

Town of Monroe Planning Board Regular Meeting MINUTES

— 05/21/2024

Town of Monroe Planning Board Regular Meeting (Tuesday, May 21, 2024)

Generated by Norinne McSweeney

Draft

Members Present:

Chairperson - Bonnie Franson, Pat Shea, J Louis Rivera, Robert Garstak

Members Absent:

Jeff Manson, Dylan Penn

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. Public Hearing

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

Applicant Representative:

Issac Stein - Ideal Design

Mr. Stein -

- submitted letters for septic and well
 - parking plan has been adjusted
 - Highway Superintendent revisited the property on April 19th to view new curb cut plans
 - new curb cut details and site plan details shown on page 3
 - 1 detail still missing regarding road construction
 - tree plan add 14 trees back onto property
 - updated plans and elevations according to the conversation last month
 - the railing, the door and the floor plan all discussed last meeting have been answered
- BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to open the public hearing.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Pat Shea, J Louis Rivera, Robert Garstak

Nay: 0

Abstain: 0

Dennis Fordham - Conservation Committee would you like the team to go out to the project

Mr. Arnott - emailed the plans to Karen Arent for review.

Joel Levi owner of 24 Raywood

- thank everyone for all the help during this process

Ms. Torre - Ms. McSweeney received 2 emails from residents regarding public comment they have been forwarded to the board both supportive of the project.

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

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Pat Shea, J Louis Rivera, Robert Garstak

Nay: 0

Abstain: 0

Ms. Torre comments:

- need to await the MCC review which they have 32 days to comment
- removing 14 trees need to show plan of replacing trees or paying fee in leu of.
- the board asked for landscape plan which was provided

Mr. Arnott comments:

- they provided a tree plan that shows they're proposing 14 trees which I also sent on to Karen Arent -
- landscaping in front of the building if that is still proposed needs to be added to site plan
- most comments tech
- well testing has to be certified by a licensed design professional that the existing well would be adequate to serve the new additional demand
- it was brought to me attention already provided and has been reviewed and take no exception to it
- remaining items are the landscaping and additional detail with regards to the curb cut

replacement and Town Road pavement section for the restoration of the roadway

Ms. Torre - it would be appropriate for the board to authorize the drafting of a resolution of approval

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to authorize our attorney to draft a resolution of approval based on tonight's comments.

Motion by Pat Shea, second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Pat Shea, J Louis Rivera, Robert Garstak

Nay: 0

Abstain: 0

3. Returning Projects

Action, Discussion: 3.1 **Monroe Commons** (0182-2019) SBL # 2-1-10 Nininger Road
Monroe, NY

Applicant Representatives:

Jon Dahlgren - Tim Miller Associates

Dan Richmond - Zarin & Steinman

Mark Siemers - Pietrzak and Pfau

Aaron Werner AKRF on Zoom Planning Board Consultant

Mr. Richmond:

- we are here before you on the FEIS which has had several iterations already I believe we have or will be making shortly all the edits that we make.
- we believe all substantive comments have been addressed well within SEQRA's rules of reason
- we are looking to the board to grant or deem the FEIS as complete for the purposes of SEQRA so that we can move on with this project
- if there are certain editorial comments that are made they can be made subject to those revisions

Chairwoman Franson - Ms. Torre if you could take us through the procedure of where we are and then Mr. Werner can speak on the FEIS.

Ms. Torre - the Consultants from both sides have had a few technical review meetings since the applicant has been before you in March. The applicant has been working to address all of

the consultant comments and lately we've provided some red line suggested changes to the language of the document as well I believe the biggest item outstanding was waiting for OCDPW to weigh in on the traffic mitigation. I understand that the board and the applicants team were trying to set up a meeting with the County DPW to discuss those.

