

Town of Monroe Planning Board Regular Meeting MINUTES

— 09/17/2024

Town of Monroe Planning Board Regular Meeting (Tuesday, September 17, 2024)

Generated by Norinne McSweeney

Draft

Members Present:

Jeff Manson, Pat Shea, J Louis Rivera

Members Absent:

Bonnie Franson, Dylan Penn, Bob Garstak

Planning Board Consultants:

Ashley Torre , Esq.

Shawn Arnott, PE

1. Welcome

Action, Discussion: 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 **Eagle View Estates** (0168-2018) SBL # 18-4-60 402 Lakes Road
Monroe, NY

Applicant Representative:

David Niemotko - Architect

Deputy Chairman Manson - before we get started with public comment Mr. Niemotko is there anything you would like to discuss?

Mr. Niemotko - since our last meeting in August just reiterating what happened at the last meeting we're on a verge of approval as was acknowledged so we're here just to wrap up whatever loose comment so we can move ahead we're at that stage we're at that time.

Mr. Arnott - just to remind the board the main public comment from last time was potential additional screening along the western edge of the property. I have reached out to Karen Arent the Landscaper asking for some input on how things should be screened unfortunately I don't have a response for this evening, but I think that has been incorporated into the

resolution.

Cynthia Francis 404 Lakes Road Monroe, NY

- last time I was here we talked about the screening thank you for mentioning that
- talked about building 2 wells and 2 septic's where are they going to be
- resident took at picture to actually show how close the properties are
- last time here we discussed how very close the properties are - board members last time agreed there is a concern with how close
- grand idea but minimal space - really wants to know how this is going to look, they are practically in my yard
- how are all the ideas going to unfold in this little project
- other concerns are the wells will they impact my well, has then be thoroughly looked into has there been additional testing done
- are they going to be cutting down trees
- a lot of digging that will affect my trees, my property

Deputy Chairman Manson

- there's no tree clearing whatsoever on this project
- the wells were testing a while ago, actually years ago, there was no impact on the site and there was monitoring of nearby wells at the time of the testing done by independent contractors, also overseen by the Planning Board consultant on water hydrogeologist.

Ms. Francis -

- how up to date are these well test is it something that only takes one time a lot has happened over the time period

Mr. Arnott- when was this done it was 2019 that the tests were performed however the resolution does require additional testing be observed once the wells are installed on each lot prior and reviewed by the Town's hydrogeologist prior to issuance of certificate of occupancy for each home.

Ms. Francis - and they're sure there's no impact to the surrounding home.

Mr. Arnott - the hydrogeologist believes that there would be no impact to each home and the additional testing completed prior to the certificate of occupancy will also be reviewed by the Town's Hydrogeologist should any issue be arise from the testing they'll have to mitigate it prior to receiving a certificate of occupancy for the dwelling.

Deputy Chairman Manson - that's certainly an issue that we studied fully. You asked in relation to where the septic locations they're going to be in the front yards of the houses. Looking at project plans on the big screen pointing out locations of the septic, the lot closest to you that house is a little bit further up the front yard there's going to be a retaining along the front yard everything sort of forms a bit of a bowl there, I'm sorry these are the older plans,

while they're looking for that document something to be aware of with this project is the septic systems are anticipated to only be for a somewhat limited time right now there are no further connections into the sewer system until an expansion happens and access is granted but this property once, if and when there is capacity, this property is required at that point to then hook into the sewer system that's one of the things that we looked at as well.

Ms. Francis but there's no date on that is it.

Deputy Chairman Manson - that's something still being worked on at a high level that's a county issue. I don't want to say it's simply being batted about there are some preliminary plans for that but there's no timeline for that at this point not only will they have to finalize plans, but funding will have to be approved for that. So what will allow this project to go forward is septic's, in the meantime and that was provided for in the front yards of the houses, because I know you have a concern about where those are going to be one of the other issues n relating to designing where the septic went is the proximity of the lots to the lake and so obviously it has to be far enough from the lake that it has to work environmentally and not discharge any pollution into the lakefront and that's been it was verified by by our engineer as well.

