

Town of Monroe Planning Board Regular Meeting MINUTES

— 04/16/2024

Town of Monroe Planning Board Regular Meeting (Tuesday, April 16, 2024)

Generated by Norinne McSweeney

DRAFT

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, J Louis Rivera

Members Absent:

Nicholas Napoli

Robert Garstak (Alternate # 1)

Planning Board Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Returning Projects

Action, Discussion: 2.1 **24 Raywood LLC** (0222-2024) SBL # 43-3-3 24 Raywood Dr Monroe, NY

Applicant Representative:

Isaac Stein

Hannah Fireworker

Mr. Stein:

- updated the plan set as requested
- well test signed and certified by engineer
- perk test done March 27
- visit from Town engineer and Highway Super March 22
- curb cut approved
- ? exemption submitted
- sewer district map provided showing in the sewer district
- updated plans signed

- bedroom count was clarified
- updated elevations and renderings

Mr. Arnott comments:

- agree we did witness the deep pit & percolation tests for the septic on March 27, we have no issues
- one item remaining for the septic, the applicants engineer has to provide a letter certifying that the design is adequate and that's actually pursuant to the Two Family Overlay District
- disregard # 5
- previously parking proposed partially in the front yard set back but that has been removed
- the Two Family Overlay District special permit criteria restricts the width of the driveway to 24 feet within the front yard set back that will have to be addressed
- reviewing plans on the monitor indicating where the adjustment would have to be made, making the piece smaller.

Chairwoman Franson - this will be problematic to reduce down to 24 feet as they are trying to gain access to both parking spaces in the area.

Mr. Arnott - there is a horseshoe driveway there now perhaps it could be two separate driveways.

Mr. Stein - it was difficult designing the driveway and we understood that we should do one driveway it's very difficult. So, the question we have is this something that can somehow be exempt or waived.

Ms. Torre - it can be waived, but it would require a variance from the ZBA so they could seek a variance.

Mr. Stein - because really we looked at it as like not part of the driveway it's like part of the we can find a space where it's more than 24 of course if we on a 45 degree angle but if we look at it like the we have the driveway and then we have the back in back out area.

Chairwoman Franson - the question or what you're expressing is that the driveway proper or is that the parking area maneuvering area and that's an interpretation question maybe that the building inspector has to weigh in on rather than a variance.

Mr. Arnott - another idea is the geometry of the house could the right unit be turned 90 degrees, not sure if that will fit within the setbacks

Mr. Stein - another option is to do two separate driveways is that a good option?

Ms. Torre - regulations require it to be a single driveway, it says a continuous circular driveway may be permitted as long as the driveway is accessible at all points to both units.

Continue to look at options for parking and driveway. Referenced going to the Building

Inspector and getting his interpretation.

One of the applicants came up to speak regarding the driveway as well.

Mr. Arnott continued with his comments:

- spoke with Mr. Patterson out at the site he did not have any objection tot he proposed curb cut location. I will revisit with him once we get the revised two curb cut locations proposed.

- couple of comments on the construction details for driveway

- a few comments on the tree plan 8 proposed to be taken down, not sure if you are aware of the code the owner will have to pay a fee per tree. Wasn't sure if you were planning on planting in order to offset the fee.

Mr. Stein - my customer decided to pay the fee. They will do landscaping, but they don't want to plant trees.

Ms. Torre- for the tree law for compliance with the tree plan there is a bond can it be released. It says performance bonding letters of credit and/or cash bond to ensure compliance with the approved tree plan.

Chairwoman Franson - to not have to set up a bond if you wanted to provide X dollars in cash every tree that you plant you will get money back.

Ms. Torre - if they are going to plant trees they have to be identified on the site plan so you'll know the amount beforehand.

Mr. Arnott continues:

- there are comments on 2 trees additionally should be removed

- unit 1 next to sideway a 28 inch Locust that will have to be removed for the grading

- unit 2 rear near septic system 8" behind the deck

- architectural renderings whether or not the vertical board, bat and siding would be the same color of the vinyl that's what currently is proposed.

Chairwoman Franson - is this all one color and what color is it?

Mr. Stein - the horizontal siding color is Snow and the vertical is also Snow.

Mr. Arnott :

- need clarity on the architectural for the color and type of decks, railings and doors

- with regards to the rendering just submitted keep in mind this doesn't include the locations of the driveway and the parking spots

- there was not a landscaping plan submitted

Chairwoman Franson - are you doing landscaping in the front, lawn? What are you thinking regarding landscaping.

Mr. Stein - we haven't discussed it yet

Ms. Torre - under your general site plan there is the requirement for protection of the Woodland character in the first 50% of the required front yard so it limits trees in the front. It says except as necessary to provide a driveway and utility connections there shall be no grading or removal of natural vegetation for the first 50% of the required front yard closest to the front lot line. The Planning Board may require reasonable assurances including a landscape plan, conservation easement, or other assurances to maintain the Woodland Character of the area in the town so there is that landscaping element.

