

Town of Monroe Planning Board Regular Meeting MINUTES

— 07/16/2024

Town of Monroe Planning Board Regular Meeting (Tuesday, July 16, 2024)

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Draft

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Dylan Penn, Robert Garstak

Lou Riviere in audience

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. Returning Projects

Action, Discussion: 2.1 **Monroe Commons** (0182-2020) SBL # 2-1-10 Nininger Road, Monroe NY

Applicant Representative:

Dan Richmond - Zarin & Steinmetz

Ken Wersted - Creighton & Manning

Jon Dahlgren - Tim Miller Associates

Mark Siemers - Pietrzak & Pfau

Aaron Werner AKRF

Elaine Du - Zoom AKRF

Mr. Richmond - Good Evening Madam Chair members of the Board my name is Dan Richmond with the law from Zarin and Steinmetz on behalf of the applicant with me this evening is Jon Dahlgren the Planning Consultant, Mark Siemers from Pietrzak & Pfau the applicant Engineering Consultant, Ken Wersted from Creighton Manning the applicants Traffic Consultant. We've been through a lengthy SEQRA process with your board we are looking forward to hopefully getting it closer to conclusion. We have gone back and forth with an FEIS that responded to all substantive comments on the DEIS prepared for the project. We've been

working with your consultants over the past several weeks to finalize it with some final edits tonight. We are in position that hopefully your board will be able to act on the FEIS one of the things you were waiting for was correspondence from the Orange County Department of Public Works which was received today confirming that they accept the analysis in the EIS. There are a couple issues we saw some final edits from your consultants on Friday which we've gone back and forth on we have a couple of minor tweaks that we'd like to discuss but we're available to answer any questions and to present any additional information you may require. We're looking forward to again hopefully bringing the SEQRA process closer to conclusion.

Mr. Dahlgren - I think Mr. Richmond summed it up at the last meeting we attended the big issue was traffic that was outstanding and getting some agreement from the County or opinion County on traffic mitigation measures and responsibilities. I think Mr. Wersted can fill the board in on that issue.

Chairwoman Franson - so we do have Aaron Werner here from AKRF and on zoom we have Elaine Du also from AKRF who is their traffic consultant so perhaps you'd like to give us an overview from the Town's perspective where you think we are in terms of the FEIS and accepting it.

Mr. Werner - AKRF and Elaine du is on Zoom she's in our traffic department - as the applicant stated since the 27th of June when that FEIS was resubmitted we went ahead and as a consultant team which included AKRF, your attorney and engineer, Weston and Sampson on groundwater issues, CHA on wildlife and wetlands and your landscape architect KALA went through all the chapters of the of the EIS the impact and mitigation table most importantly and we just did direct edits into that and we apologize for the multiple colors but we wanted to keep everything as one version of everything and our collective comments were included. What we did was we added in suggested language that we thought was appropriate and with the FEIS being in the voice of the Planning Board at this stage. We added some suggested texts as well as some comments in the margins to be addressed just to verify some numbers, but I think with the exception of traffic at the time on Friday we were all set with everything as far as our collective comments. We heard today that the applicant was meeting with the Orange County several times over the past couple weeks it sounds like they went back and forth and we finally got a letter today that indicated that they were comfortable with the analysis that was done for the traffic study as well as the mitigation measures that are proposed and the timing and the responsibility. Ms. Du is on the line we did have a call today with Mt. Wersted Creighton Manning on the applicant side to just iron things out and make sure we were on the same page and I think we are as far as what the the traffic mitigation is it hasn't really changed since the original FEIS iteration the county has weighed in I think we're in a position where the FEIS can be, with these edits made and the applicant agreeing to them, conditionally accepted. If Ms. Du wants to add anything feel free to do that at this time.

Ms. Du commented but was unable to hear

Chairwoman Franson - I'm gonna to ask Ms. Torre to give an overview in terms of process and Mr. Werner also with regards to the other Consultants and Mr. Arnott is here in terms of are there any outstanding engineering items and then I would ask the Planning Board members if they have comments.

