

Town of Monroe Planning Board Regular Meeting MINUTES

— 06/15/2021

Town of Monroe Planning Board Regular Meeting (Tuesday, June 15, 2021)

Generated by Norinne McSweeney

Members present

Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Members Absent:

Lisa McQuade

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 **Yoel Shtosel** - Arch (0194-2021) SBL # 1-1-87 501 Rt 208

Joel Mann - Brach & Mann representing the Applicant

Chairwoman Franson this applicant has already received approval and is back before the board for potential modifications.

Mr. Mann I joined this project when they were last before the board for 2 requests one was to build a ramp to make the building ADA accessible the second was the applicant altered the building causing his building permit to be suspended until he got approval for the changes with the Planning Board. So we are back here as the applicant went ahead and built the ramp, but he didn't follow what was approved by the board or complete some of the other areas to the approval. So tonight I want to discuss with the board the concepts that the board is ready to work with the applicant and to see which areas that we can mitigate and work out and to see if we can keep the existing structure of the façade maybe change some colors out to fit in with the character of the neighborhood.

The board reviewed the pictures from the time of approval and the pictures of what the

building currently looks like. Discussing what was done, how it is not was approved and what still needs to be completed.

The new proposal is to keep the existing roofline and not build up the parapet in the front. Upstairs originally proposed double door keeping as a single door as this is not main entrance.

Chairwoman Franson the front entrance the 501 staying on building? What about the rail there staying or going?

Mr. Mann the number might stay, undecided, the planter box is being removed and so is the railing.

Current ramp is made of wood, not what was originally approved. Would add finished pieces to the wood to make it look like the approved version.

The lighting there is existing that was installed after the approval, but not what was approved.

Chairwoman Franson addresses Mr. Mann since this is a work in progress what are you looking to achieve this evening?

Mr. Mann I am hoping to get a sense of the board on some of these items to work with my applicant to make the necessary changes.

Board was again reviewing pictures from original until was there now and what is proposed to be there.

Chairwoman Franson the area of the mechanicals needs to be cleaned up.

Would like samples of the colors proposed and existing if possible so we can see them.

Member Vaccaro concerned about wooden ramp getting splinters aesthetically it's really displeasing to look at, also the neighboring buildings colors are more appealing to me, and I'd be concerned about the signage on the walls and the medical symbol (the Meducius) rough on the eyes.

Chairwoman Franson comments:

I don't like the ramp, maybe the platform could be reused, the wood railing I would have to see what you are actually talking repainting or something, need a skirt around the bottom in terms of the signage on the front façade I agree the symbol is large, prefer to see the 501 where the symbol is

the doctors you trust tagline is not necessary, not saying you can't put it there but it is a lot cleaner to have office names with the numbers

not a fan of vinyl siding maybe if not wood a more enhanced siding, something with texture taking away the marble entrance and simplifying it I don't mind

these led lights sticking out of the building I am not ok with, I'm ok with the sconces, need to use an led 2700 kelvin not bright stark white and something more architectural down lighting

Member Manson comments:

for me the building looks unprofessional and as a medical facility it doesn't feel like it draws confidence

the colors need to be worked out, right now things look patchwork

the ramp looks residential and we needed to look commercial - professional

Member Allegro I am in concurrence with the rest of the board

Member Czerwinski the ramp needs to go, maybe keep the plank in, the metal railing is essential and then I would like to see grass in front of the ramp where it is now rocks.

I really like the metal railing on ramp I thought it looked really sharp

the doors are fine

Action, Discussion: 2.2 **A. Kestenbaum** (0188-2020) SBL # 7-3-13 20 Allison Drive

Joel Mann - Brach & Mann

Larry Toro - Civil Tech Engineer

Daniel Richmond - Zarin & Steinmetz

Mr. Richmond reviewed the new narrative

prior appearance some ambiguity or lack of clarity as to what it's intended use was private religious school for girls ages 5-12

it is an authorized use in the rural residential zone

the site exceeds the minimum requirements for schools

the school will not exceed the maximum floor area ratio or development coverage requirements

school will consist of about 10 classrooms

classroom space will allow for a total of occupancy of 125 people consisting of approximately 125 students and 10 teachers pursuant to state building code requirements

there will be 3 offices for the Principal, building manager and support staff

school will be closed on Saturday and Sunday

generally operate from 8 am - 5 pm Monday - Thursday, and 8 am - 1 pm on Friday

students will arrive by bus

we anticipate 4 buses for drop off and pick up times as depicted on the site plan

