

Town of Monroe Planning Board Regular Meeting MINUTES

— 04/15/2025

Town of Monroe Planning Board Regular Meeting (Tuesday, April 15, 2025)

Generated by Norinne McSweeney

Draft

Members present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea

Members absent:

Dylan Penn, Lou Rivera, Bob Garstak

Planning Board Counsel:

Ashley Torre, Esq.

Matthew Sickler, PE

1. Welcome

Action, Discussion: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Public Hearing

Action, Discussion: 2.1 **Nick Gordon** - (0220-2023) SBL # 3-1-25 18 Stairway, Monroe, NY

Applicant Representative:

Dave Higgins Lanc & Tully

Mr. Higgins reviewed the project:

- project for Nicholas Gordon and Monroe Landscaping
- tax lot 3-1-25
- located on 17M property is approx. 2.07 acres
- located in the GB district
- occupied by Master Class indoor shooting range
- proposal is to use back part of property for landscape storage
- Town board approved the use for the land under section 57-13V which provides special use permit criteria for building or landscaping storage which is the proposed use
- on the map provided calculations for based on the Town's requirements for the indoor shooting range and for the landscape yard a total of 16 spaces were calculated as required 33 spaces are provided

- did provide a narrative that outlined compliance with the Town's special use permit criteria
 - we provided screening and conformity
 - 2,200 feet away closet resident
- BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to open the public hearing for this application.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to close the public hearing.

Motion by Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Mr. Sickler Comments:

- the only comment is the status on the GML 239 review with the county

Ms. Torre comments:

- SEQRA Type 2 action
- site plan for adjacent property 22 Stairway you're going to be removing a portion of the paved area and driveway that's on this lot show those improvements on this site plan so it can be approved as part of this site plan
- the narrative for your special use permit indicated there's limited lighting, wasn't sure if that was existing or proposed
- note on storing organic material will send you some revised language to use
- some of the application forms need to be resubmitted with the owners endorsement by the LLC
- the board does have to wait for 30 days for the GML letter to make a decision, but I can prepare a resolution for the May meeting
- this is reusing an existing building for the landscape storage and there was a question as to whether or not it included outdoor storage areas and the amount of square footage.
- It is an existing building that is being reused so it is a Type 2 action and any additional outside storage on the equipment pad is under 4,000 square feet so that also is a Type 2 action.

Chairwoman Franson - regarding the outdoor storage is it only equipment or are there any materials at all related to landscaping mulch

Mr. Higgins comments:

- the lighting is existing nothing is proposed
- no outdoor storage of materials just equipment

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare this application a Type II Action.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to to direct our attorney to prepare a resolution for the May 2025 meeting.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

For next meeting waiting on GML to come back

3. Returning Projects

Action, Discussion: 3.1 **Paul Reiser** (0239-2025) SBL # 3-1-26 20 Stairway, Monroe NY

Applicant Representative

Dave Higgins - Lanc & Tully

Mr. Higgins reviews the project:

- adjacent to the Master Class property
- 73,000 s/f property GB district
- Town approved rezoning section 57-13V
- looking to use property for general contracting equipment - by the owner for their own equipment
- submitted narrative that reviewed the conformance of the application with the sections of the

code for special use permit

- there is existing screening that provides a buffer for the property
- nearest residence is approximately 2,100 feet away
- prior review certain features on the site required relocation ex: jersey barriers they will be relocated outside the setbacks
- provided an asphalt parking surface for heavy equipment
- existing driveway that encroaches onto the adjacent property (Master Class Shooters), the plans show the reclamation of that area and the removal of a container that is shown on the property will be relocated onto the applicant's property.

Mr. Sickler Comments:

- encroachment of driveway on adjoining property
- is a temporary easement required in order to proceed
- this was also referred to the County for GML
- discussion on SEQRA status

Ms. Torre comments:

- there are 3 storage containers 2 are being relocated and 1 smaller one, there was one on the adjacent property. So are those storage containers there legally or is there a violation for this property?
- Do you know the total size of the containers? Is it under 4,000 square feet for purposes of SEQRA classifying as a Type II action.
- spoke about the jersey barriers - indicate where they will be relocated to and if within the setbacks. Some form of demarcation as to the location even possibly vegetative.

