

Town of Monroe Planning Board Regular Meeting MINUTES

— 05/17/2022

Town of Monroe Planning Board Regular Meeting (Tuesday, May 17, 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. Meeting Time

Action, Discussion: 2.1 **Change of meeting time**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to change our meeting time for the Town of Monroe Planning Board until 6pm starting with the June 9, 2022 meeting.

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

Final Resolution: Motion Carries

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

3. Public Hearings

Action, Discussion: 3.1 **DG Management** (0172-2019) SBL # 69-1-1.2 Schunnemunk Road

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to continue the public hearing until June 23, 2022 at 6pm or as soon thereafter.

Motion by Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

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

4. New Projects

Action, Discussion: 4.1 **Outback Steakhouse** (0202-2022) SBL # 2-1-13.1 215 Larkin Drive
Monroe, NY

John Elsishans

replace the neon lights around the boarder with new LED

Shawn reviewed plans and takes no exception to the lights

Chairwoman Franson we had reviewed the project under archectural review.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to waive full architectural review as a minor revision under section 57-31 (B)(2) of the code provided the lights are in compliance with the submission of May 13, 2020.

Motion by Nicholas Napoli, second by Jeff Manson.

Final Resolution: Motion Carries

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

Action, Discussion: 4.2 **RD Management - Burlington** (0203-2022) SBL# 2-1-34.2 Bailey
Farm Road Monroe, NY

George Lithco JG attorney

Mike Rossi VP construction RD Management

Don Alexander Architect with Onyx on Zoom

We are hear looking to have the board grant archectural review for Burlington to take over the space where Home Goods use to be. Looking to change the sign and minor changes to the façade it has been simplified from a construction standpoint and from the standpoint of restricting the alterations for Burlington to occupy the space. It is very important for Burlington to occupy the space by September.

Mr. Rossi since the tech review we added some additional notes to clarify the colors added detail the width of the proposed door

changed out the door from 2 six-foot door to one 12-foot slider with side lights (reviewed the image on the big screen)

mini changes to keep what is out there

keep same colors

closing up the one window, freshen up the paint on the brick, and add the Burlington logo in its place, add new doors with side lights

lighting under canopy will remain the same

we have minimized the changes to the façade to keep it consistent with what's out there

Member Manson the Home Goods had a 6-foot entry and exit door, you are proposing a 12-foot sliding door, do all panels slide open or just the middle 2 and the outer 2 remain stationary?

Mr. Alexander it is an auto slider with emergency breakaway doors, which means in an emergency all the doors would open.

Member Manson was is the benefit to Burlington to go from 2 six-foot doors to one-door layout?

Mr. Rossi this is their national prototype also the store security system and how that operates

Mr. Alexander it has to do with the vestibule setup. There are 2 doors in the vestibule one to enter into the store and one to exit the store with one exterior door

Member Napoli with covid entering and exiting through the same door, if there is a rise in covid how will that be address?

Mr. Rossi they have a covid protocol that is used in all stores

Mr. Arnott comments:

town code has restrictions of how big the signs can be based on the linear foot of the front of the building, the applicant has identified the store width as 150 feet so the sign can be up to 300 sq ft meet requirement

sign internally lit and the color temperature of the lights are 6500 kelvin not within the parking lot won't be distracting I think there is an opaque front on the sign

Mr. Rossi doesn't feel it would be distracting, it's a prototypical sign that is used in other shopping centers.

open discussion regarding the lighting for the sign at 6500 Kelvin

Ms. Torre comments:

Type II under SEQRA

Per OCDP this does not require GML submission for review by them

George have engineer review at the same time as the sign

No GML not required by Alan Sorenson

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to type this action as a type II action under SEQRA.

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

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to issue architectural approval based on the submission of May 13, 2022 and to waive other submission requirements, under section 57-31 on the condition the applicant returning to the planning board to adjust the lighting level of the exterior sign if required by the planning board within 6 months of installation.

Motion by Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

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

5. Returning Projects

Action, Discussion: 5.1 **Pallotti Village** (0196-2021) SBL # 33-1-1.21 98 Harriman Heights Road

Mike Morgante PE

provided landscape plan

lightening plan

numerous revision to the stormwater management plan

awaiting comments from outside consultant - wetland consultant

additional report for new wetland identified last month need to be submitted to the board for the wetland consultant it has been identified on the plans

Frank Filiciotto Creighton Manning for applicant via Zoom

Alex AKRF for the PB via ZOOM

Alex start review:

reviewed the comments from the letter most things were completed would like to touch up the following items.