Mr. Richmond - I think the traffic issue has been thoroughly vetted by AKRF I'll let Mr. Werner speak to that, there was a scoping document that we've abided by that we committed to in the DEIS which the board deemed complete and there's a public hearing we responded to all comments I think there's ample information certainly well within SEQRA's rule of reason showing that the mitigation measures we've proposed are feasible will work. I think the county has asked for conceptual plans which are typically not required at this point in time or prepared. We're certainly after the FEIS is deemed complete willing to work with them if any issue thereafter arises again that can certainly be made either a condition of site plan amendment or if we need to revisit it with your board amend SEQRA findings. Although I do not think that's necessary based on everything I'm aware of. We're concerned that we're waiting for a letter that in our experience DPW typically doesn't issue they've had this before them for some time now and we haven't gotten a response from them, we're concerned about holding up the project for something that you know again could be a bottomless pit.

Ms. Torre - if I could just note aside from the county issue there was another item that came up during the the review, the water since the mix of uses has changed slightly the water demand calculation has also changed. I know Mr. Arnott had some comments on that and was working with the applicant to update their calculation and then once that number is determined the applicant was required to get an updated letter from the Town of Palm Tree administrator confirming that they are able to supply that updated increased demand. So that is another item that is needed for the FEIS as well.

Mr. Richmond - my understanding is to the calculations have been prepared if it's the letter from the Village of Kiryas Joel that you're waiting for I think that could be issued and again that could be made a condition of the FEIS being deemed complete. But again I think we have that information now.

Mr. Werner - we've had a series of offline meetings with the applicants consultants full team and as well as the Planning Boards full team of consultants we felt that was a better way to start addressing these last edits and comments so that we can just move this forward. The latest approach that we've been taking is the word files of each piece of the FEIS so that each technical consultant can review their portions provide comments directly edit and then send back to the applicant so that they can package up a new document that the board can look at. One of my concerns is during the last few weeks of going back and forth the board hasn't seen anything, and I know you raised that as well, like the attorney said for the applicant the traffic analysis and conclusions we are at this point comfortable with however it was raised by

you and others on our meetings that you know to move forward with a finding statement it doesn't need to be revisited given the complexity of how many mitigation measures there are proposed here in different intersections and the timing. Having the county ensure that these can be done and that feasible mitigation measures I think would be beneficial you know we've already expressed our interest to have the FEIS state that these measures should be done before

a CO is given to the project our discussions and the revisions that they've made to different pieces of the transportation chapter response to comments, but again I think you know getting the county to weigh in having that meeting would be advisable and I think the board's comfortable with that. I think you've been pushing for that so that's really where we are. AKRF has done our technical review is pretty much complete we sent our edits around I know that there's still some remaining

edits being sent in probably by Frank Getchell on the groundwater geology type reviews and Dave Tompkins also had some some final requests as well in addition to what Mr. Arnott has been asking for. If the applicant can keep receiving these word files from us with comments and then consolidating them and presenting something back to the board that can be considered as the document that is accepted that would be the best approach.

Mr. Arnott - in regards to Ms. Torre point earlier about the water I have some comments on how the calculation was created, but I think the letter from the Village of Kiryas Joel identifying exactly how much much anticipated or what the anticipated demand is going to be is critical to the entirety of the project given the lack of ability to provide water to all applicants within the Villages. We just want to make sure that the anticipated demand is adequate.

Chairwoman Franson -

1) - my thoughts on all of this at the last meeting we had discussed working a little collaboratively with all the consultants so that the sections could be worked on and they could be edited and we could make sure that we were moving forward toward completeness. That's happened but in doing that process and trying to really push this to the finish line the Planning Board has been waiting to see and for you all to get to final edits and has not seen the FEIS document as revised so that to me is a something that has to be done.