Mr. Higgins:

- from what I understand the violation was for use of the property not storage containers, they didn't have site plan approval for use as a contractor storage yard. I don't know of anything prohibiting them from using storage containers for their equipment other than needing site plan approval.
- measured for the container square footage under 4000 square feet
- indicated on map storage area that is where they would be relocated to

Chairwoman Franson - include an aerial map for informational purposes.

Paul Reiser - owner

- just storage containers and 1 truck
- work tools for a landscaping and excavating in the storage containers
- gravel on the site

Ms. Torre -

- submit an owners endorsement from the adjacent property for the removal of the pavement and other things being removed added to the site plan
- any lighting
- submitted for GML review to the County waiting on the 30 day period
- you could set the public hearing for May 20th should have the County comments by then

Mr. Reiser - there is no electricity on the property.

Member Manson - addresses Ms. Torre I was reading through the code analysis under 57-13V in section 4 where it states no compost, mulch, top soil, or chemicals will be stored on the site. What kind of chemicals is that portion of the code encapsulating? When I was on the site last month there were numerous things around. I don't know if different canisters and that sort of things, wasn't clear on what was being stored on site. Just making sure nothing is stored that shouldn't be under the code.

Ms. Torre - need to verify what they were. Doesn't say can't be stored, just can't be within a 100 feet of the property line. If they are to be stored the Planning Board has to specify where and the related

restrictions regarding that. I'd say any type of chemical think of what's normally used in terms in landscaping businesses you know fertilizers, pest controls those kinds of things. The question would be for the applicant. Are there any chemicals stored on site.

Mr. Reiser - No we don't do any landscape stuff there is no fertilizer. We don't do snow removal. There is motor oil for the trucks stored inside the containers.

Mr. Sickler - will reach out to the Building Inspector and get an interpretation on chemical storage and whether or not motor oil is a chemical permitted or not (gallon size containers).

Chairwoman Franson - we were talking about demarcations to put something that shows where the property line is.

Mr. Reiser - would you consider just taking those jersey barriers and putting them on the property line?

Ms. Torre - Mr. Arnott was going to ask the Building Inspector regarding that point. So, Mr. Sickler can add that to the question as well with him.

Chairwoman Franson - if you can that'd be a good visual to make sure you don't encroach onto your neighbor in the future.

- What's the situation You have some kind of a drain here?

Mr. Reiser - That comes down from the pond up on the top.

Chairwoman Franson - your showing 2 spaces for parking in the gravel area, realistically are you going to be parking there or showing it to just meet code?

Mr. Higgins - just showing it to show we meet code. It is just for his own use it is not anywhere

that the public would be coming and parking.

Mr. Reiser - moving the shed off property

Chairwoman Franson - questioned the different areas in the property that are being reclaimed.

Paved area then some land with no indication of what is happening on the hill.

- how do you access the site, there is a gravel drive along the front of Masterclass that extends to the property.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to classify this project as a Type II action.

Motion by Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to schedule a public hearing for this application on May 20, 2025 at 6:30 pm or as soon thereafter.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to authorize our attorney to prepare a draft resolution of approval for the May 20th meeting.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Action, Discussion: 3.2 **O&R** (0237-2025) SBL # 1-2-43 Off Forest Ave, Monroe, NY

Applicant representatives:

Leslie Snyder - Attorney

Mike Homenick - O&R

Chris Mink - END

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to appoint Greg Fleisher from Capital Environment as a Wetland Scientist.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Mr. Arnott comments:

- as we discussed already obtaining a wetlands consultant
- mitigation measures proposed with use of pesticides or associated with the equipment on site any practices that go along noted on plans
- application has been referred to the boards landscape architect
- on the lighting plan there are some areas that exceed 5 foot candles if possible could those be reduced to maintain what you need on site
- application was referred to the Town Highway Superintendent awaiting comments will reach out
- last meeting board had requested visual elevations and some architecture elevations with colors
- subject of a public hearing needs to be discussed

Ms. Snyder addresses comments:

- we provided that in our wetland report and we will make a note on the plans
- date on memo shows plans dated February 25, 2025 plans were revised on March 28, 2025
- understand there is a new tree law - will update plans to be compliant with the new tree law
- lighting will only be on in the event of an emergency, highest level on the plans was 7.9 under the standards they say for like a gas station under the canopy allowed 12, we are lower than that and they need to be able to see the equipment to make the repairs. Looked at the code and there's nothing that requires the five foot candles.
- elevations were provided on sheets 9 & 10, we provided the elevations of the equipment and we can submit tonight a visual study that shows there wouldn't be any impact in the surrounding area
- color sample submitted with plans to Ms. McSweeney - gave to the applicant

Chairwoman Franson - regarding the lights we'll take that under consideration our policy has been to have dark sky in general fixtures if you look at dark sky standards or certain other standards it usually is five foot candles max so let's think about that. I understand the you're saying that these are not going to be on and that they're only turned on in the event of an emergency, let's think about that. Is there additional lighting that is also being used while repairs to equipment are being done?

