

Town of Monroe Planning Board Regular Meeting MINUTES

— 05/21/2019

Town of Monroe Planning Board Regular Meeting (Tuesday, May 21, 2019)

Generated by Norinne McSweeney

Members present

Anthony Vaccaro, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro

Members Absent:

Lisa McQuade, James McKnight

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Public Hearing

Action, Discussion: 2.1 **Kingsville Synagogue** (0161-2018) SBL # 1-1-4.32

Chairwoman Franson began with stating this is a continuation of a Public Hearing and proceeded to call first name on sign in list:

Dawn Salka 25 Woodard Road Monroe, NY represents CUPON of Orange (Citizens United to Protect Our Neighborhoods) copy of notes attached

Bonnie Rum - 64 Shore Drive South Blooming Grove, NY

Questioning curb cut for the driveway in South Blooming Grove suggested applicant get a driveway approval for 7 Springs Road to avoid current issues

Who is going to enforce traffic?

Emergency Vehicle access

Bottom Line feels applicant should obtain an easement for a driveway on 7 Springs Road

Mr. Wagshal - 10 Kingsville Dr Monroe, NY,
making comments back to other public comments

Chairwoman Franson interrupted and said maybe instead of refuting what public said you should concentrate on what you intend to do in terms of your congregation, when they do attend, where the facility would be for your praying and discussing access and how people arrive at location, are congregants living around you

Mr. Wagshal - driveway is not an option from Mountain Road it is a very narrow walking path

that goes through private property that I received written approval from the owner for my family to walk through his property

we don't need additional parking spaces but the code says must provide parking - congregants walk

Chairwoman Franson asked what is the total maximum people attending the synagogue

Mr. Wagshal - 18 we would never exceed 18 people

Chairwoman Franson - what is the 18 based on

Mr. Wagshal - we have to pray with 10 adults and male children

Chairwoman Franson - clarifies 10 male adults and male children will be using this to pray, is there at any time mothers or other children at the house during this time of pray

Mr. Wagshal - possible a few times women might come but not for praying

Member Allegro asked where is the back property line

Mr. Wagshal pointed out on map - not a big enough area for a driveway

Chairwoman Franson addressed Mike Donnelly that she is going to enter into record some correspondences received from the Village of South Blooming Grove (MHE Comments attached) and the OCDP Review (see attached).

Mark Edsall reviewed his comments (see attached) the applicant has meet the Planning Board concerns, outstanding issues are with the Village of South Blooming Grove and the Orange County Department of Planning so from technical standpoint a couple of open items from a review of the plans themselves for compliance with the town code I believe the plans have been corrected.

Member Czerwinski asked about the list of congregation members/map to help the board with locations

Chairwoman Franson addressed Mike Donnelly whether that is allowed

Mr. Donnelly explained that there is the FOIL request and the open meeting law is to make everything available to the public, but personal privacy issues are protected.

Member Czerwinski I am not looking for names just addresses, I am trying to establish locations to prevent people from walking through neighbors yards

Chairwoman Franson mentioned the outstanding issue with water.

Mr. Edsall asked if this property is on a well and Mr. Niemotko yes it has a well. Mr. Edsall said that this should be refereed to the Town Hydro-geologist to ensure that there is adequate capacity on the well, he could recommend some testing that would show the well can handle the continued use of the single-family dwelling but also the gatherings of up to 18 people for whatever sustained amount of time.

Member Vaccaro stated that there are 2 purposes for this house one would be for residential living and the other is for a Gathering Place, concerned with 18 people could be at the Gathering place and additional people can be upstairs in the residence exceeding the 18 people maximum. Asked for difference in Synagogue and Gathering Place.

Chairwoman Franson response is via its size they were eligible to be regulated as a gathering place.

Chairwoman Franson addressed Mr. Niemotko a question was raised about the basement

and the activity withing the dwelling and fire code etc would you like to respond to that. Mr. Niemotko responded to multiple questions/issues: gathering place is located in the basement I did prepare an architectural plan that was subject to code review it was submitted with these plans and submitted to the building inspector, that space now complies with the building code as outlined on the plans . Modification are needed to the gathering place and that would be included in the permit application.