#3 requesting additional traffic figures which show how the future traffic volumes were developed

#4 peak hour factors additional back up on one of the peak hour factors

#5 delay utilizing the ITE generation manual there was a footnote that was referenced in the text that has been removed from the final printed version of the table

#8 additional backup to see how the weekday midday project generated trips were developed because ITE does not provide trip generation grade four weekday mid=day peak hour

#10 regarding Planning Board comments regarding an analysis assessment of driving habits of an interstate anticipated population of 55 plus and how those results would affect the

proposed trip generation and assignment response should be incorporated into the final CIS document

#13 intermediate roadway along Harriman Heights Road, Manson Ridge Boulevard is actually a midpoint, we requested that traffic account be conducted to see if any traffic from that road would actually flow into Harriman Heights Road and be incorporated into the actual traffic volume network. Need verified by Creighton Manning.

#15 regarding the stopping sight distance source of the 30 MPH requirements based on our review of the American Association of State Highway Transportation Officials Publication policy on geometric design of highways and streets we disagreed with stopping sight distance that was presented in the traffic study, asking for additional documentation to see how derived.

16 more for our benefit we requested additional map just to show the vantage points that some of the photos in the traffic impact study were taken.

#17 requested a queueing analysis in addition to the capacity analysis which was provided with response to comments, we did notice that all the cues in this queue table were listed as zero vehicles, we requested that at least if there was a cue reported by the synchro analysis even if less than one we would like to see that reported as one versus zero. Don't anticipate that having a significant change in the actual results, but for consistency to present more realistic depictions.

no comments on the sensitivity analysis

Frank Filiciotto concur with Alex that the comments are very simple to address and some clarifications items, nothing major that requires reanalysis or any changes to the conclusions. Will reach out to Alex to finish this up.

Mr. Arnott comments:

updated SWPPP was provided my office has some additional comments on that with the drainage and how that is going to be handled on the site
noticed a new or additional maintenance garage on north side of the site that is now proposed.

Mr. Morgante if it's the one behind the Vincent Pilates Center that has always been proposed, might be more visible now being hatched with gray. It was a previous comment on the SWPPP. Have provided a bio retention facility for it, need to provide some pre-treatment for the bio retention facilities, should be able to handle any runoff from that particular location.

Mr. Arnott additional disturbance noted in the Army Corps wetland on the north side, believe it is just the rip-rap outlet protection should be pulled back.
unclear if you have submitted for the DEC for the wetland disturbance permit

Mr. Morgante no we haven't wanted to get closer with the final grading design to make sure

numbers wouldn't be changing, hopefully after tonight's meeting or the next one we can submit.

Mr. Arnott continues:

- there's potential fills and cuts on the site of nearly 15 feet which is pretty significant so a cut and fill analysis needs to be prepared for the site so we can understand total number of import versus export and what kind of impact that will be on construction traffic throughout the project
- water and sewer submissions have those been made to the DOH and the DEC

Mr. Morgante we did make one submittal and keep getting comments back from the DEC. The flow meters were not working properly so we finally have that fixed and have 2 months of data now for DMR that we have submitted to them and they are asking us for just water usage backup reports, which was already done. There were 3 major comments the flow meters, they wanted a habitat rattlesnake encounter plan (last sheet in plan set) and something about a disadvantaged environmental situation as it related to any of the properties that are around the site. I have to do research on that first time dealing with that, and on the water side for the 2 different water systems. Emails Steve Gagnon today.

Mr. Arnott continues:

the landscaping plan has been forwarded on to Karen Arent for review, nothing back yet touched upon the wetlands and the hydrogeology study once received we will get off to our consultant

remainder of comments technical in nature if you want me to go over them

Mr. Morgante one question for you in relation to water and sewer lines. On the south site the existing well that's there is abandoned there are no existing buildings we're proposing all new infrastructure , we are not using any existing infrastructures so is it required to then show where the existing utilities are because we have no way of locating them no existing mapping.

Mr. Arnott if you looking to abandon the existing utilities a general note to that effect would be appropriate whether abandoned or removed.

Mr. Morgante same on the north site, Vincent Pilate center is served by it's own well and Little Pal's Play school is served by it's own wells

Ms. Torre

still in SEQRA process more information needed in order to make the determination of significance

as a reminder this is in the floating conservation district the first application before the board for the SEQRA review and then it will go back to the Town Board to land a district and then back to this board for subdivision and site plan approval

Member Manson:

- in reviewing the SWPPP on page 3 a couple of details in relation to the introduction the first paragraph the site location off Harriman Heights Road then it says geographically the site is located approximately 1300 feet east of the intersection of East Mombashia Rd but should it be Orange Turnpike
- the second paragraph it says the southern site is currently used as a convent by the Sisters while the previous buildings on the northern side have been demolished, but during a site visit there's still the maintenance shed at the bottom of Residence Road and the Crossroads, the Pilates center is still on the site
- paragraph 5 the first sentence reads the project has been designated within the CCR Floating Zone by the Town of Monroe, but at this point that hasn't been landed so the wording has to be changed
- in my reading if I understand both sides the southern and northern all the drainage is sheet flow into the wetlands there's no existing streams or creeks, how about flowing out of the wetlands, are there any flowing waters coming out of any of the standing wetlands or do the wetlands act as a basin.