So this is a more up to-date version of the plan you'll see on the big screen - in the front yard of each of the plans there is a retaining wall so the driveways will kind of be set down between those walls it's one

split driveway entrance so that instead of having two driveway entrances and having to clear more brush than necessary along Lakes Road is a Scenic Road there'll be as little disturbance as is absolutely possible thanks to the single driveway entrance curve that then splits into the two driveways those will be set down between the retaining walls and the garages for the houses will actually be below grade so they'll come into like an underground basement so the front yards will be a bit elevated at the corner retaining wall there if I remember correctly and correct me if I'm wrong David is approximately 8 ft there'll be Landscaping added along the retaining walls eight and a half eight and a half thank you but where it comes closest to your property the wall will actually be quite short because it's going to work its way into the landside and then be back filled behind that to create a front yard for the property and to allow for the septic.

Ms. Francis - your saying final plan but it could be subject to change over time I mean any alterations any operation needs adjustments once you get started.

Mr. Arnott - any alterations would have to come back to this board for approval.

Deputy Chairman Manson - ultimately once an approval is given on this application once building or permits are issued all the conditions are met then if anything had to be executed ultimately when they got on site and started doing the building that had to change these plans, it cannot change without coming back before the Town. It comes back before this board.

Ms. Torre - just to clarify too these plans there will be additional Landscaping required the Planning Boards can consultant had recommended Landscaping by the retaining walls and then also the draft resolution is asking your the Planning Board Consultant to also address Landscaping along the western edge of the property to screen your property.

Ms. Francis - yes but we don't have any of that today.

Deputy Chairman Manson - you brought that up at the meeting on the 20th and at that point we brought it to the Landscaper.

Ms. Francis - I thought we were coming back today to discuss it but it hasn't been addressed so I stand on not in agreement. I think just because of my interaction with this process just, there's been intrusion and disregard for others around it's clear they want to do what they're going to do that's fine, but there still should be the mindset that we have neighbors here and whoever buys these home will have neighbors so it's good to start off on a good footing and it hasn't happened yet, so I'm not impressed.

Board members any comments that you had for Ms. Francis or anything you wanted to address in relation to what we just heard.

Member Riviera - I think we should address the issue of at least some kind of trees being set there to make a division so that there's more privacy on the western side of the property.

Deputy Chairman Manson - that is being worked on now when Ms. Francis brought that concern up at the previous meeting that was addressed to Ms. Arent our Landscape Consultant and she is working with the applicant on making some additional changes that we will take into consideration.

Mr. Niemoćko - I'd like the board to realize the realistic aspect of occurring on the west side. I submitted a snapshot to the secretary I was hoping it was distributed if you could put it up on the screen which would be great the distance from the pool which is what's in question to the property line is approximately 40 - 41 ft, also there is a piece of property a sliver property from that point to the east that I'm not sure who owns but not my client and not her that's another 25 ft, so you have 65 ft from the edge of the pool to the property line. This the width of this conference room is approximately 38 ft so the pool is another 30 feet in that direction that is far in excess of any separation between two residential homes in that neighborhood when you add the setback on our property you add another 15 feet to the house so equaling 75 to 80 feet away from the pool and if the pool is a 20 by 40 you're talking about another 40 - 50 ft away from the home so let's work in real terms here that's what's happening not from our doing I mean that's from the GIS mapping and it's interesting because it shows the pool on a separate lot which is curious so if we were to situate the house to the east according to GIS, I believe she owns that property, so we would be 40 feet at the minimum plus 25 plus another 15 so we're 85 ft away from the pool and then add another 40 or 50 ft to the house.

Member Shea - I do recall bringing up something when we had this last time that I thought I saw a proposal from Ms. Arent or someone about how to mitigate this situation through trees and shrubs and

stuff like that. Where did that come from and has that been taken into consideration?

Mr. Niemoćko - yes it's adopted it'll be part of resolution we have to comply with that memo but those trees which are approximately 10 trees plus low Rising Shrubbery or actually I forgot what it was called but along the front of them that would be placed between the two along the

retaining walls and between the two homes oh that would increase privacy for her it would increase privacy for the two homes yes the two new homes and that's part of the resolution.