2) - because there's been some moving parts because some of the mitigation has been tweaked and revised a bit I think we all need to make sure that it's all internally consistent which is why we need to see the whole document holistically. I think that's very important. I spoke to DPW because I really wanted to understand where they are with the review, what they're waiting for, what their expectations are. I spoke to Eric Denega and Anthony Trochiano who I believe is the person who had written the letter and essentially from the town's perspective and from the public's perspective those County roads are extremely important in terms of their functioning because they provide access to our school district complex between the middle school and the high school and there's a lot of development happening over there and we need to make sure that the area functions so these are not our roads I've said that

consistently the County's roads and we don't feel comfortable saying everything's okay without them speaking to the town and saying we're good to go. So they had provided a letter from their perspective they did not think that they were yet at a point where they understood specifically the mitigations what the applicant was committing to and whether they are actually buildable so when we speak to a conceptual plan they're not expecting engineering drawings they're not expecting anything that is detailed to the extent that you would need a permit at all they indicated that they had the right of way information to provide to you all and what they wanted Creighton Manning to do is to show conceptually the tapers or the left turn lanes or whatever improvements were proposed to get us to a point where traffic impacts have been mitigated and then specifically if those are the improvements to make the key intersections function what is the applicant's responsibility or has the applicant committed to everything. I also asked them, as I was presenting different theories, I wanted to understand alternates because there are situations where there may be additional right-way needed and if it's owned privately and the applicant can't acquire it then there needs to be a possibly different expectation as to the alternatives so that's why it was important to them to understand whether there would in any way need to be private property acquisition so that's their expectation they have given the traffic study to Colliers who is their consultant and Collier said that they were going to review it within two weeks or so and that they were going to essentially make any comments as to whether they saw any adequacies or inadequacies and frankly because AKRF and Creighton Manning have worked together so you know deeply into this whole traffic analysis I can't imagine that Colliers is going to come up with any comment that's significantly different so what they expressed what is not holding you up and what does not rely on the applicant waiting for Colliers is to actually get them this concept to show that these are the improvements we're envisioning you know it's in the right away it's not in the right away because for example if it's not in the right away then their mitigations they may say all right this is how you're going to do it that was essentially a lot of what the commentary was about their expectations. They're waiting for you to get them a conceptual plan I will only add that when I was speaking with Mr. Degenia because they're also I guess overseeing Orange County Sewer District as well that they indicated the sewer district is basically at capacity and I don't know that there's going to be additional capacity to meet any demand until such time that there I guess improvements made I'm not entirely aware of where that whole process is because I know they were looking to expand or to do something alternate and it may affect your ability to tie in a particular time period but I'm not saying that would hold up anything it's just a reality, and I think we need to all acknowledge it because it was expressed by the county to us so that's where we are I don't think we're ready to adopt anything this evening I think that we're close but we really do want to get something to the county just so it's very clear what the traffic mitigations are number one and number two what design is required for whatever improvements are proposed and is it buildable and that's the language that the county gave me and in terms of getting a letter from them or not a letter they would provide us with something they indicated that every municipality is different some municipalities ask for it some people you know some municipalities, and so it's just in part dependent on what the

Town of Monroe is looking for and I think in this instance because of specifically Monroe Woodbury School District we really want to be confident that when that building is operational that we're not going to have traffic issues over there. Those are my thoughts.

Member Rivera - on a personal level so I've had three children graduate from Monroe Woodbury High School and I can say that area without any other additional traffic was always a traffic nightmare. It's on my mind I could just envision even more traffic on top of more traffic how that's going to impact the district and I'm speaking because I'm sure there's a lot of people in this town that are thinking the same thing. I feel sorry if something like this comes to fruition without the appropriate mitigations.

Member Shea - if you look at the minutes I've said a lot about traffic I have really nothing to add.

Chairwoman Franson - let me ask a question at this time you want more information from the county to be satisfied that the improvements can be made so that's reflected in our decision and our documents.

Member Shea - yes, just to expound on my past comments I think what's going to take in order to fix this is the extension of Rt.105 it goes from Nininger through that intersection there that's probably going to be the thing that takes, but I don't know when that's going to happen.

Chairwoman Franson - so is that Nininger through to continue into Kiryas Joel so going westerly into the village.

Ms. Torre - that connector road is part of the mitigations for this project.

