland and a wetland permit needed if the building was built within the buffer. What is going on behind this building there seem to be some accessory buildings maybe potential uses so to identify them on a map. Show the stream if present. Footings of the building poured around October 20th 2021 according to near map. Building has been up for three or four years or was being constructed three or four years ago roof was on it April 13th 2022. Mr. Mann provided a floor plan – the building is used for offices for the cemetery, conference room and the maintenance building. The maintenance part is being used for cemetery use but also for the buses now - he hopes to separate out the bus use. In terms of other buildings there a chapel there. Ms. Franson asked if any additional access to the cemetery is needed. Mr. Mann will verify existing and proposed access. Show septic location. A company is verifying underground utilities. Would need septic closed if connected to public sewer. Show lighting – high posts – are they there? Ms. Franson asked how to determine if trees removed. Mr. Mann believes area already cleared. Ms. Torre asked to consider replacement trees. Mr. Arnott believes a few trees were removed. The cemetery comes into the town - was this already previously approved - the actual internment area – should we approve so everything is legal? Mr. Mann indicated the Cemetery location was since 1979. Ms. Torre indicated the Building Inspector believes the cemetery is pre-existing nonconforming use. Ms. Torre said the Building Inspector didn't have any plan for the cemetery. Mr. Mann has seen original plans of the building where the Rebbes grave is. Mr. Torre noted that the special use permit for cemeteries states “authorization for a building permit shall be granted by the planning board for a cemetery in any District where authorized unless the board first determines that such cemetery is appropriate to the character of its neighborhood and will serve the interests of the residents of the town without any damaging effect on adjacent properties.” Ms. Franson asked if there a storm water basin up at the top of the overall lot and to show overall uses and buildings on the site. Mr. Penn - do we have a C of O for the building, Mr. Mann indicated there is no building permit or C of O for the building. Ben was searching something around the area he realized that the building popped up. Ms. Franson indicated we will wait to move forward until there is additional information.

Mr. Manson asked how's the progress on the second girl school. Mr. Mann indicated it is open.

Mr. Fordham from the MCC asked that he be copied on all plans – he directed a request to Ms. McSweeney. Ms. Franson will convey that to her.

4. Minutes

Action, Discussion: 4.1 June 13, 2024

Action, Discussion: 4.2 July 11, 2024

approved

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the July 11, 2024 minutes.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, Robert Garstak

Nay: None

Abstain: J Louis Rivera

Action, Discussion: 4.3 September 12, 2024

held over

Action, Discussion: 4.4 September 17, 2024

held over

Action, Discussion: 4.5 December 12, 2024

approved

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the December 12, 2024 minutes as amended by B. Franson.

Motion by Chairperson - Bonnie Franson, second by Dylan Penn.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera

Nay: None

Abstain: Robert Garstak

Action, Discussion: 4.6 December 17, 2024

approved

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the December 17, 2024 minutes as amended by B. Franson.

Motion by Chairperson - Bonnie Franson, second by Dylan Penn.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera

Nay: None

Abstain: Robert Garstak

Action, Discussion: 4.7 January 9, 2025

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the January 9, 2025 minutes as amended by B. Franson.

Motion by Chairperson - Bonnie Franson, second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera

Nay: None

Abstain: Robert Garstak

Action, Discussion: 4.8 February 13, 2025

approved

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the February 13, 2025 minutes as amended by B. Franson.

Motion by Chairperson - Bonnie Franson, second by Dylan Penn.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Dylan Penn, J Louis Rivera, Robert Garstak

Nay: None

Abstain: Jeff Manson

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 the meeting.

Motion by Robert Garstak, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera, Robert Garstak

Nay: None

Abstain: None