Mr. Homenick - basically the lights are off unless we're there in an emergency, we don't plan any work at night. When they do show up they will have flashlights, they will have trucks to illuminate, but it is an energized substation.

Ms. Torre comments:

- reference visual study make sure a copy is emailed as well
- fence - is that the color and noted on the plan
- you can assume lead agency status tonight
- revised tree plan per the new law will be referred to the KALA and MCC
- will need to complete SEQRA
- I could prepare a proposed part II for the meeting on May 20th
- schedule public hearing on May 20th
- needs to be referred to the county for GML review

Mr. Homenick - the fence is our standard galvanized chain link fence, we don't use any vinyl coating as it becomes an issue for grounding. When we have to electrically ground all of the fence it makes it difficult with the coating to get a continuous ground between the fabric, the post and the barb wire.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to acknowledge that we are lead agency.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to schedule a public hearing on May 20, 2025 at 6:40 pm or soon thereafter.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to refer this project to OCDP for GML review.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Member Shea - there is a piece of equipment on Larkin Drive as you're coming down 105 you take a right on Larkin Drive on the left there, is that Orange and Rockland equipment and is it associated with the Forest Rd project?

Mr. Homenick - it is Orange and Rockland equipment it's temporarily serving power to the area, it will go in service in the next few weeks that did go through the Building Department. That's to supply power to the area temporary.

Ms. Snyder - this is only temporary once we build this project, we'll be removing that temporary location.

Member Manson - What is the function of the substation? What does the equipment do? It is not producing power.

Mr. Homenick - the transmission lines carry power through the community in the high voltage lines this allows us to tap those lines and transform the high voltage, if you think of it as like a water line the transmission line being high pressure and this then reduces the pressure to be more of like a local distribution type pressure, it goes from the current lines that are coming through the area at 69,000 volts It takes that down to 13,000 volts which is what you see out on the streets out in front of your house and then just in front of your house it'll reduce it down to the 110/220 that then feeds into your house. So this equipment there will control those transformers, monitor and control, that allow for switching operations and then feed the distribution circuits that basically spider out. If you think of a bicycle wheel substation being the center spoke and all the prongs being the different distribution circuits and they'll radiate out from the station and provide power out to each area.

Member Manson - Aside from if there's an emergency at the substation how often is a substation visited for maintenance, upkeep that sort of thing.

Mr. Homenick - The station is unmanned it's monitored remotely. We go to the site once a month for monthly inspections where they do a physical inspection of all the components, but yeah unless there's something wrong it's once a month.

Member Manson - regarding lighting - NYS law requires 5 foot foot candles for visibility for safety the proposed 7 foot candles aren't so much brighter and in this situation for visibility on dangerous equipment that might be warranted. I have another question on the tree plan. I realize the law just changed but it appeared to me that there's a number of trees that are proposed to come down at least on the existing plans that are outside the limits of

disturbance, if your taking down these trees isn't that disturbance.

Mr. Mink - All the trees within the limit of disturbance that are shown on the plan will be taken down, the tree plan does show some areas of preservation those will be saved. The limit of disturbances shown on the tree inventory plans all the trees within there are being taken down and are accounted for as being removed. The site does have 280 trees that are over 6 in DBH and then 93 of those will be maintained and then we are planting 63 additional mitigation trees. There are 93 trees outside the limits of disturbance that are being saved out of the 280 identified.

Additional conversation regarding the tree removal in the access area for the larger trucks, the new tree preservation plan addresses 30% steep slope which most of this property is, retaining walls being installed to prevent additional grading. O&R has requirements to keep the trees 50 feet away from the transmission facilities and the distribution, and substations. Some trees considered dangerous to the facilities also come down and we go back with compatible trees to the area. O&R publishes a compatible species list and a vegetation management standard on their website. The Town's new tree law allows O&R to cut trees down in the right away and they're exempt from the law.