Chairwoman Franson - to be clear from a SEQRA perspective the applicants responsible for the improvements based on what their impacts are. So you're not going to be required to mitigate beyond what your impacts are, but it may be that you're contributing to certain improvements as part of the overall package of improvements that are needed in that area. We should all be clear on that we're not expecting them to build the connector but to make improvements whatever is required toward better functioning of that overall corridor.

Mr. Dahlgren - I unfortunately don't have the traffic study with me tonight, but I know that intersection has been discussed as part of mitigation for this project and it's either a contribution lane or you know a commitment to improve that intersection as far as the dodge connector I understand from Mr. Wersted that is in the works and that's I think an improved project that's coming.

Chairwoman Franson - I think that's kind of a more Regional project that's going to happen and I think it's a little complicated because there are wetlands in between right and so there's permitting and other challenges that have to be addressed but it is part of the overall Improvement set for that area for certain.

Mr. Werner - I don't have Elaine with me tonight who has been the reviewer on the traffic I agree that this connector has been identified and as one of the many improvements that's proposed. I don't have the specifics of it in front of me unfortunately in the car but you know

we'll make sure that's clearly with the next set of revisions we pretty sure it's in there but make sure that it's clear.

Mr. Richmond - first make it clear to Mr. Rivera and you know anyone else who shares a concern that there has been a traffic study you know and again I think your consultant AKRF has just said that it's comfortable with our review. I think our review shows that the potential impacts of our project including from a traffic perspective can and to the point of our clients commitment I think we made it clear in a technical meetings that while we would look for other people for contribution we've indicated that the mitigations the FEIS our client would be willing to sponsor so I think that issue has been addressed in terms of Collier's review of the traffic study. again couple things first of all Collier's was representing the Village of Woodbury, so they reviewed the DEIS I'm not sure what comments they would have on the traffic study. Chairwoman Franson - in as much as I appreciate the county wants Collier's to review that study, I think more importantly they want to see this conceptual layout to understand the mitigation specific to this project so yes they're doing that.

Ms. Torre - it may be worth it for there to be a call with the county, the applicant, and perhaps the board's traffic engineer to determine what exactly the County's looking for in order to move that forward.

Mr. Richmond - look to be fair to our client we've been trying to work with the county for some time we've even more recently trying to set up this meeting with the Planning Board our concern is about holding up for something that the county has respectfully hasn't been as swift as it could have been.

Chairwoman Franson - I'm just going to say in fairness to the county they've also said that they've had expectations of when things are going to be submitted going back to November and not necessarily getting it timely. We're where we are they have a letter and they're indicating more importantly than Collier doing review Etc is some kind of, they have the right-a-way they said they were going to share that information with I guess Creighton Manning and they just want to see the conceptualization of whatever the improvements are that are supposed to be the mitigation that this applicant is responsible for.

Mr. Dahlgren - I think I can understand the FAS provides conceptual plans for all the mitigation and it lists the mitigations that are committed to by the applicant what I think the county is looking for is what may not have been in the FEIS conceptual plans is the right of way and how if it's buildable if roadway is necessary for lane widening adding a new Lane tapers that sort of thing. We've discussed here that kind of design usually doesn't happen until after SEQRA but the county wants reassurance because this is such a sensitive area that it is buildable and so I think that's where we're at.

Chairwoman Franson - and I think that was why they were saying you know the right of way because let's say for argument sake theoretically there's 50 foot of right-of-way and then the improvements require 80 feet of width of a right-of-way are you going to actually be able to install let's say a left turn lane or you know or whatever it is another Lane if you don't have it and you can't control it. What they want to understand is what is actual the reality in the field

because if certain improvements upon which the traffic mitigations rely cannot be done then what is actually going to get done. Which is why it's very important for them they are not looking for any kind of detailed engineering we're ready to go to design at all there specifically wanting to understand the feasibility and the buildability of the improvements relative to what can be controlled from the right-of-way perspective. It's a little crazy because there's a lot of frankly right-of-way things going on over there between the state DOT and Rt. 17 and those improvements and then some of the it would appear to be acquisitions that are relative to some other projects in that area. But I really you know again, these are not our roads those are the county roads we really need and we're happy to participate in a meeting with the applicant with your group with CME, with AKRF traffic or whomever to move this forward, but and to get to a final FEIS, but we're I am not at a point satisfied because of my conversation with the County that they're satisfied that they have feasible mitigations number one number two we don't have the whole document I haven't looked at all the red lines the board hasn't looked at all the red lines and so I think it'd be premature to do it this evening anyway.