safe and adequate off street parking facilities

school bus loading and unloading including a bus turnaround area

the site is accessible to fire, police and other emergency vehicles

only parking would be for its staff and we would be requesting a waiver of the otherwise

applicable parking requirements , some of the school staff will arrive and depart on the buses,

others would arrive in a van and or carpool

no food preparation would be conducted on site, food would be delivered by van with disposable dishes

intending for the school to propose to be connected to the municipal sewer system, believe site has adequate screening and separation distances

requesting additional waivers in addition to the parking requirements, one of the requirements under the Town code is that the school shall be chartered by the board of regents, we pointed out in our letter/narrative the NYS department of education is pretty clear that this step is not required for non-public schools that are affiliated with religious groups like this institution, this school is affiliated with Congregation Habones Inc.

waiver from the school frontage requirements there's a requirement in your town code that would be located on a major collector road. The property does have frontage on Cromwell Hill Road, that will not be the primary ingress access point, will not be used for any ingress or exiting

the school should comply under the town code requirements with the manual planning standards for school buildings however that manual is only intended for public school buildings, non-public schools are governed by the NYS building code which we think complies with the state building code is sufficient to maintain the public health and safety and welfare

Mr. Toro one additional item plans show a widening of the existing driveway we're proposing it at 18 feet, leaves the existing lighting, widen on the one side just prior to the wood line showing where the buses turn around would be paved

showed where buses can be queued on site to not impact anything on Allison Drive trees within the easement area have been shown and how many would need to be removed

Mr. Arnott Comments: see attached

revised application submitted to propose a "private school"

under the Town Zoning code section 57-13(R) for individual standards for public or private school use

requested a waiver to be granted for the Board of Regents Charter

requested a waiver for maintaining frontage on a main collector road - lot maintains frontage on Cromwell Hill Road of 19.4 feet which needs to be discussed by the board, is a requirement of the Special use permit

requesting a manual waiver for the requirement which states that the school shall meet standards published in the manual of Planning Standards for School Buildings

57-13 (R) requires that all parking and structures be screened from adjacent properties by evergreen plantings - proposed site plan does not indicate any plantings, maybe applicant can provide some photos in each direction to see if additional screening is necessary

applicant provided bus turnaround diagram, previously identified, bus turnaround is shown off the edge of pavement

applicant provided ADA ramps for both lower and first floor, ramp design and layout will be

handled as a Building Department issue, but what is being approved by board has to be approvable by the building department

the following items need to be updated:

no proposed grades on the ramps

landing areas don't appear to meet required dimensions by ADA

door clearance on lower level not meet

handrails are not shown

unclear how ADA access to 2nd floor is achieved

applicant proposed sanitary sewer connection to the existing sewer located with the intersection of Cromwell Hill Road and Maple Ave. Our office notes the following:

proposed and existing sewer size and type of pipe need to be indicated on the plans

cleanouts located at every 75 ft and at all bends

details not provided for proposed sanitary sewer connection

OCDPWES should review proposed connection for acceptance

property located within OCSD # 1

Short EAF indicates no land to be disturbed but the applicant is proposing modifications to the site

the applicant provided the location for 3 parking spaces and eight future parking spaces if required. The board has the ability to reduce the number to be constructed under section 57-47(F)

11 on the EAF indicates utilizing existing subsurface septic system on site, but application includes a connection to the proposed sanitary sewer.

EAF indicates the Northern Long-eared Bat habitat is likely on site. Need to indicate how the threatened species will be mitigated when proposed trees are cleared

Public Hearing is mandatory as this is a Special Use Permit per section 57-11

unlisted Type II action under SEQRA

Ms. Torre

addresses Mr. Richmond your letter indicates the applicant is Congregation Habones, but original application is under A. Kestenbaum are you resubmitting the application in the name of the corporation

Mr. Richmond I wasn't involved in the beginning the property is owned by Mr. Kestenbaum but the applicant is Congregation Habones so we will revise the paperwork and resubmit that

Ms. Torre double check the correct corporation name as the secretary of state records show Cong Habones not Congregation, need to be consistent

floor plan still shows a food prep area, but letter indicates no food preparation on site need clarification on that

Mr. Richmond there won't be actual food prep it will be distributing food to the children that has been delivered, just putting on disposable plates