Ms. Torre - as Mr. Werner said we have been going back and forth and we did propose redline edits to the latest draft of the FEIS with the incorporation of those there were a couple of items that required the applicant to clarify some numbers in that impact of mitigation table. There was a couple of items that the county had noted in their letter where they wanted revisions to the responses in the FEIS. They were talking about in the context of the finding statement that a right turn lane on Nininger at the eastly driveway be added to the list so I would recommend that any acceptance requires the FEIS to be modified consistent with the County's comments from their consultant on July 15th in addition to the the Planning Boards. The one other item that was a blank and I don't know if Mr. Wersted could weigh in now, the speed limit that would be implemented on the interior roads within the parking areas dealing with the noise mitigation that was one item filled in as well. As far as the process goes the next step would be if the board satisfied with the document to accept it as complete conditionally subject to these revisions. I know the applicant indicated there were some items that the consultants raised that they wanted to discuss we should discuss that now but that would be the next step and then the revised document would be submitted to the board, Mr. Werner and I could review to make sure that Incorporated all of these changes and then it would be a notice of completion would be filed and circulated and that would start the process for moving forward with the finding statement.

Mr. Arnott -

- just two items that we had noted were outstanding during the last submission first was a couple of notes with regards to the blasting plan that was submitted that's been addressed in the latest round secondly we had some comments with regards to the water usage and the flow memo that was prepared by the applicant's consultant that's since been corrected or amended and we agree with the flows that are proposed or anticipated and the applicant has worked with the Village of Kiryas Joel who's going to provide the water who has given the applicant a letter stating that they can provide more flow than what's anticipated to be utilized during full completion. From those two perspectives we feel the FEIS is complete.

Chairwoman Franson - board members anything you want to raise with regard to the SEQRA process, impacts because we're getting close to essentially finalizing the FEIS which is our document and issuing a notice of completion.

Member Garstak - have we dealt with the traffic going from the end of Nininger where it hits

Orange Turnpike going down County Rd 105

Mr. Wersted - Creighton Manning Engineering - yes we covered that in the DEIS and the FEIS. We covered it in two examples one is if the dodge connector which is an extension of Nininger Road going into Village of Kiryas Joel as a fourth leg to that intersection. We analyzed it if that didn't happen and we also analyzed it if it does happen. So we have two different scenarios in the DEIS. All indications appear that the town is going through the Village of Kiryas Joel wants to go to construction on that. So I have no qualms that it's not going to come through and I think that's going to address a lot of that. There are traffic signals proposed on Bakertown Road after you turn off of County Route 105 that are out to bid and contractors are looking at those they won't be constructed in 2024 but but certainly in 2025 they'll come online.

Member Manson - I have a question and this would probably be for Mr. Wersted and or possibly Ms. Du as I was reviewing the impacts on traffic just from the VMG development where there it's going to be 1,600 units when it's completed, if you figure conservatively that's another 1,600 cars without Monroe Commons, with Monroe Commons there'll be walking traffic to all the different things that are there the stores, the hotel, the offices without Monroe Commons the residents of VMG and the near parts of the Village of Kiryas Joel, Town of Monroe would have to travel by car somewhere else. So is it possible or logical that in some ways it's going to reduce traffic from future growth because it's walkable to parts of the Village of Kiryas Joel and the Town of Monroe.

Mr. Wersted - yes certainly. We had considered that as part of the project and as we were going through and doing the Monroe Common traffic analysis we assumed that VMG would be built out as they're going like Gang Busters over there and there is an existing Business Center just over on the other side of the parking ride off County Road 105 in Bakertown Road there's an opportunity for them to walk over to that

direction. I'm not aware of any hotels in the area so this would be kind of a first for their community over on the Monroe Common side, but you do have that component that would generate walking pedestrian trips. When we looked at the analysis of this we did a comparison of what Monroe Commons would generate if it accounted for these walking trips and the local kind of operations of it. We compared it to Industry standards that being IT and the local trip generation is a percentage less because of those walking trips, but we had analyze the IT numbers to offer that conservative analysis. You're correct there are going to be people who live in VMG that are going to walk over and not get in their car and drive a thousand feet you know to go you know shopping.

Member Manson - I also imagine because of the pedestrian bridge at the intersection with OSTREO Parkway that's going to give, I don't know what's in the business center behind that you're referring to, I know

there's a market there but I don't know what else is there, but I imagine this is a much larger facility with a lot more opportunities for a lot more services and Retail to be offered than what's in that facility on Bakertown Road.

Mr. Wersted - there's two buildings there, I don't know a square footage off the top of my

head, but yes as those people come through the pedestrian bridge will offer an accommodation to get across and not deal with you know traffic on the road and then obviously walking through VMG and we expect the transit service to also expand their services. If they're coming in and serving VMG it's logical to extend that over to Monroe Commons and increase the amount of people who can access that not by driving or walking over, but for example if they live too far necessarily to walk they can use the bus to get over and make it an easier trip.

Ms. Du - very hard to hear and make out what was being said

Mr. Wersted - the pedestrian accommodations have come up a couple of times. We have tried to open up the conversation because it isn't simply Monroe Commons in the Town of Monroe and Orange County you have a stones throw to the Town of Woodbury in one direction, the Village of Kiryas Joel and another on the south side you eventually get into the Village of Monroe. We just couldn't answer that ourselves so as part of our meeting with the County we really dove into that and they had asked for us to widen the section of road in front of the site with a six foot shoulder and to offer for dedication some future right-away if a sidewalk is put in there that we have that ability to accommodate that along our frontage. We don't control obviously the frontage in front of VMG or you know further into Woodbury but we've worked that into these documents and our responses to the County and I believe the applicant is also exploring a walking path from the back of the project through to Woodberry and Woodberry Junction AKA Woodberry Villas really for those people in that Community they walking down the hill all the way to Nininger West on Nininger and then walking back up the hill to come up towards the building so in essence this offers a shortcut and it keeps them off the road so it's a win there and at the intersection of County Route 105 and Nininger they had asked for pedestrian accommodations through the intersection to put in sidewalks we need a bigger bridge to get over Route 17 and that's not going to happen on any of our projects but if anybody were walking through there and they get to the intersection there'd be a landing pad a button a walk don't walk you know crosswalk those accommodations for them to at least manage to navigate through the intersection. Those things have been discussed with the county and they're being integrated into these various documents.

Member Manson - I was reading about that I think that's great. I've both walked and biked Nininger since I'm a kid and even when I was a kid it was still pretty bad so it's only gotten worse with traffic volume

and the degradation of the shoulders over time. My only other question is, in relation to the larger of the two bus shelters because it's not right at the building that the I guess the drop off is going to be in front of where the handicap spaces are I assume then anyone disembarking or embarking on those buses is going to have to go around the landscape area and then come back to get the main entrance to the facility on the first floor, I gather is underneath where the overhang is and I'm a little concerned that I was expecting the buses to drop off right in front of the curb and I see that's being reserved for taxis and cars and that's sensible what I'm concerned about is people creating a path through the landscaping that's being done

right in front of that main entrance and what if anything is going to prevent that. I mean that's a visual issue that's an environmental issue anyone have any comments on that.

Mr. Wersted - I don't have the landscaping plan in front of me so I don't see that on here just yet, but I understand the point it's a comment I just made on a different project that is a convenience store next to a residential area and I said people are going to cut through your bushes to connect the sidewalk to there. I think it's something that can be address as we go through those detailed site plan and look at that area that triangle island in the middle to see if that is going to be a direct avenue and identify where those main entrances are and if that's a logical.

Member Manson - it's just human nature to create paths of convenience we see them all the time these little dirt off trails that come off a pavement go to another stretch of pavement because it's the easiest way to go but it wasn't necessarily the easiest or prettiest way to lay out the pavement for the sidewalks so I I think we just want to take that into consideration as we're finishing up the site plan and just be cognizant of that and in the environmental issues there.

Chairwoman Franson - I'm just going to add to that if we could get a better copy of the landscape plan it didn't copy very well in the PDF.

Mr. Siemers from Pietrzak & Pfau - there is a colored one that I believe was uploaded to the folder by Mr. Dahlgren what you have in the plans is the PDF sent to us printed and then scanned so it's all part of one set.

Chairwoman Franson - in terms of comments my one comment has to do with construction traffic and how it's being time period that the children are being bused to school to the Monroe Woodbury School District so if you consider the peak hours of traffic for the school. Is there any plan of construction vehicles when they're going to arrive to the site when construction's occurring and avoiding those time periods. I thought there was but I'm just asking again.

Mr. Wersted - I think we do have some references in the DEIS again I don't recall them off top of my head but in general construction traffic occurs generally before the morning peak hour and you know probably close to the afternoon peak hour which might be closer of an overlap with the schools. I think it's going to be in some degree we can't answer that quite yet because we don't have a contractor who's going to know what their schedule is and when deliveries are going to come from, but as the project progresses and identifies that, that can be an area that the owner discusses with them to say you're here you know

school days, school hours these are going to be a critical time and if you want to get your people in and start getting stuff built quickly get in before this time because that's going to be the Bell that rings at the

school and everyone's going to be rushing to get there and then here's the the afternoon arrival dismissal times.

Ms. Torre - the current mitigation is that to the maximum extent practicable deliveries and other construction related vehicle trips will be scheduled to avoid peak morning and afternoon traffic periods including the early afternoon School dismissal periods avoiding impact of

school buses on Nininger Road traveling to and from the Monroe Woodberry schools.

someone speaking total inaudible

Mr. Werner - the line that Ms. Torre just read is directly out of the table 110 the latest version of that table it's first paragraph or first statement in the construction impact mitigation section. We have a draft of a finding statement the applicant has started to work on that I don't think we're ready to talk about it in detail tonight but my goal would be for you know when when this table 110 is finalized and it sounds like they're agreeing to what it says that it's used to put together the finding statement and then anything where there's specific measures that are committed to that those somehow get added to a sheet on the site plan it's like environmental mitigation notes or something like that we've seen that done in other towns.

Mr. Richmond - there is that statement at the beginning of construction impacts and the impacts and mitigations table.

Chairwoman Franson- we could add it at the map note as long as your saying you want that as more specific we can contact the school district to get a little more detail. I think you handled it then as part of the FEIS, because you're mentioning how that might be accomplished. I think when we get to the site plan just to have more detailed notes how that might work.

Mr. Arnott - something for enforcement.

Member Shea - just a question going back to Nininger and County Route 105 that you had mentioned earlier. You said there may be a couple of scenarios one if there is an extension of Nininger, one something in the works with the Village of Kiryas Joel now can you elaborate (inaudible issues)

Mr. Wersted - so the road is being designed and it is into the county for review because it obviously is connecting to the county system and the Village is anxious to go to construction on that so they want to get those plans finished up. Our office is preparing those plans they're anxious to get that out and bided and if the county takes a long time or takes doing their due course reviewing that entrance the I believe the Village is prepared to construct as much as they can up until that last connection and then when that's finally reviewed that last connection will be made. If they could go out there tomorrow and start digging they would.

Chairwoman Franson - with that are we going to accept the FEIS subject to the final edits recommended by the consultants.

Ms. Torre - there were some of our the consultant edits that the applicant wanted to discuss.

Mr. Richmond - just a couple of minor points Madam Chair and Ms. Torre - in the impacts table under storm water, the version I now actually it's under Wetland surface waters, there's the statement that the use the proposed storm water management facilities providing the SWPPP can be considered water quality mitigation measure but then there's the added statement however due to the development anticipated parking lot runoff there will be some degradation of water quality in the Wetland system initially we don't believe there's any

support for that last statement in the EIS, but we would ask at a minimum that it be indicated that we're preparing a SWPPP that's in accordance with all controlling regulatory and statutory standards.

Chairwoman Franson - in as much as there's a SWPPP it doesn't mitigate everything I mean there's always some degradation of water quality isn't there.

Mr. Arnott - there's an increase in volume and agreed there's there would be some degradation in quality I think that's more pointed towards the Wetland system so the water that the Wetland is seeing is poor in quality because it's hitting more pavement before it reaches the wetlands for simply for thermal right impacts right is one example of impact that it's going to be warmer when it hits Wetlands after it hits asphalt than it will if it only hits forested area.

Chairwoman Franson - I don't take issue if that's what's represented because I think there is always with that amount of impervious surface area some diminishment in the quality of the water entering the Wetland it's not going to be the same Wetland it was before development right.

Mr. Richmond - but I guess that's why at a minimum we think there should be some recognition that this is a SWPPP that's been,

Mr. Arnott - I think that's recognized up above in actually the paragraph the beginning part of that paragraph as well as in the other areas like the storm water section of the FEIS and this mitigation table.

Mr. Richmond - then just to the point that was just made though then it does say no storm water will be discharged directly into the existing wetland.

Mr. Arnott - it will eventually get to the wetland, it's not discharged directly to the wetland.

Mr. Werner - just for purposes of disclosure I think Mr. Tomkins wanted that there and if the board's comfortable with that it's really not changing the conclusions.

Mr. Richmond - at the end of that same section there's a reference to wetland and I think there was reference in the body to it basic species. We are just monitoring. We just want to be clear that's for like five years post construction which is typical this sort of thing, which was typical with the notification that we provided.

Mr. Dahlgren - the invasive species plan that we provided, is kind of tied into and related to the wetland mitigation plan. There's a five year period of monitoring for both checking that the plants for the Wetland mitigation survive and that's also tied to the Army Corps of Engineers who signed off on the wetland mitigation plan, and that also covers the invasive species. So, that's a five year period that's laid out we just want to confirm that.

Chairwoman Franson - but is there something inconsistent in there or are you're just confirming the five year time period for the monitoring.

Mr. Richmond - it doesn't have a time limitation on it. Five years is typical.

Chairwoman Franson - is that something we can address again on the site plan itself. It's going to be part of the Army Corps permit right or no? Do they normally deal with invasives as part of the Army Corps permit?

Mr. Dahlgren - yes, the invasives was above and beyond what the Army Corps required, but

the wetland mitigation and making sure the plant survived that was part of the Army Corp so they're related.

Chairwoman Franson - so I guess my reaction is specifically for the wetlands and keeping invasives out of it since you're going to be monitoring it you can be monitoring and having that plan. Ultimately, as part of the site plan typically associated with the landscaping we'll say landscaping to be maintained, vegetation to be removed and replaced no substitutions without Town approval doesn't that kind of does that inherently include

Ms. Torre - you know specific for the monitoring because your consultant would be monitoring it for and I believe it would be that five year period in the event you know nothing's it's not being complied with or

things aren't you know working within that 5-year period I imagine there's a mechanism to extend it if warranted, but the idea there is that 5-year monitoring period.

Chairwoman Franson - I think again that's something we can address in the findings.
(inaudible)

Ms. Torre - you're specific documents that are referenced those mentioned the 5 years so that's what it's referring to.

Mr. Werner - when you're doing your final edits on table 110 if you want to clarify that last paragraph and add the five years we don't object to that.

Ms. Torre - I would just say in the event that there is something if it's not you know being effective within that five year period then it can it be extended and who makes that determination.

Mr. Richmond - the last thing is under groundwater resources again on the impacts mitigation table there's a statement that the collection of groundwater level data and the overburn will be part of the proposed project's wetland mitigation plan. We've had conversations with your consultants since we received that comment I just want to confirm our understanding that's something that would be part of the wetland mitigation report that we're talking about the annual wetland mitigation report.

Mr. Werner - that was the understanding from Mr. Getchell and that's just for the board if you're following along in the table 110.

Mr. Dahlgren - I just want to add that the statement that's in there requests groundwater monitoring through either piezometer or wells and that's agreeable I guess from our side the specifics of that have to be worked out still you know how many points where that sort of thing.

Chairwoman Franson - we can work that out either in the findings or or with the wetlands permit.

Mr. Werner - right and you're going to have a wetland mitigation plan that's approved as part of the wetlands permit maybe it's worth getting ironed out at that time.

Chairwoman Franson - back to my original question is the plan then to accept the FEIS subject to final revision requested by the board consultants once those are satisfactory accepted

includes the additions for that County's letter wanted.

Ms. Torre - final revisions requested by the board and its consultants and the Orange County DPW traffic consultant.

Chairwoman Franson - it's understood that the notice of completion and the circulation will occur once the documents cleaned up and ready to go.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to accept the Monroe Commons FEIS as complete subject to final revisions necessary to address consultant comments, board comments as well as Orange County DPW traffic consultant.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Dylan Penn, Robert Garstak

Action, Discussion: 2.2 **Dry Hill Road** (0225-2024) SBL # 25-3-14.22 37 Dry Hill Road
Monroe, NY

Applicant Representative:

Michael Morgante - Arden Consulting Engineers, PLLC

Mr. Morgante -

- since last time here received some comments from Planning Board consultants as well as the board members
- we attempted to make those changes to the plans which is what is before you tonight
- received tonight's comment letter from MHE and we take no exception to any of the comments
- would like to review what the next steps going forward are
- we've tighten up grading and utility plan
- provide retaining walls in appropriate locations around the back half of the residents to ensure that we're able to maintain 4 footer cover over the basemen floor elevation for building code purposes
- relooked at the site grading once we prepared the site sections both AA and BB
- preparing section BB allowed us to kind of revisit the grading a little bit and now we were able to eliminate that retaining wall that was actually along the back property line so we don't actually need that anymore we were able to grade that at a three on one grade which is a usable mow able slope for the homeowner.
- would also note I just received an updated survey in the past few days which is not shown on this but we did locate that culvert that crosses the road.
- there's another sewer manhole as you move further north along Dry Hill Lake Road which we were able to map get the invert so right now I'm kind of showing a 6inch sewer line going through the wetland buffer but revised plans will show that being located culvert

- prepared a tree plan, identified trees and their sizes, prepared a table for what will be removed
- as we prepare a landscaping plan we'll look at what can be replaced
- we did note that there does not appear to have been any covenant that was ever filed for this particular project with the first approved subdivision, we couldn't find anything at the county clerks office. With that being said I presume it'll be required for us to prepare that and provide that as part of this approval

Mr. Arnott comments:

- as Mr. Morgante had just discussed the dam that controls the water level within the lake that's on the property doesn't have or the applicant was not able to find a maintenance agreement for the Dam, and that's important because that was one of the requirements of the subdivision approval and ZBA variances that created the other lots and created this lot in 2001.

- some of the requirements of the 280a variance that was granted by the ZBA at that time for the subdivision -

--- the first one the ZBA required that Dry Hill Lake Road be improved to 22.5 feet wide the limited amount of Dry Hill Lake Road that's shown on the survey is noted as 17 feet wide. This will have to be addressed as part of this subdivision application or go back to the ZBA to amend the variance.

Chairwoman Franson - it says should be aware 280a variance granted for the other residential lots, does this lot need a 280-A as well

Mr. Arnott - we did discussed that last time I believe he 280-A variance was granted to this lot as well because it created the lot. That was my understanding from our last discussion but I'll defer that to Ms. Torre to respond.

Ms. Torre - yes I believe it was covered and we could certainly confirm that. I was looking for some older

Mr. Morgante - if you look at the old filed Subdivision map it states in note 11 actually on the original filed subdivision map this lot the 280-A variant was extended to this lot.

-- secondly - it required that the storm drains within Dry Hill Lake Road be brought to the elevation to adequately accept the drainage from the road

-- thirdly - that the roadway be improved six inches of item four. So again the roadway has to be improved only with item four so gravel for the entirety of the road to the 22.5 foot width.

Chairwoman Franson - what are the town standards now because that's a lot of homes.

Mr. Arnott - if a subdivision is coming in with a private road they you can only subdivide four lots and can get up to six if the first or any two lots front on a public Street. We're already in excess of that but I assume you're asking with regards to the construction of the roadway.

Chairwoman Franson - when that was created it was gravel was it like done in pieces and like maybe there were four homes and then it got extended some more and it was six or do we sort of know the

progression because at this point with that many homes should it be gravel.

Mr. Morgante - I believe the road's actually paved to the point. If you take a look at my plans it shows where I have the hatched portion that's showing the proposed pavement and then below that you'll see some lines with some cross-hatching that's the existing pavement if you see where the label is for the 17 foot wide road that would be on the grading utility plan sheet four. I don't know if it's paved fully 22 feet wide we'll have to maybe go take some measurements. I want to double check the ZBA resolution too I don't recall the top of my head I thought there was some language in there about whether or not the cul-de-sac actually had to be fully paved.

Mr. Arnott - the way I read it it was gravel through the terminus of the cul-de-sac.

Mr. Morgante - we would check the thickness of item four and if needed add some.

Chairwoman Franson - this road is owned by someone else is that the case? It's showing up as a tax parcel and it's owned by 40 Dry Hill Lake Road DHLR LLC it's just odd because it's coming off of it's not like an HOA where you you know typically see an HOA or something shared here it's actually someone owns this property and how do you go about getting access to a parcel land that's owned by someone else.

Mr. Arnott - my comment further down says that all the improvements within the private road will require easements from the property owner.

Chairwoman Franson - because it's owned privately by someone so to be able to do anything within the road or to make any improvements on that property as a roadway.

Mr. Arnott - you will need a maintenance and access agreement.

Mr. Morgante - yes we need to try and get in touch with that LLC and start that process of negotiations.

Mr. Arnott - as Mike noted the the revised plan indicates the location of the proposed sewer. It's my understanding now that the sewer lateral will not go into the wetlands buffer based on the new survey. But we will need acceptance from Orange County Sewer District number one for the tie-in of the proposed dwelling.

- next is water previously there was no improvement shown for the water connection but the applicant is looking to tie into WD#8 which there is improvements within Dry Hill Lake Road that the applicant can tie into meaning water main within the road but the lot is not within the district but in their response memo they noted that they are willing to petition the Town Board to be added into the district keep in mind

that office or executive office (inaudible) used for the board since they've been there but they are looking to tie in to the water main that's located within this lot and extend it to their facility the applicants memo notes that they acknowledge this and they're working through easement negotiations to allow them to build that water man.

- last time we had discussed whether or not the proposed accessory structure there's a pool and a pool house proposed whether or not that would meet the required rear yard and side yard setbacks it looks like the minimum requirement is 10 feet whereas 20 feet is proposed however the 10 ft is if the pool house is less than 15 feet so if Mr. Morgante could confirm on

the plan yes less than 15 feet.

- previously the board had asked for sections of the grading and the dwelling and all the improvements through the property.
- wanted to review that there are two pretty large retaining walls between the dwelling and the pool
- last time the board had asked that this be referred to the Joint Fire District and the Highway Superintendent. I just wanted to understand on the plans all the improvements to Dry Hill Lake Road before we sent it so that they had you know complete picture of access but like if we could refer that.
- submitted the tree plan
- subdivision notes that need to be added
- as far as SEQRA refer to Ms. Torre

open discussion regarding grading and any possible wetlands that need to be deducted for net lot area

Ms. Torre comments:

- calculating net lot area
- there is a chain link fence at the beginning of the property is that going to be removed? If so clarify that on the plans.
- tree plan to needs to be referred to the MCC wait until landscaping plan
- tree plan indicates 47 trees to be removed with 3 of them dead need the board's consultants to verify that 3 are dead then they don't count towards the required replacement
- need to add the house relocation notes to indicate number of bedrooms in the proposed dwelling
- storm water notes under section 46-17 also need to be added
- as far as SEQRA this would be an unlisted action. It would be appropriate for the board to classify it as an unlisted and declare your intent to be lead agency and authorize the circulation of the lead agency notice

Mr. Morgante - will this project require a public hearing

Ms. Torre - yes because it's an amended subdivision

Mr. Morgante - would this be actually good time to consider a public hearing because it wouldn't be a bad idea to get input from some of the neighbors as it relates to road improvements and things of that nature. There may be things that we do not know about even from a site visit I would like to collect that information earlier rather than potentially later.

Ms. Torre - board will need to be able to complete SEQRA and issue a negative declaration before the public hearing. There's some more information that's needed in order to have that.

Chairwoman Franson - in some communities they do an informal meeting so they'll do like a public information session.

Mr. Morgante - I will check with the applicant.

Member Manson - I noticed large area being cleared for soil to be stored during construction that's indicative of quite a bit of cutting it looks like you picked an area that doesn't have a lot of significant trees as far as dbh. Is that why you picked that area?

Mr. Morgante - we picked a location for a few reasons anything within that limits of disturbance trees are being removed but number one it's at the lower end of the site so it's easier to get the soil to that location from a construction standpoint it's also one of the flattest areas on the site so if you're going to create a stockpile it's better to do it on a slope that's as less steep as possible so that was really pretty much two main reasons why we chose that.

Member Manson - once construction is done is that area that's been opened up to stock out of the soil gonna serve as some lawn in the back there

Mr. Morgante - yes only area usable for kids to play

would like to see wetland markers

Mr. Arnott - you might want to consider in addition to the tree clearing that has to be done for this application is consider the other two projects that are on 17M and the clearing that might be done for those as well.

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to classify this project as an unlisted action and to declare our intent to be lead agency including approval of the OCSED # 1 and the Town Board for WD # 8.

Motion by Jeff Manson second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Jeff Manson Pat Shea Dylan Penn Robert Garstak

3. New Public Hearing

Action Discussion: 3.1 **127 Seven Springs** (0204-2022) SBL # 1-1-41.2 127 Seven Springs Road Monroe NY

Applicant Representative:

John Queenan - Lanc & Tully

Ms. Torre - circulated draft EAF II and it noted certain impacts that were small nothing noted as moderate to large and for those impacts that were small to explain why they weren't moderate to

large. A draft negative declaration was prepared and the most recent draft is from Mr. Arnott.