Chairwoman Franson how do they access this area? Mr. Niemotko there is a separate entrance on the side of the building directly into the gathering place

Mr. Niemotko would like to reiterate the one comment on the path that shows on the property, as the applicant mentioned this has never been intended for vehicular traffic nor is it designed for that type of use

Chairwoman Franson said that a map note should be added to the plans indicating this the path will not have vehicular use

Mr. Niemotko spoke on the water supply that this is very specific and limited use of the 18 people or up to the 18 people it's not a continuous use on a daily basis. Going to a hydro-geologist is extensive in this regard. We can provide the gallons per minute that would be needed to satisfy this peak use. Mr. Niemotko would prefer to establish the peak use and monitor the well and make sure it yields the kind of production required by the code instead of going through the process of hiring a hydro-geologist and a report associated with that is extensive and expensive. We are talking about 1 well, 1 facility and 1 peak use/ week. Reasonable the board could consider a minimum approach to obtaining the yield in the testing of the well.

Chairwoman Franson spoke that at a minimum we need calculations to begin with to get a sense of order magnitude and then make sure that there's a narrative as to what activities are occurring and what activity specifically utilized water, is it just simply having bathrooms or facilities or are there other demands

Mr. Niemotko we can provide a narrative and reference the department of Health standards that's needed for water usage we can establish a rate that should be acquired and then that rate can be tested or can be compared with a monitoring of the well.

Chairwoman Franson is there a well log or would there have been one from when the well was drilled for the property?

Mr. Edsall what they should do is make those calculations, propose a methodology for testing the well and at minimum the board could have the hydro-geologist look at it and make recommendations. Not saying they have to hire a hydro-geologists maybe a mechanical engineer who could look at it and provide the appropriate monitoring, but the guidelines on what should be done should be looked at by the hydro-geologists so that he can agree to the methodology.

Mr. Niemotko we will have a third party review it

Chairwoman Franson this is a county comment we are trying to address and satisfy what the county has raised the deal with inter-municipal concerns

Mr. Niemotko it is a reasonable request

Mr. Manson if recalled correctly there is a Passover kitchen in the alcove and in coming up with that peak usage is that kitchen being used for the congregation or for the family at holiday times. It is not in the narrative and I would like to see it there.

Chairwoman Franson there is additional work to be done so the Public hearing should remain open until the next meeting which is June 18, 2019 at 7pm

Mr. Wagshal returned to comment on the walking path

spoke about the fence and whether it is being removed all together or moved back on the property

Chairwoman Franson asked is there was a well log possible from when well was dug

Action, Discussion: 2.2 Hillside & Scott Subdivision (0170-2018) SBL # 10-5-2,3,4

John Sorrentino

Eric Helm

Chairwoman Franson spoke of the continuation of the public hearing and there is a list of residents who wish to speak,

Sally Adams 7 Hillside Ave

would like Board members to come out to the site and see what is going on there, perhaps with a video recorder

stated she emailed Chairperson Franson and Secretary McSweeney stating she was willing to meet with any board members who wanted to come to the area (no emails received from Chairperson or Secretary - looking into it) she was using website email not sure where they go - was given email address for Board Secretary

asking for public hearing to remain open for another month so concerns can be addressed

was under the understanding a basic road maintenance agreement was going to be drafted by Mr. Donnelly and sent to Hillside & Scott Developers to bring around to the residents and nothing has been brought around up to this point

mentioned the trees that were cut down asking who certified that they were dead, because the residences of Hillside & Scott believes many trees that were cut down were not dead

has not gotten a straight answer whether the developer is repaving Hillside or just the sub-straight

26' road will take away owners property and remove their trees and bushes

are the removed hedges going to be replaced with full-grown or samplings

spoke about swalls her house and neighbors

Hillside & Cooper St property taking property to widen road

spoke of water issues on Heaton & Lakes

proposed swalls on the new lots - open or closed where empty out, dams on property what purpose are those

Hillside connected to sewer how is that possible?

Road Maintenance agreements - should be separate agreements

Mr. DePuy come to my home December 2014 to offer our version of road maintenance agreement he was to relay info to Mr. Chi who was owner at that time. Also sent a copy to Planning Board and never heard back from either one

"Contractor Clause" written into agreement promises made and not fulfilled

At the April 16th Planning Board meeting Mr. DePuy said it was not objectionable to the property owners to have their lots encroached upon. My husband spoke at this meeting and when asked if true his reply not really, he was right the only time we have been approached by Scott development regarding our individual property was when they wanted permission to access our well to do water testing, we granted that permission in good faith

Finally, the Town Board has passed a Transparency Law for LLC's we would like to know who we are dealing with, who's accountable for these improvements and the negative impact they'll have on current property owners.