Chairwoman Franson - How are they vegetating the storm water management areas? It's surprising how much is required for the storm water management basins, I know they're necessary I know what we're trying to control and yet sometimes it feels like more of a lot is going to a storm water management basin than actual development. What kind of storm water management practice is that and is it just going to be lawn?

Mr. Mink - These will be gravel wetlands they will be planted with wetland grasses, herbaceous grasses, in the bottom of this facility that will be generally wet, the side slopes and the supporting slopes on here will be stabilized with just vegetative grass they do look large on this plan and we are treating 90% of the impervious area on here if not more than that, back to the point about the site being steep just to get the facilities in there does require some grading but that area will all be green.

Chairwoman Franson - I have never heard the expression gravel wetland used before.

Mr. Sickler - That's a newer technique DEC continues to update what's permissible for that and that is kind of an unusual one that I haven't myself seen very often.

Mr. Mink - Just some clarification comments the purpose of using a gravel wetland in here was due to the drainage area sizes coming through here and limiting the number of facilities we would require on site. Long linear sites are kind of difficult to provide treatment on so to maintain the drainage conditions from existing to proposed a long linear site you would need a lot of small facilities along the site and that's just not practical on a site like this with transmission overhead lines and vehicle access and equipment and things like that. We chose to grab a wetland facility and place them in the areas where we could and then are directing

all the drainage to those areas. The impact visually of this versus and other measures that can be used to the extent that they can be cited in an area that's not going to affect the lines but I'll have that conversation with our engineer.

Applicant waiting on the GO Tech report to be final, will submit once completed.

Member Manson - I gather DEC is going to be taking jurisdiction of these wetlands, if nothing else under the new regulations that they have and the Town has its wetland regulations in a situation like this I don't know if we've even dealt with a DEC wetland before but especially under the new law how does what DEC's jurisdiction over the wetlands how does Monroe's jurisdiction or does Monroe lose all jurisdiction or do we have jurisdiction as well. Does New York State supersede Monroe or are they concurrent?

Ms. Snyder - essentially they'll be concurrent, we've already talked to DEC these wetlands are very low quality DEC is currently not concerned will doing a review until after the Planning Board is complete.

Discussion as to what DEC will be taking jurisdiction of especially since new regulations took over in January 2025 that everyone is still working out. DEC can issue generic permits.

Ms. Torre - trees within the 50 foot utility maintenance clearance aren't noted or labeled on the plans, are they being counted in your tree removal?

Ms. Snyder - per new tree code they are exempt, but will include on the next tree plan submission

Chairwoman Franson reviewed:

- we set the public hearing
- working on part 2
- forwarded to GML

Action, Discussion: 3.3 **127 Seven Springs Rd Subdivision** (0204-2022) SBL # 1-1-41.2

Applicant Representative:

David Higgins - Lanc & Tully

Here for an extension of 90 days

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to extend the approval for 127 Seven Springs Subdivision for 90 days until July 10, 2025.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

4. Admin

Action, Discussion: 4.1 Pallotti Village

Ms. Torre - we spoke about this briefly at your last meeting with Mike Morgante. I know he's working on preparing a plan for the site plan amendment that they're requesting to change the number of senior housing units per related to the funding that they're going after from the state. I anticipate they're going to be submitting everything very shortly but your next meeting is not until May I thought it'd be appropriate for the board to declare your intent to be lead agency on this site plan amendment that way you could get the ball rolling and circulate for lead agency once that comes in.

Chairwoman Franson - to our knowledge the Town Board hasn't said that they want to be lead or want anything different than that.

Ms. Torre - In the event they do then you could always talk about consenting to that. You were the lead originally I imagine that typically we would continue to be that.

This is an amended site plan approval. It would involve additional parking, confirming the traffic is not going to be significant increase and changes to population or impact the environment.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare their intent to be lead agency for Pallotti Village site plan amendment application.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

5. Minutes

Action, Discussion: 5.1 June 13, 2024

held over

Action, Discussion: 5.2 September 12, 2024

held over

Action, Discussion: 5.3 September 17, 2024

held over

Action, Discussion: 5.4 February 18, 2025

held over

6. Adjournment

Action, Discussion: 6.1 **Adjourn Meeting**

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

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None