Mr. Arnott I had reached out to Orange County Health as a concern of a board member when this was previously discussed as to whether a permit would be needed, per OCDH no permit

would be needed but I would like to give them your contact information for a better understanding

Ms. Torre make a note on the plan defining what the food preparation area is saying that it's not cooking just limited to distribution of outside prepared foods

EAF needed some corrections # 3, 11, and # 2

referring to OCDPW about the sewer

saw the trees for removal have been marked, but you have to meet the tree plan requirements under town code section 57-84, so you have to identify the type, size and then replacement on a one to one basis. or if your seeking some other basis or seeking payment in lieu of that's all in section 57-84

as far as the waivers this board has the ability to grant waivers in the event that such requirements are found not to be required in the interest of public health safety of general welfare or inappropriate to a particular special use permit

as far as the frontage the board should review this with the building inspector to see if the land at Cromwell Hill constitutes frontage or needs a waiver

if your relying on the existing landscaping then you need to show that on the plans stating we already meet this requirement with the existing landscape.

in regards to parking the requirements for schools in addition to is one space per employee it also requires parking for public assembly. If you are seeking a waiver you should calculate what the requirement should be so that the planning board knows what it is waiving.

SEQRA its an unlisted action

need to again add the County Environmental Facilities and Services

in the narrative it was mentioned about private restrictive covenants that might be affecting the property there is an issue with a potential deed restriction saying the use of the property can't be anything but a single family home, that is something this board can't enforce private use restrictive covenants that are a permitted use within the zoning code.

Member Manson mentioned that the existing septic system will be abandoned and proposing sanitary sewer connection, but in the recent submission of the EAF section 11 needs to be updated

there are 2 ramps one going to the basement and one going to the first floor, then there's steps both at the rear of the building and steps up to the second floor, what are they going to be constructed out of?

Mr. Mann the ramp by the front porch will be made out of wood, actually the ADA access to the first level, and the ones in the back will be concrete.

Member Manson regarding floor plan there is a classroom labels one - are the garage doors going to remain or turned into walls.

Mr. Mann probably the garage doors will be changed to walls. We are still working on the concept of the floor plans. Originally that room was going to be storage, so depending on what the final use it whether the garage doors will stay or not.

Chairwoman Franson asks Ms. Torre do we have architectural review?

Ms. Torre yes on site plan or special use permit at least new elements

Chairwoman Franson definitely like to see redesign, elevations around the building and how this is going to be improved with details

Member Manson brought up in the original plans there was to be an onsite care taker that was not mentioned in this narrative, is that something that is still proposed now that it is a school not a place of worship.

Mr. Mann no there won't be anyone living there

decision regarding the original paperwork that was submitted for this project as a place of worship to what is currently being submitted as a school.

Member Vaccaro - proposed sanitary sewer in regards to cleanouts and is a SWPPP required. Do they meet state standards for a slope or has the profile been examined.

Mr. Arnott cleanouts are mentioned in my comments every 75 feet and at corners. - no for SWPPP no disturbances or less than 1 acre. The profile hasn't been prepared.

Member Vaccaro you are widening the pavement for the driveway and you have a proposed bus turnaround that looks like it goes off the pavement to make the turnaround. Also in MHE comments

Member Vaccaro as far at the building floor plan is there a way to evaluate it to make sure there is enough space for the desks are going to be placed, how many students in classrooms.

Mr. Mann everything inside the building will meet NY State code with restrictions did analysis per NYS 150 plus will be reviewed by the building inspector. As mentioned earlier the maximum amount of children that can be in the building according to NY State is 115 students and 10 teachers plus 3 caretakers.

Chairwoman Franson that analysis would be useful to see on the floor plans, it all ties into capacity. Ultimately the special use permit will have conditions attached to it and one might be you can only have x amount of occupants. I know its a building inspector question but do you need sprinklers?

