

Town of Monroe Planning Board Regular Meeting MINUTES

— 09/19/2023

Town of Monroe Planning Board Regular Meeting (Tuesday, September 19, 2023)

Generated by Norinne McSweeney

Draft

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Robert Garstak

Members Absent:

Dylan Penn, Lou Riviera

Planning Board Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Public Hearing

Action, Discussion: 2.1 Summer Crest LLC (0213-2023) SBL # 3-3-12,3-3-15.2

Applicants Representatives:

Jonathan DeJoy - Attorney

Timothy Mitts - Contractor for Project

Mr. DeJoy gave Chairwoman Franson a thumb drive - drone presentation video of the property

Mr. Mitts:

- 45 acres owned by the Town of Monroe Mine Road backs up to Rye Hill Road - watched the video
- in ground pool to be rehab on the list
- not talking a piece the land but the land around it as well we own all but 2 pieces of property on a survey that was submitted on the pdf today
- common road

- none of the wooded area being touched
- bought the Belmonte property to help with an easement issue
- Scott Fisher property only one not purchased couldn't come to a price agreement
- gas is in and up and running on the property
- cable is up and running
- want COA prior to the winter and will deal with the rest down the road
- pictures of the exact intent of what we want to do
- 500 feet back from wetlands on 0-0-15

Member Manson - attempted but didn't come to terms with Mr. Fisher common way by easement transferred to you when you bought the property

- Fisher property single family home
- viewed pictures of the bungalows
- tree removal and cleanup under the building department
- cleaning the property up and secured
- done prior to designation of historical designation in October 2022
- 45 permit filled and roof fixed
- floor damaged and replaced
- old metal windows not available anymore replaced with newer windows
- currently used the rec hall for Easter and will use again in December for Christmas
- painted with a primer base
- Zillow.com pictures of inside of residential buildings
- 7 wells more than enough water
- I would like to make it totally self sufficient
- all wires underground
- will have own generators
- own water electric and gas
- not taxing community at all

Member Manson - what is size of rec hall?

Mr. Mitts - 3000 sq ft picture of rec hall behind window in back kitchen and 2 bathrooms

Chairwoman Franson opened the meeting for public comment. No body there to speak.

Waiting on GML?

Member Garstak asked for meeting with Attorney.

Ms. Torre - received a comment letter from Mr. Richards neighbor to the property. Letter

summarized for the record.

Chairwoman Franson - this letter came in just at the close of business so nobody has had time to read this. Everybody needs time to read this and prepare any questions or comments.

Mr. Mitts - explained he received a phone call regarding damage to the property, I asked for pictures still have not received them. Work on roadway caused some damage but is or will be repaired upon completion.

Chairwoman Franson suggested leaving public hearing open until the next Regular Meeting. Leaving it open does not mean a decision can't be made at the next meeting.

Mr. DeJoy requests Public hearing to be closed and not held over.

Chairwoman Franson - polled the board who is in agreement to hold the public hearing open until next regular meeting.

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

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

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn the public hearing until October 17, 2023 at 6pm.

Motion by Pat Shea, second by Robert Garstak.

Final Resolution: Motion Carries

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

3. Returning Projects

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

Applicant Representative:

Dan Richmond Zarin & Steinmetz

Jon Dahlgren - Tim Miller Associates

Vince Pietrzak - Pietrzak & Pfau

Planning Board Consultant - Aaron Werner via Zoom

Aaron Werner (AKRF) - we have completed the third round on the completeness of the preliminary DEIS, based on all the collective reviews that were submitted today, we are ready

to recommend a completeness determination subject to some final editorial related comments which can quickly be addressed by the applicant as they work on cleaning up their document and getting it ready for printing and posting, it would be wise to review all the memos mine in particular has highlighted areas of focus on the editorial recommendations. All the consultants are available for discussion if necessary. We would recommend it be complete subject to substantive review down the line on some of the analysis. We drafted a notice of completion working with Ms. Torre, which will be released after we have confirmation these edits are good. There is still a discussion as to when the public hearing will be held.

Chairwoman Franson - address's Ms. Torre would you like to discuss further.

Ms. Torre - all consultants are recommending DEIS adequate for public review, but there are certain revisions that Mr. Werner and I have recommended - more editorial to provide more information before it's released. Clarifying some of the agency lists. We recommend that you make a motion and find the DEIS adequate for public review subject to those revisions being made prior to filing and distributing the DEIS. Will need to discuss with the applicant as far as timeline and how quickly they will be able to turn around those edits, there is a 14-day public hearing notice that you'll have to abide by and the hearing has to be at least 15 days after the filing of the notice of completion.