Ms. Torre - I don't know if you had heard him but that was for increasing the Privacy for the two proposed homes so now since then the resolution we've proposed a condition that requires screening to satisfy Ms. Arent along the western side of the property which would address the visibility from this neighbor.

Mr. Niemotko - which we believe is not necessary given the distance I me that's that would be the side of the house and the pool would be another 30 feet past that wall.

Deputy Chairman Manson - I understand what you're saying, however our speaker this evening did make a good point about there's something about doing something to establish yourself as a good neighbor and I think that those screening trees between her property and these new homes does just that so it seems appropriate to me. Ms. Torre what's our next steps.

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

Motion by Jeff Manson, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

the resolution was reviewed a few additions and deletions were made by Ms. Torre

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adopt the resolution reviewed tonight as modified.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

3. Returning Projects

Action, Discussion: 3.1 **81 Raywood Drive** (0228-2024) SBL # 43-1-11.1 81 Raywood Drive Monroe, NY

Applicant Representative:

Shloimy Gelb

Mr. Gelb reviewed:

- lot # 1 for 2 family overlay
- one of the lots from 3 lot subdivision previously approved
- addressed all comments from Engineer and Attorney
- would like to schedule public hearing for next month

Mr. Arnott Comments:

- as you all recall this is one of the Lots from um the three lot subdivision that was approved they're just looking to make one of the Lots from a single family to two family
- existing sewer and water will remain the same
- only improvements are slight grading modification and expansion of the parking area to accommodate the new cars
- so with that the I did look at the previously approved grading plan as part of the three lot as compared to the new grading plan there's only slight modification to grading on the middle lot which would be the one that was tucked up closest which I understand is under the control of the applicant and therefore I don't think a grading easement is necessary
- did receive a correspondence from OC DPW regarding the existing sewer lateral there was a 6 inch lateral that was proposed and approved no changed being considered therefore the DPW has said no need for a new approval needed
- Village supplying water, there is a filed agreement between the Village of Kiryas Joel and the applicant for the original subdivision just ask that Ms. Torre review it to make sure it is adequate or needs to be amended
- discussed there was a SWPPP previously for this project the applicant has added additional stormwater mitigation for the project - however a new SWPPP should be submitted addressing the additional impervious and mitigation efforts
- regarding a specific tree adjacent to the proposed parking area, questioning its viability after construction and grading. Looking at that and how it might affect the tree plan.
- applicant will have to file an amended Stormwater Maintenance agreement for the additional improvements
- regarding a note on the architectural plans - it says that it's for Planning Board only and not for construction that note needs to be removed
- questioning whether all the finishes are called out with the color on the architectural plans

Mr. Gelb:

- questioning the wording on Mr. Arnott's comment number 9 regarding note on plan stating " plan is for Planning Board only and not for construction". This note should be removed from plans. Applicant states they have it on all plans when they don't have full set of construction documents because it is not legal to sign without all the ducts for the foundation and framing. Mr. Arnott - perhaps the resolution could be written in such a way that the Building Inspector

shall confirm that the architectural colors match.

Mr. Gelb - that does make sense yes full set we submitting for the building permit that can be an a note added to your architectural set as well as Incorporated in the resolution.

Mr. Gelb - clarification on number 10 about construction material - that the board has all the finishes on the architectural plans called out with color and type, some features won't be available yet like the type of a door

Mr. Arnott- not concerned about the model of the door, but is it fiberglass, wood, metal what are the materials. Not holding you to the make and model just need a type

Mr. Gelb - regarding the SWPPP the engineer submitted a letter with all the comments regarding the site plan he told me no changes to the previous

Mr. Arnott - I disagree his letter stated that he basically did some basic calculations for the storm water in his response memo however I believe the SWPPP needs to be amended in order to incorporate the additional impervious area in the recirculation quality volume, runoff reduction volume and potentially for the quantity control

Ms. Torre -

- talked last time about stairways in side yard setback just want to confirm those are allowed under section 57- 41(c) which gives an exemption for those type of things that don't intrude more than 4 feet.