Ms. Torre - there's many different versions floating around now with these different red lines it's unclear what you'd even voting on. There really is nothing for you to take action on because there's not this complete revised document.

Mr. Dahlgren - we could talk about this later but we should have a discussion about do you want a clean copy or the the latest edits shown that were provided by you

Ms. Torre and AKRF should those edits be shown or it's been back and forth quite a bit.

Chairwoman Franson - from my perspective now I don't know what the Consultants having to verify that everything's done what you need. I would think that the

Planning Board needs just a clean copy to just read it now and to make sure it's all internally consistent not with all the red lines and all of that.

Ms. Torre - red lines would be helpful for the Consultants just to verify that the changes have all went in.

Chairwoman Franson - but for us I think once that's done you know and if there are any additional edits those can be condition of acceptance you know but I think this County Road situation is really the most important and probably the last thing that has to be addressed. We do have our MCC person here and we also have Mary Bingham from the Town Board I don't know if you want to add anything to this just giving you the opportunity.

Mr. Richmond - we appreciate your attention and all your Consultants time and attention again just last I mean if the DPW had this comment it should have been a DEIS comment it seems to me now and it seems like you know I think it's a little unfair to hold up the applicant at this point for something that again following

you know the way SEQRA is supposed to work I don't think if this was their issue right away and the FEIS you know because I mean I guess and look I think there are ways that we could move forward with the project again I think from SEQRA's perspective the lead agency you know with its Consultants has verified that you these traffic measures would alleviate or mitigate the project's traffic impacts and that's the central question before your board right

now the DPWs and other involved agency they're going to need to make their own SEQRA findings and there is time for these issues to be addressed. I mean I don't think anyone should be concerned that somehow this project is going to be built without adequate traffic mitigations. I think it's clear that we've shown that it can and it will be and this seems somewhat of a technical discussion that is more appropriate for you know an ultimate permitting decision of DPW but again as I said earlier I mean even if ultimately they raise an issue and have questions about the feasibility I don't think would have to be revisited and that's not the way SEQRA should work but that's can happen so again I think we've shown that the project has been mitigated I think your Consultants have confirmed that and I think that's the issue before but I think Mr. Werner if still here, ready to jump off.

Ms. Torre - from a Seeker perspective the question is whether the document currently if it adequately informs you of all the significant adverse impacts and also of their proposed mitigations and the board's position is that they're not adequately informed without this additional information from the county and I think working together with the county and getting figuring out what exactly they need a response you know to you as quickly as possible the board's willing to do what it can in that regard to keep it moving forward.

Chairwoman Franson - and I would say it's the agency that's telling us that they don't have sufficient information and as much as it's being represented that there is they're specifically saying they need a specific plan conceptual to be able to make that determination number one number two having been involved as a professional in many reviews and many projects and applications it is not uncommon to get DOT or another agency just to say do these mitigations look good are you good to go so we can close off SEQRA and we specifically have an agency that's saying no essentially that we need a little bit more information so again Colliers that's another traffic consultant and not to diminish their piece in this we do have AKRF we have had Creighton Manning look at the traffic so that's less my concern than getting the county some kind of conceptual plan with the right-of-way showing a mitigation and what you're committing to.

Mr. Richmond - I think I've made my position clear I'm happy to restate it again the point of the FEIS is to substantively respond to all DEIS comments this wasn't a DEIS comment that's kind of being thrown in at the last minute. This wasn't a comment from DPW or anyone.

