

Town of Monroe Planning Board Regular Meeting MINUTES

— 04/19/2022

Town of Monroe Planning Board Regular Meeting (Tuesday, April 19, 2022)

Generated by Norinne McSweeney

DRAFT

Members present

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

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 **Superior Pack Group** (0201-2022) SBL # 2-1-24.1 2 Bailey Farm Road

John Locke Engineer & Land Surveyor for AFR

Jonathon De Joy attorney Catania, Mahon & Rider, PLLC

existing facility primarily package candies and occasionally other products looking to expand receive items in bulk and breakdown into smaller packages

need ability to store more products increase space by @ 100,000 sq ft

challenge with this property it is split between two municipalities Village of Harriman & Town of Monroe

Letter from Village of Harriman addressed to Planning Board

try and coordinate the efforts of the two boards, but it might be that each board has their own concerns and interests

bulk of building and construction will be in Monroe

Monroe stormwater issues

Fire Department concerns

Harriman traffic

put together a plan what client has in mind for the size and looking to maintain full access around the building

provide a good safe access for fire protection
easy access for employees in and out
don't have final designs
will have to do certain things to the water system
need a lot more work on storm water system
want to discuss with the board how will SEQRA work with the 2 boards and what the boards considerations are with respect to things in the wetland buffer

Chairwoman Franson lets discuss SEQRA we are just receiving the application, not sure we are ready to discuss lead agency, received letter from Harriman today has Harriman declared their intent or do they want us to be lead agency,
Ms. Torre read the letter from the Village of Harriman
Chairwoman Franson mentions she is not in favor of co lead agency Village Harriman wants co lead agency can be problematic I wouldn't have issue with them wanting to be lead agency
Mr. DeJoy would prefer to have the Town serve as Lead Agency, roughly 75% of the project is in the Town

Chairwoman Franson addressed Ms. Torre asking her to review the difference between lead agency and co lead agency, what it means and what are the parameters for who should be lead agency

Chairwoman Franson continues this project will be subject to New York State Environmental Quality Review Act (SEQRA) and we have to consider the impacts that would be generated by the proposed project on the environment, because it is split between 2 municipalities there are 2 agencies at a minimum to approve the improvements, which are Village of Harriman and the Town of Monroe Planning Boards.

judging by the municipality boundaries looks like traffic would be covered by V/Harriman, Orange County Sewer District #1 would be involved,

Mr. Loch not anticipating much of an issue with traffic, not looking to add any additional facilities to the new building so not sure OCSD # 1 would need to be involved
one of the issues is to try and keep more product on site as they receive in bulk ship some out, then need to store the rest at an off-site facility, would like to get rid of added trucking costs and storage
one of the reasons for co lead different zoning laws for each municipality
there suggestion about co lead status

Chairwoman Franson do they have their own consultants? We have various ones we use.

Mr. Loch we are in process of hiring traffic consultant

if we are doing co lead consolidate outside agencies/consultants

Mr. Loch they would like to do a joint meeting among the 2 boards to hash out a plan as to how this wants to be reviewed.

Chairwoman Franson that is appropriate to have the outside meeting for planning boards and regular consultants and village consultants to hash out a plan as to how this wants to be reviewed.

Ms. Torre it would also depend on which consultants they use to avoid and a need to watch for consultants conflict, makes sense for a single lead agency, could still have own consultants comment as an involved or elevated involved agency. I was just looking at the SEQRA handbook that's written by the DEC it does speak about co lead agencies a little but not specifically allowed under the regulations, but it's not prohibited either. Ms. Torre read from the DEC regulations "the concept of co-lead agency is not specifically authorized nor is it expressly prohibited DEC has used this approach for direct actions that involve another state agency however other agencies have found the co-lead agency procedure less desirable when the two agencies agreed concerning decisions the co-lead agency's approach can work, but when there are differences of opinion between the 2 agencies the resolution of the disagreement becomes a problem usually resulting in a delay in decision making when the action involves an applicant the delay in the uncertainty regarding resolution of the dispute is unfair to the applicant the use of co-lead agencies should be avoided unless the 2 agencies has a formal mechanism for resolution of disputes this mechanism should not result in a delay in timely decision making absent a formal dispute resolution process a single lead agency may be established with the other agency acting involved in the process, but not as a co-lead agency."

open discussion regarding co-lead versus lead agency and how the board members feel.