- need to review the water agreement with the Village of Kiryas Joel to see if sufficient or if it needs to be modified

- previous tree plan when original subdivision was approved - need to confirm no additional trees being removed beyond what was previously proposed

- if removing and not replacing fee in leu

- add standard tree map notes - will provide for you

- refer to MCC and 30 days to comment

Mr. Gelb - regarding the steps in the setbacks as it's only 4 feet if I just add to the site plan a dimension is this enough or we need from the Building Inspector

Mr. Arnott - I had reached out to the Building Inspector I don't see a response from that whether or not the stairwells need to be counted towards the side yard or need to be within the side yard setback or whether or not a variance is required. There is specific language in the Zoning that exempts it, but I just want to have the Building Inspector confirm that's the case

Ms. Torre continues:

- application does require a public hearing, there's a few things that are going to be submitted, but if you think that you're going to be submitting those for the next meeting, if the board wanted to consider scheduling a public hearing

Mr. Gelb - I feel comfortable that this modification will be submitted enough time

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to schedule a public hearing for the October 15, 2024 meeting at 6:30 pm or soon there after as it can be heard.

Motion by Pat Shea, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

Action, Discussion: 3.2 **127 Seven Springs** (0204-2022) SBL # 1-1-41.2 127 Seven Springs Road Monroe, NY

Applicant Representative:

John Queenan Lanc & Tully

Mr. Queenan -

- addressed all of Mr. Arnott and Ms. Torre's last group of comments
- received comments from the Monroe Conservation Commission, they did a site walk the end of August got comments about a week after Labor Day took a look at them and we are able to address said comments
- able to shift the driveway as recommended by the MCC and will be able to save a cluster of the trees
- amended the grading along Seven Springs Road to save the additional tree that the MCC recognized as well

Deputy Chairman Manson- how many trees in total did that save?

Mr. Queenan - an additional 6 trees

- working with the boards Landscape Architect we have been back and forth on comments we're just about done with that review of that plan and we were able to add an additional 26 trees tot he Landscaping plan. We're going to be replacing a total of 68 trees and essentially we're out of space to put more trees.

Deputy Chairman Manson - how many total removed trees?

Mr. Queenan - total removed trees is 274 and we are replacing 68 trees

- no additional changes to the plan just responding to Mr. Arnott & Ms. Torre comments.
- Updated architectural plans were also submitted with three color schemes options

Mr. Arnott comments:

- on the subdivision plat ask the the maintenance requirements note be added
- additionally the storm water maintenance agreement will have to be prepared and accepted by the Town board and the applicant prior to site plan approval

- easements proposed on the plans, those easement agreements need to be submitted to Ms. Torre and accepted prior to final approval

- then a question because I don't think I got a chance to review the MCC report did they identify any Landmark or specimen or protected trees?

Mr. Queenan - I believe the report identified protected

Mr. Fordham - MCC glad to hear our suggestion regarding realigning the road is being used. Only meaningful comment is to try and plant more trees.

Mr. Arnott - next comment was that the site plan and subdivision be stamped and signed by engineer and a surveyor prior to final approval

- there is an inconsistency between the architectural plans and the site plan for the areas of the buildings. Just make sure that they match.

Ms. Torre comments:

- architectural plans show the lighting, but they don't have the details for the light fixtures and the specification sheets so if you could provide those

- we discussed last time there's the three different color options it's my understanding that those three different will be used basically there's one option for each, it's not that they could all be the same

Mr. Queenan - each lot has the same three options there could be 3 houses the same color

Ms. Torre - the question would be can all three be the same. The code does speak to excessive similarity and dissimilarity so whether they could potentially be all three looking exactly the same a possibility. If they could, that's something that the board may want to consider, by your Architectural Review standards if that's something you would want to allow or if you want to specify that there needs to be a variety.