Chairwoman Franson - you're saying specifically received from them on the DEIS

Mr. Richmond - I don't think anyone raised this issue on the DEIS so again the question is does the FEIS substantively respond to the comments and again I made the point DPW is an involved agency they're going on to have to issue their own SEQRA findings per SEQRA and they're going to have their own permitting review, again I just want to be absolutely clear this project will be built with adequate traffic mitigation.

Ms. Torre - DPW's review and approval was always, I can't say for certain which comment, but I know that's always been discussed on in the DEIS comments in terms of these mitigation measures because of course they require the County's input.

Chairwoman Franson - I will poll the board it's not my decision alone and just ask do you want to deem this complete this evening. If I ask a question I'm going to say no I don't think we can

deem the FEIS complete this evening that's my opinion.

Mr. Richmond - Madam Chair I hear what you're saying I guess well.

Chairwoman Franson - in fairness I'm going to ask my other members. Member Shea do you think this can be deemed complete?

Member Shea - no I concur with you I think the county is a tremendous element in this because they're going to be the ones that really fix the problem.

Chairwoman Franson - so we're not going to deem it complete this evening.

Mr. Richmond - I understand thank you. I would hope that Madam chair you know we are very anxious to move this project forward hopefully we can expedite our conversations with the county give them whatever assurance they're seeking would your board be willing to have a special meeting in that event prior to June 13th Chairwoman Franson - we've indicated that we're open to holding special meetings if they're appropriate at the time that the group is ready to make a determination and you know obviously subject to membership being present and getting a quorum Etc. We've expressed that before and I think again we've worked very hard to be collaborative to get online to get on Zoom calls to move this forward.

Mr. Richmond - thank you Madam Chair.

Mr. Dahlgren - I just have to pipe in that I appreciate the Consultants working back and forth in multiple meetings over the past couple of weeks to try to get this resolved you know it's been a lot of effort.

Chairwoman Franson - it's a big project and there's some moving parts and there's some other agencies involved so we'll get there.

Action, Discussion: 3.2 **Meadow Hill Subdivision** (0169-2018) SBL# 37-1-1 Camp Monroe Rd & Lakes Road Monroe, NY

Applicant Representative:

Ryan Smithem - Mercurio-Norton-Tarolli-Marshall, PC

Mr. Smithem -

- bulk zoning tables have been corrected and amended based on previous comments and included the side yard setbacks which were set for the conservation subdivision
- dwellings are larger than previous plans due to the Town's requirements to have the actual square footage on the plans
- these houses are not necessary the proposed house sizes but the applicant wants to give himself some flexibility if a potential buyer wants a larger house
- buildings 1&2 shifted back and closer together to accommodate some separation with concerns to wetlands
- lot 3 shifted back to provide separation
- lots 4 & 5 closer together to give some extra separation to lot 6
- lot 6 was shifted away from wetland
- proposed # bedrooms for each dwelling has been added

- the 2 disposal systems have been designed based upon percolation testing the testing completed by our office
- some show 5 bedroom systems for flexibility not necessarily what final design is going to be
- reached out to the wetland consultant who reaffirmed the bounds of the wetlands because that was a concern during the last meeting

Mr. Arnott -

- previous comments with regards to the bulk table have been addressed
- the net lot area should be calculate and placed on the bulk table
- the finished floor elevations for the dwellings and the garages be shown
- applicant indicated the SWPPP was being prepared
- tree plan will be prepared for the board once the layouts of dwellings are accepted
- Lakes Road is a scenic road the board has discretion on the buffer between the road and the dwellings
- electric lines now shown - with a scenic road we try to get the electric underneath the driveways of close to the driveways that must be provided
- any response from O&R if those are feasible locations to tie in the electric - Mr. Smithem not yet
- Orange County Health needs to review septic
- the applicants Wetland consultant reaffirmed the Wetland delineation that was formed previously
- I am asking the board if Dave Tompkins should go and confirm the wetland review