Member Vaccaro - in the narrative does it mention hours of operations, would there be night school, should we be considering lighting for this site and also a proposed emergency backup generator, is it year round

Mr. Richmond stated page 2 of the narrative shows hours of operation

Member Allegro regarding the frontage I don't believe this was raised in the prior submission Ms. Torre don't believe that was raised before they were just going to seek a waiver, this is a new position

Chairwoman Franson is this a flag lot? Does this meet all the setback requirements, what is

the frontage, how is the lot width measured, we don't allow flag lots, but it is pre-existing.

discussion regarding the extended driveway for the turnaround. Board members not happy with it, feel its dangerous, and bus will be going off pavement and tearing up lawn. Buses backing up with children on driveway.

only one bus unloading at a time other buses waiting in the reserved spots, similar to a cul-de-sac effect, would prefer more site disturbance than kid's being hit by buses, safety first Member Manson will there be any play ground facility, is that required for a school like this Mr. Mann will check with the applicant in regards to a play ground area

Member Manson entity disclosure form is missing that needs to be completed and submitted

Member Vaccaro - additional buildings or further subdivision possible

Mr. Mann per bulk requirements property won't be able to be subdivided further, but the possibility of additional buildings in the future noting planned right now

Chairwoman Franson some questions :

anything submitted for existing floor plan? Can we get a copy of that? Mr. Mann I have that and will send to you.

concern over garbage - single family residence to a school of 125 people. Where will it be stored and how often picked up - method of removal.

would like to know building code requirements especially in regards to fire in relation to the construction of the building

well adequacy - again single family home to 125 people can well handle it or additional wells need to be drilled

in terms of outdoor area will there be a need for fencing as there is a sloping condition on the site

on the map show the actual slope areas that are part of the environmental constraints calculation

just to confirm sewer connection to OCDPW. Reason why septic system expansion couldn't be provided -

Mr. Toro no testing done at this point to see if existing system could be expanded, cost involved in revamping the system it is better to go to municipal sewer. It's neater and cleaner.

Mr. Arnott they are in sewer district

Ms. Torre - worried about capacity issues reason why you should contact OCDPW sooner than later

Chairwoman Franson we spoke about tree removal, there is a tree limit line on there buses doing "K" turns two way traffic, not just busses but vans, car and the parking that circulation system needs to be looked at and considered a lot of vehicle movement in a confined space

can we do the circulation for lead agency

Ms. Torre yes that can be prepared and circulated. Maybe discuss the interested agencies, the only involved Orange County Environmental Facilities and Services, interested agencies

would be DEC, DOH, OCDPW, Fire Department

Ms. Torre EAF needs to be updated. The 3 questions that need to be updated should be done prior to circulation, but you could still authorize the circulation.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare this project and unlisted action and we are doing a coordinated review and we're going to circulate to declare our intent to be lead agency upon receipt of a revised EAF part one.

Motion by Anthony Vaccaro, second by Jeff Manson.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade

Action, Discussion: 2.3 **DG Management** (0172-2019) SBL # 1-1-96 Schunnemunk Road

Ms. Torre the ZBA had a couple of questions they were asking about the yield plan that the planning board approved back in March of 2020 and how you reached that number. Their main concern was the length of the cul-de-sac which the subdivision regulations have a 500-foot length maximum. This board after discussing with the highway superintendent and considering other developmental constraints with the property, you did decide while reviewing the conventional plan that majority of the board decided to grant the waiver. So in the letter I discuss the cluster review process and how when you have a cluster subdivision you review the conventional plan as if it was a subdivision plan before you and whether you would grant a waiver under normal subdivision non-cluster application so I tried to convey how you reached that decision, what you considered and reviewing my notes, this actually started before I represented the board and it had always been discussed about granting the waiver. The waiver would also be required for the conventional plan. This particular item was discussed at many meetings if not all where the applicant was there.

Chairwoman Franson I had the opportunity to look at a preliminary draft so I am ok with it.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion that we authorize our planning board attorney to transmit this letter to the Zoning Board of Appeals as reviewed tonight.

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

Yea: Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, John Allegro, Pat Shea, Jeff Manson

Absent: Lisa McQuade

3. Minutes

Action, Discussion: 3.1 **March 11, 2021** Minutes

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the minutes with corrections addressed tonight.

Motion by Pat Shea, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Not Present at Vote: Anthony Vaccaro

Absent: Lisa McQuade

Action, Discussion: 3.2 **March 16, 2021** Minutes

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the minutes with corrections mentioned this evening.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Abstain: Jason Czerwinski

Not Present at Vote: Anthony Vaccaro

Absent: Lisa McQuade

Action, Discussion: 3.3 April 8, 2021 Minutes

held over

Action, Discussion: 3.4 April 20, 2021 Minutes

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 at 9:15 pm.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Not Present at Vote: Anthony Vaccaro

Absent: Lisa McQuade