Ms. Torre - that is all I have if you want to authorize the drafting of a resolution for October.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to authorize Ms. Torre to draft a resolution to be considered at either of the October meetings.

Motion by Jeff Manson, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, J Louis Rivera

Action, Discussion: 3.3 **Golden Delite Bakery** (0189-2020) SBL # 2-1-5.13 31 Larkin Drive, Monroe, NY

Applicant Representative:

John Queenan - Lanc & Tully

Mr. Queenan -

- back with some additional information last we were here we were discussing the prior site plan approval associated with the property
- the type of uses that we currently have on the property and how to process the application moving forward
- any of the comments from last time we have addressed
- we noted the max height of the building which was one of Mr. Arnott's concerns it is under the 30 ft and is in line with the original architecture of the building was permitted for through the building department - - we went over at the last meeting the building footprint essentially matching the original site plan approval from what we could tell it was generally the same square footage
- we have confirmed those items and We've addressed Mr. Arnott's comments from July
- we were talking whether it was subject to SEQRA or not and how the board wanted to process the site plan is it either an amendment or a new approval
- we did add some plan cleanups
- we included landscaping plan

Deputy Chairman Manson - based on Mr. Queenan's comments Ms. Torre could we start with you because I'd like to get some thoughts on SEQRA for this particular project and about our options in relation to doing this as an amendment or as a new approval

Ms. Torre comments:

- with respect to SEQRA there appears that there's maybe 2,000 or so square feet that may be addition to what the original approval was for, in that case you would treat it as, assuming that doesn't have an approval, an expansion of an existing commercial facility by 2,000 square feet. Which would be a type two action under SEQRA. It wouldn't require any environmental approval.
- as far as whether it's a site plan amendment or site plan approval, I don't know that there's an actual approved site plan for the property it's referenced in the C/O, but I don't know that we actually have a true site plan either way it doesn't really matter how you qualify it's still going to be a new site plan for the project.
- I'd ask that the 2,000 square foot difference be noted somehow on the plan show that's something that you're seeking the the approval for
- add the delineate the setback boundaries on the plan
- the plan does indicate that a fence on adjacent property is going to be removed as part of the application so you'll need an owner's endorsement from that property owner SBL # 2-1-29
- project narrative that was submitted mentioned there was going to be new lighting you need to show the proposed lighting and provide spec sheets
- it was asked that the narrative explain whether there are going to be any delivery trucks or

customers coming and going to any of the businesses

- there was a question of whether it was required to refer to the county and since it is now this 2,000 square feet that hadn't been approved previously it wouldn't fall under the exemption with the county so it does need to be referred
- provide details for architectural review

Mr. Arnott comments:

- just two cleanup items on the bulk table the building height was confirmed needs to be updated on the bulk table
- net lot area was calculated however when it was put in the bulk table it was the deduction rather than what the net lot area actually is
- regards to septic tank there is a proposed parking area over the top making sure the septic tank can handle the load of a car

Mr. Queenan - quick note we made an application to the county for the new sewer service and they would like the tank abandoned so it'll become like a grinder station

Mr. Arnott - so you're removing the tank and adding a new pump station chamber

Mr. Queenan - correct so the pump station will become a grinder pump station instead of effluent

- making sure there will be enough parking spaces between where the handicap stalls are proposed and the ones behind it
- the applicant's looking to relocate the driveway to be entirely on the lot what is going to happen to the existing asphalt on the adjoining right-of-way for the Town
- sewer is going to be tied into Old Country Roads existing sewer service 1) need easement from lot at the end of Old Country Road, that'll have to be reviewed by Ms. Torre, 2) the calculation for the design of the pumpstation should be included in the detail on the plans and the force main within Old Country Road will need a Highway Road opening permit from the Town's Highway Superintendent
- make sure the grades from the handicap parking stall meet ADA requirements
- my office did refer the plans to Ms. Arent for Landscaping review have not heard back
- there are details to stop sign and a stop bar but it's not clear where those are proposed on the plan
- also show any signage for the businesses

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to classify this project as a Type II action under SEQRA.

Motion by Jeff Manson, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to schedule a public hearing for the Golden Delite Bakery site plan on October 15, 2024 at 6:30 pm or as soon there after.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, J Louis Rivera

Nay: None

Abstain: None

Action, Discussion: 3.4 **Monroe Commons** (0182-2020) SBL # 2-1-10 Nininger Road, Monroe NY

Applicant Representative:

Daniel Richmond Zarin & Steinmetz LLP

Mark Siemers - Pietrzak & Pfau Planners

Ken Wersted - Creighton Manning - Zoom

Mr. Richmond -

- as you may recall last month your board issued SEQRA findings after a comprehensive review under the SEQRA and last night the Town Board adopted the HI District amendments which is required for the project and enables the Planning Board to act on it. We're here this evening to finalize any questions you may have we understand that your board did not want to act this evening and we understand your position because the local law has technically not been filed with the Secretary of State in Albany, but we expect that to be done shortly. We're hoping to resolve any technical outstanding issues. I think everything's basically squared away at this point and we're hoping your board can set a special meeting for October to act on this application.

Deputy Chairman Manson - did you receive a copy of our memo from AKRF that was issued out today its recommendations on SEQRA mitigation commitments on the site plan set.

Mr. Richmond - I did see that yes, I didn't have a chance to review it in detail, but my understanding is it just recapitulates the mitigation measures required by the SEQRA findings. I don't think it's necessary to have that on a separate site plan I think they're already enforceable as in the SEQRA findings now again there's the same measures that have been set for in the SEQRA findings it's not an issue.

Deputy Chairman Manson - I think it's in relation to getting those documented in the way that we need them documented in the site plan.

Mr. Arnott - in my opinion and experience the Building Inspector pulls the approved site plan

for enforcement action they don't pull the finding statement to find the mitigations that were approved therefore it's easier for the Building Inspector to enforce actions if it's on the site plan.

Ms. Torre - there was just one item which I saw the Town's Hydrogeologist had responded to regarding the well monitoring so I know they're working out those details with Frank Getchell.

Mr. Richmond - yes we did get that email this afternoon, we had proposed three piezometer he proposed another a fourth we have no objection to that. He asked for it seems like construction details of piezometer, but I think we can work that out between the professionals in the next couple of days.

Ms. Torre - one of Mr. Arnott's earlier comment sheets mentioned the updated architectural plans need more detail about the rooftop area. Just want to clarify that it won't be an event space. Wanted to really understand how that'll be used and that there's no additional lighting or any additional noise or visibility issues from there.

Mr. Richmond - if the concern is noise we would abide by whatever the Town's noise code says that can be a condition of your board's approval.

Deputy Chairman Manson - if you can just remind us what the three separate areas for people on the rooftop and if you just remind us what those those areas are intended to be used for.

Mr. Gross - two of the areas are connected to private offices and will be used by the personnel there. It's recreational area. There will be a parapet around the area which should keep the lighting low.

Deputy Chairman Manson - changes have been made to the lighting plan bringing down foot candles where there was some real intensity and have it more balanced out. Around the main entrance on the front of the building and around by where the hotel entrance are it seems like it's going to be quite dim is it not taking into consideration the wall lighting and the lighting under the under hangs.

Mr. Gross - the wall lighting wouldn't add a lot because that's ambient light just an accent. The canopy lights will light up that area to a certain point which will meet the same numbers.

Deputy Chairman Manson - so the changes you made are going to make it more even lighting throughout the space.

Ms. Torre - the applicant was requesting a special meeting to discuss this application. Need to verify that George and Norinne are available but in speaking with Mr. Arnott and Chairwoman Franson it looked like October 1 at 5pm would work.

Deputy Chairman Manson - that'll give us sufficient time for the law to be properly recorded so we could take action that evening.

Ms. Torre - it was being filed immediately so it should be good.

Mr. Arnott - I provided a memo this evening I did have a number of comments on the lighting plan that did not consider the plan that was submitted this afternoon.

- the main things were the SWPPP we take no exception they've addressed all our previous comments
- we're waiting on comments from the Joint Fire District and the Town's Fire Inspector
- a stormwater maintenance agreement should be executed between the applicant and the Town I can provide a draft of that.