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve that Dave Tompkins go out to the site for the Wetlands delination

Motion by Chairperson - Bonnie Franson second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Pat Shea J Louis Rivera Robert Garstak

Nay:

Ms. Torre -

- entity disclosure form needs to be completed
- bulk table - note #4 the minimum side yard is being reduced to 15 feet for one side and 30 feet for both but the smallest side yard is 17 feet and the smallest total is 62.7 feet
- so typically the board when you're approving a cluster you reduce the setbacks to what is proposed on the plan so just to make sure that asking for what's there and then also that cluster column should indicate all of the proposed reduced bulk requirements and I don't think that column did
- then I have just cleaning up the notes a little bit I could email you though my language

suggestions for revising those notes under the bulk table just to explain the Planning Board's ability to waive some of those under the cluster

Chairwoman Franson -

- does the board have any reaction to this layout
- pulled up plans to review on the screen with the board
- pointed out 100 foot buffer and where the buildings are located in relation to buffer
- from my perspective certainly before we close out SEQRA to get a good evaluation done of the wetlands because if there's something significant there if there's a species regulated of concern Vernal whatever I think that's going to be important um in terms of our determinations whether this is in fact the layout
- so on the one hand you move the buildings on the way but as you said on the other hand this is showing a more potentially realistic size for a dwelling
- the septic has to be sized for five bedrooms which could be optimal

Mr. Smithem - these are fairly large footprints just to give them some flexibility I don't believe that they will all be but obviously they could be if the plan is accepted and just to reiterate that none of this disturbance is of the wet land itself it is of the 100 foot buffer that is Town of Monroe's buffer not necessarily a state regulated it's Army Corp.

Chairwoman Franson - for information when I refer to Army Corps of Engineers regulates Wetlands or they regulate Waters of the United States but there's been so many Supreme Court decisions at this point we don't know if they're in fact actually regulated by that agency if they're considered isolated next year it's going to get more complex because the state's going to or what's going to go into effect will be new state regulations and in particular the vernal pools if there are amphibian masses there will now be regulated and presumably with 300 feet for the vernal. It's really going to change the landscape having said that they're not changing their Maps they will not tell us where vernal pools are so it's going to be incumbent upon the town and the Planning Board to actually verify what's in the field and what's regulated. I think next year's going to be a little crazy and we should all have that be one of our training courses we should get Dave Tomkins to come on up here and give us an overview of what the Wetland regulations are going to be.

Chairwoman Franson - let's have Mr. Tompkins check out the wetlands when we hear back from him we're closer to understanding where we are from a SEQRA process. This is an unlisted action we should be reviewing an EAF Part Two so perhaps Ms. Torre if you want to prepare EAF part two for the next meeting we can go through it.

Ms. Torre - they needed to prepare a SWPPP and a few other things (inaudible) they were holding off until they knew for sure. If everything is in for the next submission that is needed for the part II then I will do so. As far as SEQRA as had talked about the property in the Town

of Chester that previously when there was a prior owner adjacent property it was proposed as a common plan so to ensure that there's no improper segmentation I know the applicant consultant advised that it's not in the same ownership but simply not being in the same ownership doesn't necessarily mean it's not part of the same plan so any information and status (inaudible)

Mr. Smithem - we are the engineers for both projects they are completely different clients um and not not at all involved.

Chairwoman Franson - aren't they technically separated by the Wetland?

Mr. Smithem - there are portions of the project that are not separated by wetland but there are chunks of it that are an ad joiner.

Chairwoman Franson - were there actually two Parcels at a butt two different Parcels in Chester or is it one?

Mr. Smithem - it's one for the other project.

Ms. Torre - also does require referral to the county so once you make that next submission assuming that's a full statement I'd recommend that Ms. McSweeney sends it up to the county.

Discussed ownership in the past and who the new owners are for the Meadow Hill project before the Monroe Planning Board and the Oakwood Project before the Chester Planning Board. Per engineer 2 different applicants 2 different projects.