Mr. Stein - maybe it's only applicable when you remove trees in the first 50% of the front yard so over here we're not removing from the first..(stopped talking)

Ms. Torre - otherwise to maintain the Woodland character of the the area. You are required under the code to have a landscape plan under section 57-21.5. There are waivers for where existing topography or vegetation or other circumstances provide adequate landscaping or screening and warrants and exception to the strict application of that standard landscaping plan.

Mr. Fireworker - we will do landscaping and if the board wants us to provide something we have no issues.

Ms. Torre comments:

- there are standard tree plan notes that need to be added to the plans
- tree plan needs to be referred to the MCC have 32 days for comments
- requires public hearing, Village of Kiryas Joel and the Village of Palm Tree they need to be notified

Chairwoman Franson- resubmit with changes, driveway changes, trees removed and replaced

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to schedule a public hearing for May 21, 2024 or soon thereafter.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

3. New Project

Action, Discussion: 3.1 **James Connolly** (0224-2024) SBL # 16-3-1 & 7-1-40 21 Forest Ave, Monroe, NY

Applicant Representatives:

Richard Croughan - attorney

James Dylan Jr - Land Surveyor

Joel Mann - Brach & Mann

Mr. Dylan -

- proposing a lot line change existing 3/10 of an acre property there are a few encroachments
- worked with Round Hill Realty to obtain an additional 1/10 of an acre to add to his property making it 4/10 of an acre
- overall pulling 1/10 of an acre from 71.5 acres
- makes bulk requirements more conforming
- doesn't change any issues with the main lot

Mr. Arnott comments:

- the 2 properties are in separate zoning district. The smaller lot is in SR 15 and the larger lot is in RR1
- the lot in the RR1 zone does have a piece within the Ridgeline Overlay District, but it is not near the area of the lot line change.
- the portion of the lot that's being transferred is in the RR1 zone I don't believe it will affect the dimensions for the bulk table
- bulk table didn't provide the lot coverage needs to be added
- existing lot topography should be added because the lot area is dependent on producing or deducting steep slopes from the lot area calculation

Ms. Torre - under lot line change law as well that it allows the board to approve this as a true lot line change rather than a subdivision one of the requirement to show topography.

Mr. Dylan - the existing lot coverage is already right there and it's actually doesn't even have the Lots under pre-existing square footage, so I don't know why topography truly reflect the lot area post condition.

Ms. Torre- in the table show that it's pre-existing non-conforming

Ms. Torre comments:

- this would be a Type II action under SEQRA
- it is not required to be referred to the county under GML
- it does not require a public hearing
- we need an updated owner's endorsement from the LLC Owner
- about the topography that's required under the lot line change Provision it needs to show the

proposed change in the lot line, the topography of the property to which the resulting land is being added or deleted and a notation that the area of land created is to become part of an adjacent lot.

- label the existing stairs and stone wall on the larger parcel
- how does the larger parcel get access

Mr. Croughan - there will be an easement to the neighbor through the property

Looking at the property on the large screen discussing property access.

Reviewed and revised the resolution.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adopt the resolution of conditional approval for a lot line change for Connelly and Premsrut and Round Hill Realty LLC subject to the revisions we noted this evening.

Motion by Chairperson - Bonnie Franson, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

Action, Discussion: 3.2 **Mohinie Peters & Shaika S. Fiyazuddeen** (0223-2024) SBL # 64-1-1
173 Hill Top Rd, Monroe, NY

Mohinie Peters

Shaika Flyazuddeen

Ms. Peters

we are looking to do an equal exchange of land between us and our neighbors. Trying to make the lot line a straighter line versus angled.

Mr. Arnott comments:

- lots located within the RR 1 Zoning District and a portion is within the Ridgeline Preservation Overlay District
- the plans should be updated to bulk tables specifications for the smaller lot, dimensions contemplated adjustment
- any easements should be added to the plans
- topography should be added to the plan so we can evaluate the net lot area calculation
- is the size of the parcels that are being conveyed to one another are those noted on the plan somewhere the total area

Ms. Peters - no easement

Ms. Torre comments:

- Type II action under SEQRA
- no referral to county
- no public hearing is required if classified as a lot line change under the subdivision regulations
- owners endorsement of adjacent lot owner of 179 Hill Top Road
- change the name of the map from minor subdivision to lot line change

Chairwoman Franson -

- reviewed the resolution
- show topography 64-1-1 and 100 feet into 24-1-53
- add map notes
- markers prior to signing of plans
- Monuments need to be installed

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to that we adopt the resolution of conditional approval on Peters & Fiyazuddeen and Oliel subject to the revisions discussed this evening.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

4. Minutes

Action, Discussion: 4.1 October 17, 2023

approved April 11, 2024

Action, Discussion: 4.2 November 9, 2023

Approved April 11, 2024

Action, Discussion: 4.3 November 21, 2023

Approved April 11, 2024

Action, Discussion: 4.4 December 19, 2023

Action, Discussion: 4.5 March 14, 2024

Action, Discussion: 4.6 March 19, 2024

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 Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None