

Town of Monroe Planning Board Regular Meeting MINUTES

— 03/21/2023

Town of Monroe Planning Board Regular Meeting (Tuesday, March 21, 2023)

Generated by Norinne McSweeney

DRAFT

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn, J Louis Rivera

Members Absent:

Bob Garstak

Planning Board Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Point out Fire Exits

Procedural: 1.2 Roll Call

Procedural: 1.3 Pledge of Allegiance

2. Continues Public Hearing

Action, Discussion: 2.1 **Homeland Towers & Verizon Wireless** (0205-2022) SBL # 3-1-19.2
24-26 Strauss Lane Monroe, NY

Applicant Representatives:

David Kenny Snyder & Snyder

Vincent Xavier Homeland Towers Regional Manager

Mr. Kenny:

Reviewed project since the last meeting we conducted the 2nd Balloon test on March 6th and a site walk with the Conservation Board and the arborist

We re-configured the driveway so we could have a substantial tree saving and relocated the turn arounds to the left side.

Prior to the re-configuration it was proposed to remove 135 trees and now there are only 83 trees to be removed so that is 52 trees being saved.

There are pictures available to view of the March 6th balloon test, but there has not been a formal submission as of yet.

From current submission viewed page CR1 which shows the access drive with the new details of trees being saved and or removed with a list on the page as well.

reviewed new pictures that showed how the access drive was being changed and the trees that were being saved and or removed

Mr. Xavier:

Explained how the original driveway access was going to be straighter taking a larger quantity of trees, but it has since been changed to have more of a curve access road, plus we moved the turn arounds from the right side to the left side where there were less or no trees present

Mr. Kenny:

Once we get to the photos you will be seeing leaf on and leaf off conditions or both types of poles, as well as the newer location which is approximately 50 feet Northwest of the original location. Reviewed pictures and plans showing how they would be saving additional trees in the area.

The Planning Board reviewed and discussed photos showing the monopine and the monopole design from both the original location and the new location, both on leaf and off leaf, from various vantage points in Monroe, concentrating on the ones from Round lake. Spoke about what it would look like with the co-locations on the poles as well, a full build out. Request to have the 2 images overlay. Discusses what the colors could be of the pole. Talked about the co-locators how many maximum (4 including Verizon on the pole) and they are 10 feet apart.

Chairwoman Franson opened the meeting to the public.

Michelle Furbeck Orchard Street Monroe NY

Just have some comments not completely familiar with the procedures in place for your board or how anything works I'm ignorant to most of the process. We didn't know about the project until we received the first letter 10 days before the public hearing. We were aware of the 2nd balloon test and paid closer attention. This is not a complaint but a question as to why we would receive the letter but my neighbor 2 houses down would not. Letter was received the day of the balloon test. We have been paying attention to the agendas and the minutes since we have become aware of this project. Comment that the town website is not user friendly. Other towers in Monroe plus surrounding towns, is this going to start a precedent. Town is growing so quickly what is the demand going to be.

Chairwoman Franson spoke regarding Mrs. Furbeck's concerns that the board has asked for a but to what extent a plan exists as far as future rollout of site is unknown. My perspective this grown occurred during COVID and Zoom calls and video conferencing, streaming

services there has been general growth. It is not necessarily just population growth but the way we receive communication. If there is a finding that there is a need as a community we have very little to say. We can ask for alternative locations and try to restrict the height but it is difficult to say no.

Member Manson asked if the resident has an opinion on monopole or monopine. Your point about the growth and proliferation of towers if you have driven between Monroe and Chester on the quickway you can see O&R has a project going on building additional transmission lines for the increased demand and need for redundancies. We are all using electricity, all using gadgets of the internet and I think you can count on that there is going to be a perforation of some kind or another. This is the 3rd cell phone project that we have been doing, like with every application our job for you to be the best possible results for everybody. With all projects it's two things does it fit within the laws or does it not. If it doesn't it's not goin to get approved and once it fits within the law how do we perfect that, and that is our function here is to come back with the best possible project for our community within the law.

Tracey Shu 94 Pickerel Road I don't live near this cell tower but, I was here to witness the process of the cell tower being approved in Chester so I wanted to bring what I have learned from there. I want to commend this board for doing a thorough analysis and try to mitigate the impacts for instant doing the leaf off analysis. It was nice to hear that the applicant was reaching out to a resident, and that the board was asking about an alternative site and the many questions regarding the height of the tower and the design choices. Continued to talk about viewing the tower that Chester is building and being able to see it more than the residents thought would be.

Mr. Kenny the whole point of the balloon test is to produce the visual resource of valuation, so that you can have the photo sims, a 3 foot diameter orange colored balloon is not the same visibility as you're going to have with the monopine or the monopole.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn the public hearing until the April 13, 2023 Planning Board Workshop meeting 6pm.