Mr. Arnott comments:

- all previous comments addressed
- recommend that it is complete

Ms. Torre - I suggest you schedule the public hearing for the DEIS, site plan and special permit all together at the next regular meeting.

Chairwoman Franson - address's the applicant how long to do the revisions?

Mr. Richmond - we believe it would take about a week to address and revise the comments which will then need to be reviewed, will there be a point of contact for us to reach out to.

Open discussion as to when the public hearing would be held. Decision made to have the Public hearing on November 21, 2023 at 6pm.

Chairwoman Franson discussed with the board that the consultants recommend that we deem the document complete for public review. Any comments from the board?

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to determine the DEIS revised August 31, 2023 adequate for public review subject to the revisions being made pursuant to your Consultant comments letters prior to the distribution

and filing of the DEIS.

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

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to set the public hearing on the site plan, special use permit, wetland permit and the DEIS for November 21, 2023 at 6pm or soon thereafter.

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

Final Resolution: Motion Carries

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

Action, Discussion: 3.2 **Golden Delite Bakery** (0189-2020) # SBL # 2-1-5.13 31 Larkin Drive Monroe, NY

Applicant Representative:

John Queenan - Lanc & Tully

Mr. Queenan reviewed the project -

- the plan has been around for at least a year and a half
- happy to report that the major delay involved lawsuits and evictions going on internally in the building with regards to the tenants specifically the landscape tenant
- those have all been resolved with the result of the landscape tenant leaving the building
- the applicant can now proceed with the site plan with no landscape and removing some of the special use permits and other requirements what would of been necessary
- back before you just to give you an update with full site plan, parking, landscaping, lighting, circulation etc
- already updated the use table and they all appear to be permitted uses in the LI zone
- there are 2 vacant spaces - will include even though no tenants at this point
- will continue to address the Building Inspectors concerns and violations with regards to no site plan on property
- some violations fixed with the landscaper leaving
- currently pursuing sewer connection via possibly Old Country Road

Mr. Arnott Comments:

- updated use table on the plans
- with regards to the bakery whether or not the retail use was still associated with that tenant
- Mr. Queenan he does not sell at the location
- regarding the office furniture same question - Mr. Queenan storage no retail sales

- spaces five & six are noted as vacant suggest that those include a use so you don't have to come back for site plan amendment - Mr. Queenan probably list as office
- there were comments on the sewer the applicant did note with regards to the water that they did get portable water from the Village of Kiryas Joel, I ask that the connection be shown as well as the agreement with village be reviewed by Ms. Torre, assuming it would be an outside user agreement
- locate any existing parking for the site
- spoke about the existing Western curb cut that's shared with power lines to the north, is there an easement?
- clean up on plan
- the board did ask for a narrative at the last meeting
- needs to be sent for GML review (adjacent to Rt. 17)

Ms. Torre comments:

- still showing material storage yard, sheds were going to be removed is that still going to happen - Mr. Queenan - yes they will be removed
- same with the storage container is that still being removed - Mr. Queenan yes
- you identified the uses but it is unclear if anything was previously approved or was the building previously approved but just not the uses. Do you know?
- Mr. Queenan - my knowledge the Building Inspector said there was never a site plan approval
- as far as SEQRA trying to see how to classify it, if the building wasn't approved you need to look at it from that perspective
- we can discuss SEQRA more as the plan is developed

GML might be exempt with new signing

4. New Projects

Action, Discussion: 4.1 **Walmart** (0218-2023) SBL # 2-163-31.1 288 Larkin Drive Monroe, NY

Matt Desimone - Dewberry Engineers

Mr. Desimone reviewed project:

- 54 trailers for seasonal storage
- between October - January throughout the existing parking lot
- disturbing 60 parking spaces

Chairwoman Franson - are there trucks there now?

Mr. Desimone - yes there are some there

Chairwoman Franson - they look like different size trailers?

Mr. Desimone - there will be 4 - 40 feet long trailers and 50 - 20 ft long 8 ft wide 8 ft tall

Chairwoman Franson - looks like you are backing up to residential property

Mr. Desimone - it might look that way with the aerial and the trees but the intent is to be within the limits of the parking lot

Chairwoman Franson - How does this all operate? Suddenly you have a demand for what's in the trailer? How do they move around? Do they leave and come back or get rotated in and out? How long is each one there?

Mr. Desimone - I don't know how they arrive if it's all at once or staggered. I can get that information for you.

Member Garstak - they will be gone before the end of January?

Mr. Desimone - that is correct.