Encourage the Engineers to use updated maps with correct ownership descriptions and property layouts

Michael Welloch - 15 Hillside Ave

General questions if approval granted how long do you think it will take, are you building one house at a time or all 5 at once,

how long after approval if granted do you anticipate starting construction

most of the issues are road issues trying to figure out what the drawing are showing us widen the road to 26' which is currently 14' how would that happen - can a surveyor mark out what is going to happen

want to know what we are losing in term of property

Chairwoman Franson addressed Mr. Welloch concerns to the applicant

Mr. Sorrentino response normal time on a single family house is 4-6 months, we would try to do 2 simultaneously as one sells the next one starts

building on spec

estimating project to be completed within 2 years

some road work done first, majority done at end of project

Mr. Welloch asking for staking to make it easier to understand what is being done

Gloria Clerici - Corner of Hillside & Cooper

showing pictures of property line

Not against the building of these houses but about the stress and the environmental impact in this neighborhood

Mrs. Clerici has an issue with expanding the road as her well is 5 ft from the road

some neighbors have been maintaining the road and others don't help out, no road agreement people don't agree on things

complaining about the removal of trees. Claims trees on her property were taken down

(shows pictures) trees that her husband put Bat houses in to keep away the mosquitos tree company knocked down statues in her back yard didn't fix them when they left Was planning family events with outside parties and now she is devastation on her property in the rear yard and looking out the front all she sees is "Yucca Flats" as she refers to it. I don't mind progress clean up your mess. All I see is dead trees and garbage. Go to the lot now and there are still dead trees on the lot amazing as a tree specialist was there, disappointing people very disappointing.

Chairwoman Franson said the cutting was not authorized and asked regarding the pending violations.

Mr. Sorrentino respond everything was taken care of. Also, board requested that the applicant get a bat study of the area

Chairwoman Franson asking Mrs. Clerici if her property is staked. Also, asked Mr. Sorrentino if the project is staked out on the perimeter - response was no. The trees are GPS so we know which ones could be cut. Mrs. Clerici doesn't agree as trees on her property were cut. Trees were blue ribbon marked.

Mr. Sorrentino will look into the claim of the trees on Mrs. Clerici property being cut down.

Rich Stropel 29 Cooper Street

I brought the complaint about the trees to the building department formal complaint, I haven't heard anything about it.

I spoke with Supervisor Cardone after the last meeting, and he said that he would come out to property with Highway Superintendent to see what is going on. Was there an arborist out here to determine what trees were dead.

Chairwoman Franson said the applicant has someone out for the trees.

Mr. Stropel are we going to receive a report on the trees that were taken down. They removed live trees. The applicant received a permit after the fact to cut down trees. Again, Live trees. Trees in the middle are gone the ones on the border are gone.

Another question where are they going to be parking during construction? When they built the house at 128 they had to have the trucks off the road. The last planning board had recommended all equipment had to be off the road. That should be the same this time.

Last questions, what is going to happen to the mud during construction is that going to run downhill to my property. The paper roads use to be 20' wide both of the paper roads if the road is now going to be 26' wide who is going to pay property owners for their property

Mr. Edsall commented that from the surveyor the Planning Board is going to request an actual true survey showing the property lines and the right of way boundaries for the paper street or private road.

Open discussion with Board members, applicant, attorney regarding the private road, the right of way and who is responsible for maintaining it. The applicant said if no road maintenance agreement is done than in the deed upon sale of house it will include that they owner must maintain their portion of the road.

Mr. Donnelly will forward on to Mr. DePuy the information Mrs. Adams gave him this evening.

Repairs to the current road area - adding 2 catch basins and upgrading the current 2 , create a better crown, replace drainage pipe across cooper, proposed improved swalls

Robert Adams 7 Hillside Ave

At the last meeting it was said that the Town of Chester Highway superintendent would be contacted about the large quantity of waste water that comes down from Chester into Monroe (Oak St, Heaton Road) stormwater.

Chairwoman Franson asked Mr. Edsall if he had a chance to talk to Chester and he said no. Mr. Edsall said he will try to set up a joint meeting with both Highway Superintendents

Hold over the public hearing to June 18, 2019.

3. Executive Session

Action, Discussion: 3.1 Discussion on replacement Planning Board Attorney credentials

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby enters into executive session to discuss the new Planning Board Attorney.

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

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby returns for executive session.

Motion by Chairwoman - Bonnie Franson, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby appoint Burke, Miele, Golden & Naughton as attorney for the remainder of 2019 Ashley Toree will be our primary attorney and Mr. Golden will be our backup attorney, due to the retirement of our current Attorney Michael Donnelly.

Motion by Jeff Manson, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro

4. Adjournment

Action: 4.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby adjourns tonight's meeting at 10:00 PM.

Motion by Chairwoman - Bonnie Franson, second by John Allegro.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro