

Town of Monroe Planning Board Regular Meeting MINUTES

— 08/16/2022

Town of Monroe Planning Board Regular Meeting (Tuesday, August 16, 2022)

Generated by Norinne McSweeney

Members present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn

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. Continued Public Hearing

Action, Discussion: 2.1 DG Management (0172-2019) SBL # 69-1-1.2 Schunnemunk Road

Jay Myrow Attorney

Jim Bates ECL (Ecological Analysis)

since last meeting based on comments Mr. Tompkins additional documentation

letter from Steve Esposito & Assoc

letter from Mr. Bates

additional letter from myself Mr. Myrow

responding to additional information requested from the board

one item requested was for the conservation easement to show monitoring plan and how it would be implemented and maintained over the years

Mr. Esposito responded to that and also the comments by MHE

Mr. Bates confirmed Monarch Butterflies and other species on the property

Mr. Tompkins also confirmed in his letter that the applicant has established monarchs and others species utilize the area

at this point the issue regarding conservation area has to be determined so that we may proceed with cluster plan, we have demonstrated that the open space areas do have conservation value

we will answer any questions and or comments

we are asking the board to make a determination so that we can to proceed with the cluster

plan

Chairwoman Franson Mr. Bates would you give us a synopsis of your findings, the process of checking for and finding the monarch butterfly and some of the details related to that.

Mr. Bates per the boards request we started field studies of the habitat value of the right of way back in March. We have been monitoring the site and have been out there 4 or 5 times submitted photos with butterflies to the board and Mr. Tompkins last field visit flowers in bloom there were 5 - 7 different butterflies honey bees there for additional pollination suggested fall mowing, consultant suggested spring mowing, its a once a year mowing that knocks down the trees and the shrubs and allows the herbaceous plants and pollinators to grow which is what the butterflies need

Mr. Arnott comments:
finalize sewer and roadway issue
minor issues within the village

Ms. Torre:
nothing at this point
based on your determination whether you'll be closing the public hearing, prior to that open it up to the public in the event anyone is here for this project and then close the public hearing

Carol Hawxhurst is the DG Management same as the Pallotti Village project? Where is this located?

Member Manson thought cluster better plan, is value in what is being proposed with O&R easement, gratified that we found and endangered species or threatened species, presence of the honeybees and other species in that area that can be supported and help the Monarch Butterflies thrive in the area, always felt the O&R easement was important thruway for all wildlife to use O&R lake for a water source, I prefer that we continue on with the cluster subdivision plan set

Member Shea I am good with the cluster subdivision

Chairwoman Franson the heart of matter was cluster subdivision regulations and that they refer to a threaten endangered or rare species and would have to have a significant presents and by virtue of the fact that the Monarch butterfly is now being considered endangered and is a candidate warrants and fits within the concept of sensitive species. There is enough supporting information to warrant that this particular easement has some benefit as open space so I support continuing with the cluster subdivision.

Ms. Torre the board and the applicant consented to extend the time for holding the public hearing open beyond the 120 days that is where we are now, if you close the public hearing then of course the 62-day time for a decision would be in place unless that's extended by mutual agreement.

Chairwoman Franson asked the applicant's representatives if the board agrees and since there has been no public comment on this project at this point is close the public hearing, but get on the record that if the plans for whatever reason can't be done in time in the next 2 months that the time frame can be extended, is that reasonable.

Mr. Myrow my recollection the public hearing was opened on the cluster subdivision plan, been more than fair opportunity to hear from the public so we agree to that and as always if it is necessary to reopen the public hearing we would not object and if more time is needed beyond the 62 days we'll consent to that.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion allow DG Management to pursue the cluster subdivision arrangement because based on the record and information presented by the applicant as well as input from our consultant we have found that there's conservation value in the open space area submissions indicate that there's sensitive species present the monarch butterfly and that pursuing the cluster subdivision would allow for the open space to be protected and retained.

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

Final Resolution: Motion Carries

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

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

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

Final Resolution: Motion Carries

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

Chairwoman Franson so refine the plans, make sure the landscaping plan is incorporated, address comments from CHA, have to make some mechanisms to ensure protection and maintenance created strive for that in the next 2 months so that a decision can be made.

Mr. Myrow far enough along for a draft resolution

Mr. Arnott from engineering standpoint ready for conditional approval

notes from Mr. Tompkins to Ms. Arent to see if any additional comments
road assess bigger hurdle

Ms. Torre ok to draw draft resolution and we can continue to refine if needed

whatever is outstanding from MHE letter and Mr. Tompkins and Ms. Arent
who will hold conservation easement explore that

Mr. Myrow the town will take the property, will be an HOA maintenance contract

3. Returning Projects

Action, Discussion: 3.1 **Sheri Torah - Trailers** (0197-2021) SBL # 2-1-21.2, 2-1-29 Larkin Dr
Monroe, NY 10950

Joel Mann - Brach & Mann
representing the applicant

received variance from the ZBA for trailers on the school property expired from the planning
board extension another 3 year extension
minor change to how the buses will drop off the students

Mr. Arnott - variance to extend the time frame one condition that the applicant require to bring
site into code including walk ways, striping, need to be placed on the plans
2018 approval wall packs lights to be installed
narrative to be provided with any other improvements
county GML 239 500 feet of Heritage Trail
public hearing optional
discuss SEQRA

Ms. Torre
public hearing discretionary
SEQRA type 2 action need revised plans with any improvements
GML 239 - required wait for new plans

Mr. Mann currently using the entrance way Larkin and the kids are standing on the side of the
school the change is to have the kids be in the front of the school
want to put in some Belgium blocks to separate that no cars can get in or children can run out
from the bus area
temporary structure for the kids to get on and off the bus that will be easily removed once the
trailers are gone

Joel Mann explained the new circulation route for the buses

wait for new plans to submit to GML

Chairwoman Franson from a SEQRA perspective this is a Type II action

Member Manson as I remembered when we looked at this the first time we only had the authority to extend this once, I understand the ZBA had the authority to extend it, but what authority are we looking at it again?

Ms. Torre ZBA granted the variance from that provision that restricts the planning board authority where they are allowing it to go beyond the 3 years.

Member Manson it was part of the ZBA decision that they would have to come back to the planning board when extended for another 3 years.

number of projects for Sheri Torah 3 girls school 2nd being built 3 down the road

Mr. Mann they have 2 other properties they have just finished up a building in Village of Kiryas Joel and they have a property in the Village of South Blooming Grove

Member Manson desire to get a master plan talked about numerous times to aid in decision making asked for projections as to what could be expected

Mr. Mann eventually a new submission for an additional building, I will look over what was submitted to the ZBA and make necessary adjustments and submit to this board showing the need projections on future growth

Chairwoman Franson enforcement situation our prior approval was conditioned upon certain improvements, those improvements were or weren't ever met?

Ms. Torre the ZBA decision says the property has to be brought into compliance with that approval, not sure what is outstanding.

Mr. Mann the property was in compliance at one point with everything, needs maintenance to make all conditions compliant. We need to redo the striping.

Chairwoman Franson would like to see the variance approved from the ZBA have Mr.

Maldonado review what is in compliance and need to be completed and work with Mr. Arnott

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to determine a type 2 action from SEQRA therefore exempt from SEQRA and no further SEQRA action is required.

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

Final Resolution: Motion Carries

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

Action, Discussion: 3.2 **Rye Hill Preserve** (0206-2022) SBL # 31-1-1.11,31-1-1,31-1-12, 31-1-12,31-1-2.4,31-1-18.31,31-1-29,31-1-62,31-1-63

Jeff Buss counsel-

Bill Snyder engineer for the applicant

last before you August 11 we have made a change in proposal to include a cul-de-sac on the Eagle Ridge side to try to limit traffic to the townhouse residents and to relocate some of the town house properties away from Preswick

Eagle Ridge original proposed 300 units reduced to 214 units

200 apartment building eliminated and replaced with townhouses

buildings no more than 40'

249' to the property line in Prestwick

115' from the townhouses on the top

move the road a little further with slopes and topo made it hard will do additional landscaping between road and property

Chairwoman Franson the project is in front of Planning Board for a recommendation referred to us by the Town board for our input and to make findings and send back to the Town Board. Any additional comments from the board members, we have a draft report prepared by our attorney which summarized the various considerations we wanted to send to the town board.

Member Shea where are you on the Shea Meadow side

Mr. Buss Shea Meadow side no changes

277 units - 151 town houses 126 stacked condos

at the last meeting it was asked that we flip the buildings

Member Shea main concern is the visibility of the large buildings, they are located in the worst place on the property, position those some place else and hide them like on the Eagle Ridge property

Mr. Buss we've looked into that and not sure where else we could relocate the buildings. We are not adverse to the idea, just not sure how it would work.

review of the locations on Shea Meadow property possible relocating onto another part of the property, open discussion on the cul-de-sac expected it in the opposite direction

Chairwoman Franson read recommendations into the minutes (see video (57:32)

JM 2nd section point # 6 additional landscape should be added, can we make the suggestion of what should be included

accepted the draft report

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adopt the report and authorize Ms. Torre, Esq. to send it to the Town Board.

Motion by Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

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

Action, Discussion: 3.3 **BJ's Site Plan**

George Lithco - representing the applicant

Member Manson recused himself

Mr. Lithco wanted to discuss the situation with the water not having written documentation from the village of Harriman.

Chairwoman Franson we need something validating that they will supply the water.

Mr. Lithco I have a letter I can show you that they will need to discuss after September. Can't give you a letter, but we can demonstrate there is adequate capacity to provide us with water and that we have the right to be provided with water pursuant to the water agreement. We'll agree to a condition that we will not apply for a building permit until we have the we'll serve letter or some other form of approval.

Chairwoman Franson we aren't prepared for the negative declaration this evening we will do it in September. I would like the plans updated we need a full site plan package with the revisions made so we can do the negative declaration and the resolution.

for the next meeting get an updated set of drawings revised incorporate traffic, landscaping and whatever else was outstanding and if something is not going to be incorporated send us a response letter with the comments and reason why not addressing in advance of the meeting

4. Minutes

Action, Discussion: 4.1 March 15, 2022

held over

Action, Discussion: 4.2 April 14, 2022

held over

Action, Discussion: 4.3 April 19, 2022

held over

Action, Discussion: 4.4 May 17, 2022

held over

Action, Discussion: 4.5 June 23, 2022

held over

Action, Discussion: 4.6 July 14, 2022

held over

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 the meeting.

Motion by Jeff Manson, second by Nicholas Napoli.

Final Resolution: Motion Carries

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