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

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

3. Returning Projects

Action, Discussion: 3.1 **Monroe Commons** (0182-2019) SBL # 2-1-10 Nininger Road Monroe NY

Applicant Representatives:

Daniel Richmond - Zarin & Steinmetz LLP

John Dahlgren - Tim Miller Associates

Vince Pietrzak - Pietrzak & Pfau

Planning Board outside consultants:

Aaron Werner via Zoom

Mr. Richmond:

We submitted a preliminary draft of the DEIS on February 23, 2023 for review by the board and their consultants we are in receipt of several memos from the board which we look forward to going over and discussing with the board. Feel it might be advantageous to set up some offline discussions between the consultants and the board or maybe special workshops targeted at specific impact areas to ensure we are capturing all the board's requirements and understand so that we can efficiently process with the revisions.

Chairwoman Franson as you mentioned you submitted a preliminary DEIS for review of the planning board and consultants. A review was conducted to determine whether it is and should be deemed complete for purposes of starting a public review. The consultants came back with comments letters in addition to Mr. Arnott and Ms. Torre boards consultants did review comment letters.

Confirmed everybody has 6 consultant memos for review.

Chairwoman Franson addresses Ms. Torre to lead the board through the process essentially we have the various consultant comment letters pointing out areas that need to be either revised or updated and supplemented to get completeness.

Ms. Torre:

For the boards familiarity because we don't normally have this complete process before you. The board adopted the scoping document back in November 2020 and what that means when referring to the completeness standard of the draft environmental impact statement it's really whether it's adequate for public review, so no whether it's complete in the sense that you agree with everything and it's substantively complete, but it has addressed all the areas that are required by your scoping document and by the law as well. So the various consultants have reviewed their individual areas compared to the scope and gave comments on what they think needs to be added in order to reach that completeness standard. This is the time that if the board members have additional comments to add as to why it is incomplete or complete. At the end of our discussions here you would likely be approving a motion to find that it's not complete and asking the applicant to respond to the items that have been raised by your

consultants and any other comments the board members have this evening. In regards to Mr. Richmond's point the applicants consultants can reach out to the boards consultant for clarity if needed would be appropriate.

Mr. Werner AKRF via ZOOM back when we did the scope for the EIS we had a list of projects that were to be included in No Action Projects that was to be factored into the background growth and background traffic. I can check to see if this location was included. The scope called for trying to find out from other municipalities involved what projects were planned that might either be zoning changes or any kind of projects planned in the area. In our review it is noted to reach out to municipalities again regarding said projects.

Mr. Richmond in relation to Member Shea comment I just wanted to point out Ms. Torre correctly noted The Guiding document for determined completeness is the scoping document and Mr. Werner's point there is a section of the land use scope that one of the things we are to do is describe land use changes expected to occur within a half mile of the site.

Member Penn I want to emphasize comment 23 & 24 from Mr. Arnott's package specifically sustainability and green energy measures throughout the process I will personally challenge and request emphasize throughout the process.

Chairwoman Franson I will be looking at landscaping and lighting to make sure we are as dark sky compliant as possible and that we are really greening up the site. There is a lot of earthwork to be done and we want it to be as attractive as possible.

Member Manson a number of comments that are editorial in nature as far as typos, misspellings and mislabeling. Document page 2-5 second paragraph talks about entrances on the western and eastern sides. It enumerates the eastern entrance but nothing on the western so that needs to be consistent. The next paragraph talks about square footage for the retail space and the office space on the third and fourth floor, but nothing telling us what the square footage is anticipated for the hotel, that is something that would be beneficial. In the maps 2-2 has Nininger Road labeled as Dunderberg Road and the other side Industrial Park Road and Industrial Drive or Larkin Drive. Figure Three should be a legend for zoning in Kiryas Joel/Palm Tree like for Monroe and Woodbury. Page 9-9 minimum of 436 parking spaces are needed, no suggestion on what the maximum number needed is, wondering if permissible under zoning code could more spaces be banked as part of the proposal. There is a reference in the traffic study to appendix E, but the DIS we have I don't see any appendixes for the traffic study. 9-15 references the possibility of transit providers like buses from Monroe and Kiryas Joel wanting to stop on Nininger I am opposed to that as it not good for traffic flow, there is no pedestrian pathway provided between Nininger Road and the entrances to the mall on the plans itself. The plans provide for circulation and drop off for taxis, cars but not buses.

If firetrucks and delivery trucks can get in and out of the center then the buses should be able to also for a safer convenient option. 11-2 paragraph 6 & 7 talk about trip generation but it's based solely on office employee calculations that needs to be reviewed. paragraph 11-4 one reference the number of calls that the fire department typically goes on during the year 600, but in speaking with a fire official they say they are on track for over 1000 calls this year. 12-5 financial analysis talks about sales tax revenue that would be generated from the project, I think it would be beneficial if there's any way to estimate what the sales tax revenue from projected operations would be for the state and county that would give a sense of economic impact. Page 15-2 paragraph 2 mentions the project next door VMG references them as 4 or 5 story buildings however they are 4 story building with an exposed basement, needs to be reviewed.

Ms. Torre back to Member Shea comment so the area is Woodbury Junction project it's phase seven so it is additional houses so that is something that would be appropriate within the half mile distance.