Mr. Morgante the northern site there is a newer delineated wetland, the buffer to the left is actual wetland so that location there is just a bit of a low spot with a bit of seepage that's coming from the lower elevations causing the wetland to develop, then there is a little cart path for the golf course there is a outlet for that wetland and becomes like a channel. The purpose of the SWPPP is to make sure that the rate of runoff in pre-development the peak rate is no larger than it is in post-development and we are meeting that requirement.

Mr. Arnott just to reiterate that the project is proposing some infiltration basins, meaning that he's trying to get into the ground water so it doesn't leave the site and infiltrate into the land.

Mr. Morgante we are ready to submit for a well drilling permit to get ahead of the game and the building inspector notified us that we had to have some type of approval for well drilling from the board. So I need some type of documentation to the Building Inspector so we can get the permit.

Chairwoman Franson I would like to see the area staked out prior to this happening. Is there going to be clear cutting and how much?
awn reach out to ben

GML review

Member Manson asked for visual analysis review of what was submitted

Action, Discussion: 5.2 **BJ's Site Plan** (0200-2021) SBL # 2-1-30, 2-1-21.31, Harriman Business Park Larkin Drive Monroe, NY

Member Manson has recused himself.

Alternate member Steve Thau appointed by Town Board to review this project

applicant:

Chirag Thakkar - Arna Engineering

Pat Smith - RD Management Project Manager

George Lithco - Jacobowitz & Gubits, LLP

BJ's representatives on Zoom Margaret Patterson, Sam Nguyen, Martin O'Boyle

Representative from Stantec Zach Rich

Creighton Manning - Ken Wersted for Traffic

George Lithco

did a review for the new board members

the property is in front of BJ's there is a well house and a 9/11 memorial

the well house will be abandoned and decommissioned

in 2001 when BJ's application was original submitted the store proposed a fueling station at that time as that has become their mode of operation

this is not a regular gas station it is not open to the public it's for members of BJ's only

the event BJ's closes the gas station would close as well - both linked together

Chirag Thakkar

reviewed current changes

responding to comments from MHE for civil and SWPPP

crosswalk from the BJ's main parking lot to fast food restaurant

removed 1 parking spot making a small sidewalk and potential crosswalk from the gas station to the fast food restaurant

added no parking fire zone stripping

expanded the fuel delivery area and provided more landscape

parking on BJ's club side (by tire area) will eliminate on left side turn into green area to reduce the impervious coverage

plan graphically looks the same

added an inlet to address the drainage problem

Traffic engineers:

Ken Wersted submitted original traffic analysis in January, AKRF provided comments which were responded to at the end of March

additional comments from March needed to update traffic study to address those comments, done for April submit on 28th

original traffic analysis focused in on the intersections closest to site, mainly the shopping mall road and Larkin Dr

the traffic signal at the corner of BJ's and the fast food restaurant proposed area and then the internal kind of three-way stop intersection between BJ's and Home Depot

AKRF comments wanted to expand the study area to include the intersection of Home Depot and the intersection or driveway on Larkin Drive, and also the access to the shopping area and the Wendy's driveway. also Rt 6 & RT 17. We went out and counted these intersections and updated the traffic analysis

all intersection operate same level of service before and after the proposed project

no analysis for a gas station for BJ's members only used a regular gas station

Alex Auld from AKRF (inaudible) Ken summarized adequate received this updated file this week will review and get in touch with Ken, a lot of major comments have been addressed

Chairwoman Franson about the queuing need to give special attention to the queuing with regards to not having a pass through area and having to leave the fueling area and then coming back in, especially during high demands as it is now. Acknowledging this is not the norm, but need to consider it.

Mr. Lithco briefly talk about the parking study being done to justify a parking waiver. The parking requirement is 5% and we are requesting a 22% waiver.

Mr. Wersted (inaudible) checked the area during the 2021 Holiday season only using 21-25% of the existing capacity, we took away the 68 spaces on which the gas station would be placed obviously reduced the supply and overall without those spaces BJ's was still utilizing only 24-29% of the spaces. Removing the parking lot which nobody normally uses isn't going to have a significant negative effect on the current operations nor the proposed operations.