Mr. Arnott comments:

- have a narrative describe the use Oct - Jan every year or just this year
 - short EAF part 1 handwritten go to the EAF mapping and do it printing
 - regarding the location Village of Harriman line runs through the building
 - some of the trailers will be impacted by the Village of Harriman which would mean a separate application with them
 - suggesting a survey be prepared
 - survey will help establish required set backs for accessory parking
 - existing parking - original site plan - for this location only or for the whole lot
 - back of the Walmart might want to have screening
 - required fire apparatus lane is meet
 - make sure tractor trailer can access the Eastern side loading docks
- GML 239 proximity to Village of Harriman

Ms. Torre -

- on the application the SBL# is incorrect should be 2-1-31.1
- owner endorsement needs to be signed by LLC
- definitely need the site plan
- under SEQRA it is an unlisted action

Member Garstak - are they there now, do they have permission to have them there, they filed for those

Chairwoman Franson - they received a violation in November 2022

Mr. Desimone - they have not been removed

Member Garstak - holding additional storage

Member Manson - as a comment it seems like a temporary solution to a permanent problem. I

would be curious as to what the narrative Walmart might consider to rectify this situation going forward.

Chairwoman Franson - I would agree with Member Manson that those are there now so there must be a demand for them now which is even before the season, and we don't know how many have been moved or relocated or brought back onto the site. I think it kind of begs the question if you need more storage should that storage be attached in a building is this is going to be part of the regular operation. I would really like to know what the operation are while loading docks in area what are the movements up against residential neighborhood. Might want to see them more to the west moving away from the residential area. Possible need to install a noise barrier if going to be a regular basis.

Member Manson - Walmart went in approximately 15 years ago their retail businesses changed, all of retail businesses changed. Walmart has been before us already to expand their facilities for curbside where we granted additional parking spaces for that, but we know concurrent to that there was expansions interior to the building on their facilities to manage that and store the orders many large retailers Walmart included are now doing fulfillment of online orders directly from stores and a portion of the stores interior has been turned over to a shipping operation. I work for BJs we're going through the same thing and it's a matter of working with the space that you have or saying the space no longer works the way it is that's what I'm getting at with this temporary solution to a permanent problem the reality is over time the amount of square footage that needs to be dedicated to retail floor space maybe less but we're not there yet either but I would ask that they consider that at this time it's this situation is not going to get better it will get worse before it gets better.

Chairwoman Franson - that's a great insight that's exactly what's happening in terms of like their many fulfillment centers so instead of dealing with Amazon we're dealing with like a mini Walmart fulfillment center where it's almost like if you go to the Amazon site you can go to the Walmart site and you can see all kinds of goods that they sell and they will bring so I think some of the storage is unrelated to the you know inventory that you typically have in the Walmart store it probably has a lot to do with fulfillment so I think to that end with the narrative it would be useful to understand what's going on operationally there and again then to be able to review this with that in mind in whether if this is a regular you know business operation how much of it do we want to see being in temporary structures outside and all around the building.

Member Napoli - you may have gone over this but I may have missed it what's being stored in the containers is it online orders is it seasonal products

Mr. Desimone - my understanding it's just additional material or products to be sold just due to the holiday Peak shopping and whatnot

Member Napoli - got to be organized in a certain way I mean because they're just containers right

Member Garstak - seasonal for them a lot of what they do sell I think we need to be concerned that Mr. Arnott brought up with the fire the object of fire and rescue we would need

to know if they're planning on these temporary containers in the back of keeping any of their Weaponry back there and ammunition back there because our fire department seriously need to know should there be a fire back there what they're coming back towards I think our primary concern for the entire town is safety and we really need to know what's going to be going on back there and that our people that are going to be responding to any emergencies back there have that under control before they get there I think we need certain assurances that nothing that could be of those objects will be stored anywhere but inside the store.

Chairwoman Franson - with that you have some direction from us I don't think we're ready to really do much until we get a little more information you know

in terms of referrals we'll look at the GML what we signed and but I think we need a lot more information and a surveyed map especially if it involves the Village of Harriman and then consider some of the comments we've raised yes definitely and it might be useful to have a Walmart representative here.

Mr. Desimone - they would definitely know more about the the specifics of what's being stored and everything like that, definitely appreciate the comments and relay the back.

Open discussion on how retail has changed and the ordering of products from the stores and the stores being used as fulfilment centers as well as the retail store. As long as they can sell the product they are ok with it. It is how they are handling the retail world with Amazon.

5. Minutes

Discussion: 5.1 May 11, 2023

Action, Discussion: 5.2 June 20, 2023

Action, Discussion: 5.3 July 18, 2023

Action, Discussion: 5.4 August 10, 2023

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.

Motion by Robert Garstak, second by Pat Shea.

Final Resolution: Motion Carries

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