Member Shea feels it is a Village of Harriman project, asked if an new entrance would be made, concurs with Chairwoman's opinion regarding one lead agency being the Village of Harriman and the Town of Monroe have an elevated status as an involved agency
Mr. Loch yes to the additional entrance we are trying to improve the entrance and exit flow moves for the employees

Chairwoman Franson the impacts from a warehouse would mostly impact traffic, lights and noise

inaudible

Member Manson my feelings are even though the majority of the existing building and the proposed expansion happen to be in Monroe, the more significant impacts seem to be in Harriman. I agree with the elevated status as an involved agency for the town planning board, as long as we get a preferred voice before big decision are made, making it more efficient for both municipalities.

Ms. Torre what is happening on the site that is within the Town of Monroe this board will have jurisdiction as far as zoning and of course comment on the impacts of the project.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to consent to the village planning board acting as sole lead agency for this project provided the village agrees to coordinate with the town planning board as an involved agency before making any SEQRA determinations of significance or other major SEQRA actions.

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

Final Resolution: Motion Carries

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

3 vacancies

Mr. Arnott comments:

regarding the rear yard now there is no rear yard for the existing building as the municipal boundaries spans through the building, will the addition require a variance, suggest a determination from the building inspector on whether or not it will require a variance.

discussion regarding the rear yard and is a variance required as enlarging the building is making the rear yard setback zero, but also making a non-conforming structure a larger con-conformity. Definite need of the building inspectors opinion on this.

federal wetlands on the site who did the delineation and put the date there.

Mr. Loch labeled it as local wetland as you have a local wetland law and I was trying to emphasize the compliance, but it is actually an Army Corps of Engineers wetland initially marked out by Pete Torgenson, didn't match what the wetlands inventory map was showing or some of the topography, went back out and re-evaluated found through soil testing not uniform soils, will label as federal wetland army corps, need to revise the plans, this was done about a year ago, there is no jurisdictional determination at this point from the army corps.

Mr. Arnott SWPPP will need to be done not sure if both agencies need to review or just lead agency

There is architectural review want to see the lights, what the building will look like

Ms. Torre Comments:

spoke regarding SEQRA

type 1 action

require to OCP GML 239 bring up heritage trail county park rec area

500 ft Harriman boundary

requires a public hearing

couple places show HI district should be LI district

bulk table should indicate requirements shown are requirements with central sewer facilities

side yard line on plans is 20 feet should be 30 feet

calculating the park there are parking spaces in the buffer, front yard

clearly show what parking is proposed and existing provision in town code can't have parking in the front yard setback

architectural review all those details will need to be submitted

net lot area subtract out any wetlands

Mr. Loch reviewed how he was before the building inspector for a small addition that was made to the building that didn't need planning board approval and the interpretation of the side, rear and front yard setbacks is what he is going with on these plans.

submit to the board and interpretation received from the building inspector regarding setbacks

need to come up with determination of what each yard is properly labeled for the project

Member Manson in your presentation you mentioned storm water might be more of a town issue vs village?

Mr. Loch the bulk of the increase of runoff will be generated within Monroe not Harriman. Still to determine if going with detention ponds or subsurface facilities, Monroe is going to have more runoff generated there by this addition.

Chairwoman Franson can you review what the activity happening here is and the purpose of expansion

Mr. Loch the facility takes in large lots of items and breaks them into smaller lots repackaging them and shipping them out. For example candies delivered in bulk broken down into smaller shipments for customers. Various food products snacks, dry goods, knickknacks. Don't believe they are limited in what they repackage.

Chairwoman Franson they get various contracts with different groups and then they repackage them for further distribution.

As far as the site is there room for moving things around, keeping employee parking away from the trucks giving them more room for maneuvering

Mr. Loch not anticipating things to be that way as we are not planning on bringing trucks in or out of Bailey Farm Road. We are leaving a paved path around because we want adequate access for fire and emergency vehicles.

Spoke about the truck access lane

Monitoring well located on the plans, Mr. Loch believes monitoring wells have been removed

There is a gas environmental SCA region 3 River Road 2.7 acres owned by Waste Management.

Mr. Loch we basically did that we attached it because it did come up with their search, but it is not something that has any impact on our property.

Chairwoman Franson site is currently an active zone for industrial use for Village of Harriman and property north serves as a recreational park and has a facility for the villages department of public works that includes a pump station for drinking water supply wells named Mary Harriman wells MH1 and MH3.

Have Dave Tompkins check over wetlands

Need to coordinate with the Village of Harriman

3. Minutes

Action, Discussion: 3.1 January 13, 2022

held over

Action, Discussion: 3.2 January 19, 2022

held over

Action, Discussion: 3.3 February 10, 2022

held over

Action, Discussion: 3.4 March 10, 2022

held over

Action, Discussion: 3.5 March 15, 2022

held over

4. Adjournment

Action, Discussion: 4.1 Adjourn Meeting

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

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

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

3 vacancies