Mr. Richmond - I see your memo and saw the agreement should be executed prior to final approval do you mean before October 1st

Mr. Arnott - before signing of the plans

Mr. Arnott continues:

- then I had a number of comments on the architectural plans
- really just making sure that all the lights that are shown on the building match what's on the lighting plan and vice versa as well as identifying all of the materials for all of the finishes on the plans and their colors
- then lastly I had just a a general statement on the outstanding agencies I know we've talked about some of them perhaps not needing to be required to obtain those permits prior to signature of the site plan however I just reiterated all of the ones that I'm aware of
- I think there is one item that warrants discussion this evening and that's the lighting color temperature on the exterior lights you know the board typically likes to see color temperature at 3000 Kelvin preferably 2700 if that can be provided by the applicant
- the applicant is proposing 4000 Kelvin and just for the board's reference on color temperature a 4000 Kelvin bulb would be more like the high hats that are here and going towards 2700 would be the color of the hanging lights a little bit more amber the lower you go in the Kelvin temperature.

Deputy Chairman Manson - that plays to a couple of things one of the things again just for the board that Chairwoman Franson always reiterates is that for dark sky standards 2700 is a preferable color the higher in temperature you get these are temperature ratings on the lights and the higher in temperature you get the whiter the light gets so it's more how the light appears rather than a measure of brightness. You can have different color lights all be the same brightness but it's whether it's a cooler look or a hotter look a warmer look and it shifts from a whiter light to a yellower light so something the applicant had expressed to us was that they felt that the higher temperature light was more important from a safety standpoint is people are walking after dark that a whiter light provides a better source of safety for pedestrians who are either walking back to their car or walking in surrounding areas. We have to balance that out against what does the property look like not only from on the property but from outside the property as Mr. Gross expressed when he was looking at a chart on the big screen showing the different kelvin variants.

Member Shea - does it necessarily require one level in other words can you have lights that

are closer to the sidewalk lower level that might be brighter but don't ruin the aesthetics of what we're trying to achieve

Mr. Wersted - reviewed different types of lighting and gave examples of places that utilize the different kelvins for different reasons.

Mr. Arnott - lot of boards I represent they are trying to stay towards the lower end of the spectrum including within commercial projects however I do have another board that does allow up to 4000 Kelvin so

I know on one gas station project their Engineers pushed very hard from a safety perspective to allow for a higher Kelvin specifically under the canopy where the transactions with the credit cards were taking place and their recommendation was that they wanted to stay at that a little bit higher Kelvin for safety reasons and therefore I don't see a reason why the board shouldn't allow the 4000 Kelvin.

Deputy Chairman Manson - Chairwoman Franson and I have different perspectives on this and I don't know that I can represent Chairwoman Franson fully but definitely feels that the warmer color lends itself better not only to the type of environment we want to create in the town but again getting to these dark sky standards now when I think about this particular project I think about where it's located and

what's around it it's more or less in a bowl there's one or two sets of screening as you're driving by on 17 there's a lot of trees along the highway and then depending on whether you're in front of the Wetland area in the Wetland area there's still going to be quite a bit of screening there of the lights coming off the property where you get around the entrance and right in front if you were facing at the left side of the property it's more open there but even in the parking lot there's quite a number of trees proposed to screen surrounding areas. I know that one way or the other no matter what color we decide on the fixtures themselves are designed to help keep the lighting focus down and prevent it from leaking out of the site. I started thinking about where the sight lines are into the project particularly at night if you're looking down as you're coming over Route 6 down and you look down and see the Commons obviously that's very well lit up at night and it's very clear the schools are compared to those things this is a much smaller project and again it's sort of set down into this natural bowl where there's a hill along the one side there's a hill coming up and units from VMG on the other and we know from walking the property that there's a fairly sizable hill behind where the building is going to be. For me that all plays into it I personally for 4000 I spent a fair amount of time walking out of a retail building late at night into a very empty parking lot and the warmer light the higher temperature light I believe we have 4000 in our parking lot just gives me a better sense of feeling of security. This is a perception thing it's really what it comes down to perception thing and how do we want people to feel when they're exiting and entering his property and this project after dark. What are your thoughts Member Shea?

Member Shea - very simply safety trumps aesthetics so I think there should be latitude for them to provide a safe environment that's more important than aesthetics

Member Rivera - I agree with Member Shea safety does trump you know aesthetics and and if it's in a bowl as you're saying and it's not visible to the surrounding community and no one's

going to be annoyed by it.

Deputy Chairman Manson - it's not that there's no visibility there certainly is and when you're driving down Ninenger at night you're going to see that property like you see many others but it's also let's keep in mind its location in the town and what the proximity is on the one side of the highway is the VMG development where there's quite a bit of lighting then on the other side you have our major retail center with BJ's Home Depot Target again and Walmart quite a bit of lighting so part of the question is it appropriate in this location in my opinion.

Member Rivera - absolutely appropriate I mean you said it yourself coming out of retail establishment like BJ's being in a parking lot with you know 4000 Kelvin you feel safe obviously I would want the people to feel safe in this location.

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to schedule a special meeting starting at 5:00 pm on October 1 2024 at Town Hall.

Motion by Jeff Manson second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson Pat Shea J Louis Rivera

Nay: None

Abstain: None

4. **Additional Matters to Discuss**

Action Discussion: 4.1 **Updated Law Amendment Local Law** - Tree Preservation
held over until October 1 2024

Deputy Chairman Manson - ever since we've been talking about the amendment to tree preservation I personally feel that one of the biggest things we could consider in order to preserve trees in this town I guess since going back to my early days on the Planning Board one of the things that is constantly been a conversation is about impervious surface and the amount of parking that is required by our code currently may be excessive and I think it warrants looking at. Every time we don't have to require a certain amount of parking the trees that are in that space are automatically preserved or it gives us additional land to preserve more trees or add more trees so I'd like to see once the board is done finishing the tree preservation law I'd like them to really take a look at that I think it's a single biggest thing we could do

to mitigate impervious surface preserve trees preserve the appearance of the town that we're looking for I think there's a lot of benefits to that and I hope that's something that the Town Board would consider as a next project.

Mr. Arnott - I think that's a good question I think not only looking at wired parking but kind of conversely how much the board can waive or require that it be reserved that the area be reserved for parking should the need arise maybe that's the an alternative approach.

Deputy Chairman Manson - it's one of the things that I was thinking about if the Planning

Board had more latitude to reduce parking where appropriate we would really be able to work with applicants on determining or working to determine what's necessary for this business what's appropriate for this location rather than a proforma approach to per scripting out for so much square footage for so many employees for.

Mr. Arnott - I think Monroe Commons is a perfect example of that their parking study showed they needed 50% less parking than what they actually had to provide.

Deputy Chairman Manson - and I think of this project I think of Home Depot who is currently before us to reduce 34 parking spaces right and from when it was originally approved our current code requires 300 more parking spaces than are provided for now and because of that and merely that fact the change in code we don't have the latitude to grant them the ability to reduce 34 spaces if we so choose to when they've demonstrated to us over the course of studying 20 years of parking in that lot that they're using less than 40% and at a maximum to me that's trees that didn't have to die and again I walk out into a parking lot all hours of the day that is never full but the spaces are there because we require them. Having that much parking does not promote our ultimate environmental goals it's just not smart environmentally it's says everyone should drive here in their own car because there'll be plenty of parking for you and that's our primary concern but I don't honestly believe that is our primary concern in the Town of Monroe and I think we have to look to how we can adjust our laws to really be focused on what our real priority is here in creating the environment that we want to live in and that's healthy.

Action Discussion: 4.2 **Blooming Grove Project Mary Crest**

held over

5. Minutes

Action Discussion: 5.1 June 13 2024

held over

6. Adjournment

Action Discussion: 6.1 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 Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson Pat Shea J Louis Rivera

Nay: None

Abstain: None

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