Ms. Torre - reviewing my notes from the last meeting I would confirm that we did reach out to the Orange County Planning department and they've confirmed that this project does not require a referral under the general municipal law.

review of the EAF Part II
reviewed the Negative Declaration

Chairwoman Franson - Ms. Torre has drafted a negative declaration meaning that we've determined that the project will not have a significant adverse impact on the environment an environmental impact statement will not be prepared this is for the 127 Springs Road site plan special permit and subdivision. The SEQRA status it's an unlisted action and then there's a description of the action.

Three lots for construction of two family detached dwellings (inaudible) road so impact on land use so it will change the character of the land but it's otherwise allowed as part of the Zoning there's discussion runoff that will be controlled. Lots will be served by private on-site wells and individual septic systems applicant to conduct a pumping test and that there's adequate water supply to service the new dwellings. The proposed action doesn't eliminate any important habitat types. The applicant will comply with the tree removal restriction so no cutting of trees between April 1 and October 31 ? No impact on community character and we'll be addressing that as part of our Architectural Review. Minimal impact on traffic and transportation there will be a change but it's essentially six dwelling so relative to the levels of service on the road and other traffic it's not significant impact on water supply wastewater treatment facilities to our knowledge there's no issues and the project can be serviced historic or archaeological resources parks recreation and historic preservation indicated they didn't think there'd be any effect on those resources. Natural resource action involves removal of approximately 270 trees

Ms. Torre- there wasn't a total on the plan but that was my count does that sound right? There was one blank I had in that section too Bonnie looking at how many trees they were going to be planting. I have that they were going to be planting at least ____ trees to replace those being removed I don't know if you've come up with the number yet.

Chairwoman Franson - we also have a members of the Monroe Conservation Commission here they did provide comments yes on the plans and we would want to take them into consideration as well. Additionally the applicant will plant trees to replace those being removed as required by the Planning Board. No impacts on drainage run off and flooding being managed on site directed to a conveyance system designed in accordance with the NYS DEC. Not in the 100 year flood plane.

Mr. Dennis Fordham -
- detail lost on PDF copies

- listing tree species
- table of trees removed
- new plantings
- limits of disturbance close to the boundaries
- changes of grade
- no opportunity for a buffer zone to disturb the roots
- how will the trees be marked

Chairwoman Franson - should we keep the public hearing open at this point

Ms. Torre - you are waiting for the landscaping and you do have your 62 days unless the applicant would be if it came to it agreeable to waving the 62 day time frame for making a decision after closing the hearing while we work out the landscaping and tree plan details.

Mr. Queenan - we have no objection to offering the waiver to the board for the 62 days time frame for a decision.

Chairwoman Franson - could you also just send us a letter or an email to that effect

Mr. Arnott - no comments at this time

Ms. Torre - no comments at this time

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to adopt the Negative Declaration for 127 Seven Springs Road subject to the revisions that we discussed this evening.

Motion by Chairperson - Bonnie Franson second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Jeff Manson Pat Shea Dylan Penn Robert Garstak

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

Motion by Pat Shea second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Jeff Manson Pat Shea Dylan Penn Robert Garstak

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to close the public hearing based on the waiver that was granted by the applicant.

Motion by Chairperson - Bonnie Franson second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Jeff Manson Pat Shea Dylan Penn Robert Garstak

4. Minutes

Action Discussion: 4.1 March 14 2024

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the minutes for March 14 2024.

Motion by Chairperson - Bonnie Franson second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Jeff Manson Pat Shea Dylan Penn Robert Garstak

Nay: 0

Abstain: 0

Action Discussion: 4.2 March 19 2024

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the March 19 2024 minutes.

Motion by Jeff Manson second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson Pat Shea Robert Garstak

Abstain: Chairperson - Bonnie Franson Dylan Penn

Nay: 0

Action Discussion: 4.3 May 21 2024

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the minutes of May 21 2024.

Motion by Chairperson - Bonnie Franson second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Pat Shea Robert Garstak

Abstain: Jeff Manson Dylan Penn

Nay: 0

5. Adjournment

Action Discussion: 5.1 Adjourn Meeting

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

Motion by Chairperson - Bonnie Franson second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson Jeff Manson Pat Shea Dylan Penn Robert Garstak

Nay: 0

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