Chairwoman Franson did the Conservation Commission get a copy of the EIS in the scope or the DEIS for the ecology section it says the Conservation Commission didn't provide any known comments.

Me. Torre the dis wouldn't be provided to them until this board deems it complete. They did have a site visit.

end of discussions motion to find not complete
applicant consultants can reach out to board consultants

Chairwoman Franson narrative in the front seems limited. It talks about field surveys there was an excellent job on various days, various seasons to look for species then it narrows down into the species of concern doesn't talk about more general about the ecology and the habitat. There is a full list of everything that was encountered in the rear document but I think more substance in the main text in particular I wanted to know if the table could be amended to note whether or not any of the other species that were observed were of special concern.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion that the DEIS submitted by Monroe Commons is incomplete based on the comments raised by the planning board to date as well as the consultant comment letters and the planning board has additional time period until end of business of day March 31, 2023 to submit any completeness comments.

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

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

Action, Discussion: 3.2 **Sheri Torah** (0197-2021) SBL # 2-1-21, 2-1-29 49 Larkin Drive
Monroe, NY

Applicant Representative:

Joel Mann Brach and Mann Associates

Mr. Mann:

There is 1 open comment remaining prior to getting a signed site plan and Mr. Queenan will be submitting that shortly

Mr. Arnott:

Last meeting discussed my reviewing the plan with Mr. Maldonado, Building Inspector, for fire access and site circulation. Mr. Maldonado has no objection he just wanted to make sure the turning radii was enough for the buses to maneuver. The turning radii is at the minimum allowed so I suggested bollards be placed at the AC units near the north east corner of the school. Also asking the applicant to modify some of the concrete barrier locations to provide some additional turning space.

Ms. Torre:

one change to be made you had referred this to OCDP in December but you haven't received a response, so the way the resolution is drafted was awaiting a local determination so that section will be modified to say the the 30 days passed with no response so you are able to take action.

reviewed the resolution

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adopt the resolution to approve the temporary permit for the trailers for Congregation Sheri Torah.

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

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

Action, Discussion: 3.3 **BJ'S Site Plan** (0200-2021) SBL # 2-1-30;2-1-21.3 Larkin Drive
Monroe, NY

Applicant Representative:

Pat Smith - RD Management

Chairwoman Franson this is for an extension approval as well as a request to be able to clear trees before April 1, 2023 bat season.

Mr. Smith we have the approval to clear the trees it's a condition of the signing of the site plan which will not be signed by April 1, 2023, so we are asking the board to allow us to clear the trees prior to April 1st and also ask for an extension to sign the site plan for the remainder of the conditions.

Member Manson recuses himself from the project.
Alternate Member Rivera will sit in

Mr. Smith I thought I saw in the resolution that we have 2 years to complete the process.
Ms. Torre an amended resolution has all the standard language so as it is amending your prior approval would also carry the same time frame to satisfy the conditions as with the original approval so that is 180 days.

Chairwoman Franson reviews what is being requested by the applicant. BJ's is still going through the approval process they still need some outside agency approvals at this point, because their site plan is coming close to expiring they need an extension to be able to continue the process. Does the board have any comments or questions?

Mr. Arnott the one big item is O&R out of the applicants hands at this point.

Review of 2nd amended resolution.

Mr. Smith we are still waiting on O&R.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the second amended resolution for BJ's. Jeff Manson is recused from this project marked as not present at Vote. Luis Rivera filled in for this application.

Motion by J Louis Rivera, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Pat Shea, Nicholas Napoli, Dylan Penn, J Louis Rivera

Not Present at Vote: Jeff Manson

4. Minutes

Action, Discussion: 4.1 **August 11,2022**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the August 11, 2022 meeting.

Motion by Chairperson - Bonnie Franson, second by Nicholas Napoli.

Final Resolution: Motion Carries

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

Abstain: Dylan Penn

Action, Discussion: 4.2 **October 13, 2022**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the October 13, 2022 minutes with corrections.

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

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

Action, Discussion: 4.3 **October 18, 2022**

Held

Action, Discussion: 4.4 **December 8, 2022**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the December 8, 2022 with corrections.

Motion by Jeff Manson, second by Dylan Penn.

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

Action, Discussion: 4.5 **December 20, 2022**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the December 20, 2022 minutes.

Motion by Pat Shea, second by Nicholas Napoli.

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

Action, Discussion: 4.6 **January 12, 2023**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the minutes of January 12, 2023 with corrections.

Motion by Nicholas Napoli, second by Jeff Manson.

Final Resolution: Motion Carries

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

Abstain: Dylan Penn

Not Present at Vote: J Louis Rivera

Action, Discussion: 4.7 **January 17, 2023**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the January 17, 2023 minutes with corrections.

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

Final Resolution: Motion Carries

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

Not Present at Vote: J Louis Rivera

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 Nicholas Napoli, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Dylan Penn

Not Present at Vote: Nicholas Napoli, J Louis Rivera