Mr. Lithco another area for discussion whether the fuel trucks for refueling tanks should circulate within the paved area, tanks are located outside the area of the fueling stations, having an access route coming off the circulation drive. We have 2 design constraints one putting them on the other side of the roadway creates a variety of impediments to the circulation within BJ's parking proper and abilities in the roadway discussed extensively at the February meeting conclusion it was not a feasible alternative. We were asked to look at locating the tanks within the paved surface of the fueling facility mixing with the cars coming in to fuel and within the O&R easement. There is a transmission line that runs through there and we have had discussions with O&R and they will not permit it. So the option is where they have been placed on the site plan outside of the fueling area with on access drive in and out. We recognize the board has been concerned about the amount of paved are so we would

remove the same percentage of parking from the area near BJ's tire section currently not used.

Chairwoman Franson my perspective this is somewhat self created as you are also trying to put in a fast food restaurant without that BJ's would align better. Because you are trying to put 2 uses instead of 1 some of the internal movements and relationships, if it was just the fueling station some of the problems wouldn't exist. I am not against additional commercial there is just a lot trying to be put into this space.

inaudible

Ms. Torre address Mr. Auld when your doing your review also review the parking needs study under section 57-47 (e) of the town code so that addresses what needs to be shown in order for the planning board to grant the reduction that's requested, having your comment letter talk about the standard and specific relation to the parking needs and the parking reduction that's requested.

Mr. Smith BJ's has agreed to extent lease 10 years if gas station gets approved there is no rent involved with the gas station so from RD's point of view this is strictly a cost thing we want to keep BJ's here, but there is no way to afford just putting in a gas station the fast food would pay for the project.

talk about the dumpster and it's location within the front yard setback not allowed as it is a structure

you need to refer to section 57-41 (a) code read by Ms. Torre also section 57-41 (c) and (d)

discussion regarding parking required for the fast food site, eliminate some parking in the front for landscaping

Mr. Smith reviewed parking 30 spaces uniform throughout fast food industry

Mr. Arnott comments:

SWPPP is acceptable some cleanup items

zoning lot coverage discussed previously lot coverage at 78% now maximum allowed 75% proposed 80.1% can the coverage only be considered for the lot or across the whole business park, if it's the entire business park you may fall below the percentage therefore not requiring a variance need to check with the building inspector for a determination on that.

Mr. Lithco inaudible when the original plan was laid out it was between Woodbury and Monroe, but the coverage for Monroe was recognized as 65% for the entire property in the HI

district (inaudible)

planning board agreed to reduce the size of the lots from 20 x 10 to 9 x 18 2.2 acres so the total amount of lot coverage has to be reduced to maintain 65 percent less, it was done on a property wide basis

Mr. Thakkar the entire business park the impervious is 54 and 54.3% including Woodbury
Ms. Torre do you have what is just for Monroe sites or is that not distinguished.

Mr. Thakkar page 3 of plans has a table

Mr. Arnott O&R easement proposed modification

Mr. Smith new easement on the project it will be created

Mr. Arnott abandonment of the well request from Village of Harriman and DEC accept in writing accept the decommission plan

Mr. Arnott proposed sewer both OCDPW and DEC approval
SWPPP

landscape plan to Karen Arent for review

assuming letter from Village of Harriman and DEC accepting decommissioning plan no objection to drafting or moving towards negative declaration

Ms. Torre:

SEQRA unlisted action and assumed lead agency

referral to the county for GML 239 review

reciprocal parking agreement amongst the whole lot would like a copy

contact list sewer district 1 Orange County Department of Environmental Facilities need to add

parking calculation table confusing make adjustments (inaudible) highlighted parking move from existing to proposed

landscaping plan tree preservation plan showing one to one replacement has been referred to landscaping consultant

architectural review need renderings up to the board to decide if you need more information
SEQRA review previously spoke about whether there are any mitigations that would apply to this project. Asked Mr. Lithco for a narrative.

Mr. Lithco inaudible

show renderings of the gas station

there is a lighting plan

reviewed pictures from other sites

6. Minutes

Action, Discussion: 6.1 January 13, 2022

no quorum

Action, Discussion: 6.2 January 19, 2022

no quorum

Action, Discussion: 6.3 February 10, 2022

no quorum

Action, Discussion: 6.4 March 10, 2022

held over

Action, Discussion: 6.5 March 15, 2022

held over

7. Adjournment

Action, Discussion: 7.1 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, Nicholas Napoli