Mr. Smithem - in an effort to keep the the project moving do we need recommendations for Orange County Department of Health and to start those I know that SEQRA regulations kind of changed within the past year or anything like that can we start those reviews and DPW and all those other agencies.

Mr. Arnott - my experience is DOH wants preliminary approval from the board in order to begin review which wouldn't happen until (inaudible)

Chairwoman Franson - have we done GML

Ms. Torre - no you do need to assuming this next submission would be a full statement for purposes of rendering a determination of significance then Ms. McSweeney can send it up.

Chairwoman Franson - so is it the SWPPP or you're saying we need the negative declaration

Ms. Torre - anything you will be basing your negative declaration on. The SWPPP wetlands information well tests soil tests endangered species.

Mr. Smithem - you need a test well drilled.

Chairwoman Franson - need it as per our regulations.

Mr. Arnott - the local regulations this is six wells so you need two of the wells tested I believe the wells were started to be installed

Mr. Smithem - there were driveways installed for potentially maybe for the well testing they were partially installed.

Mr. Arnott - my understanding was a permit from Orange County DPW was not obtained to cut those driveways in so we asked that you get the permits for the driveways from Orange

County DPW as well as Mr. Maldonado the Building Inspector likes to see a permit pulled for each well.

Ms. Torre - the well testing protocol is that something you're Hydro geologist would come up with or Mr. Arnott can come up with

Mr. Arnott - we would typically just look for the standard DOH protocol.

Mr. Smithem - generally DOH reviews the placement of the wells and sewage disposal systems so we're essentially drilling those Wells without that approval correct.

Mr. Arnott - I can help you reach out to Lee Burgess to ensure that he's satisfied with the locations prior to drilling.

Mr. Smithem - that would be great just want to make sure that we have all our ducks in a row.

Chairwoman Franson - recap

- you will work on the well testing
- you'll work with the DPW they do want temporary access permits
- work with Mr. Maldonado to get whatever permits are needed for the well installation
- we will have Mr. Tompkins go out to take a look at the site
- we just pull up an EF short form to go through the list to see if there's anything that we're missing would be useful
- helpful just to get the SEQRA process moving
- if you do the SWPPP you have some of this information by the next meeting it could be referred to the county possibly
- referral to the County we'll have to see how much is submitted

Mr. Smithem - so SWPPP Wetlands the well test DPW for drives tree plan then go to DOH

Ms. Torre - well test soil test Wetlands tree plan endangered species I think were triggered.

Chairwoman Franson - I think we'll have to make sure that the area potential effect hasn't changed for the SHIPPO 2019 there were no archaeological but what we copy of the letter APA. We have to have the phase one a that was done. I'm not seeing a impact letter I have that to me yes I will do that there was so just so you know there was a well testing plan back in 2020 that Mr. Getchell did put together a well testing plan 2021 so we should probably align whatever you're doing. There was a DPW review already but I don't know if the layouts and the actual access shared accesses changed.

Denise Fordham for the MCC.

4. Administrative

Henry Farm

May 29th 4pm

June 2 11 am

5. Minutes

Action Discussion: 5.1 March 14 2024

tabled

Action Discussion: 5.2 March 19 2024

tabled

Action Discussion: 5.3 April 11 2024

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve April 11 2024 minutes.

Motion by Pat Shea second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Pat Shea J Louis Rivera

Not Present at Vote: Robert Garstak

Nay: 0

Abstain: 0

Action Discussion: 5.4 April 16 2024

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the April 16 2024 subject to amendments.

Motion by Chairperson - Bonnie Franson second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Pat Shea J Louis Rivera

Abstain: Robert Garstak

Nay: 0

Abstain: 0

6. Adjournment

Action Discussion: 6.1 Adjourn Meeting

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

Motion by Pat Shea second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Pat Shea J Louis Rivera Robert Garstak

Nay:0

Abstain:0

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