

Town of Monroe Planning Board Regular Meeting MINUTES

— 11/14/2019

Town of Monroe Planning Board Regular Meeting (Thursday, November 14, 2019)

Generated by Norinne McSweeney

Members present

Anthony Vaccaro, Chairwoman - Bonnie Franson, James McKnight, Jason Czerwinski, Jeff Manson, John Allegro

Members Absent

Lisa McQuade

Consultants:

Mark Edsall, PE

Shawn Arnott, PE

Ashley Torre, Esq.

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. New Project

Action, Discussion: 2.1 **Monroe Commons** (0182-2019) SBL # 2-1-10 Nininger Road
Monroe, NY

Joe Pfau - Pietrzak & Pfau

Joel Mann - Brach & Mann

Jay Myrow - Attorney

4 story building multi use commercial building 400,000 sq ft total, 82700 per floor, basement for storage, 1st & 2nd floor retail, 3rd floor 39 room hotel & office space, 4th floor all office space

Located on Dunderberg Road - 2 access off Dunderberg into complex
tiered parking for access to different floors

802 parking spaces calculated, we need 604 leaving 198 banked

there are wetlands on site we will need a wetland permit, staying under the 20,000 square foot disturbance

preliminary grading plan provided as well as an environmental constraints

there is 18.2 acres of land based on environmental constraints we come up with a net area of 13.4 and that is what we based all of our density calculations on
2 proposed wells on site

Chairwoman Franson with regards to the impervious surface area 8.71 does that include any pervious surfaces or that's just purely green space

Mr. Pfau indicated all banked parking and 65,000 sq. ft. constructed parking will be pervious pavement and that reaches the 65% maximum impervious coverage requirements

Mr. Edsall comments

mixed uses office, retail, hotel special permit, storage for sole use of other tenants on site only must be included on plans

high retaining walls around the perimeter

west side adjoining Kiryas Joel residential area site shows a retaining wall by others - this site is relying upon a wall proposed by another developer in another municipality different twist then what we have had to deal with prior

right now project show alternatives for water and sewer as project progresses need to decide which way moving forward

dual wells

water from Kiryas Joel

concerns parking calculations board take a thorough look at - uses a liberal determination of net floor areas subtracting out all restrooms, stock rooms, lobbies, elevators, stairwells, shelving area and retail display

to decrease another 25% for bank parking

building height little different then normal will need to drill down as we progress

using 1-60 scale full on review

more dimension to plans needed

waste disposal top of western corner or the site between second and third level parking - very inconvenient place because of access

emergency access additional on right of plan - to the east - finish and grading, need input from Fire Department eventually

input from fire district relative to fire protection to layout and elevation

Nininger Rd is a county road - GML referral

confused as to why a sidewalk on end of emergency access road??

small Stern family property line lower South West corner - if retaining walls approved site plan need to come together

only handicap parking in the front - appropriate design include handicap parking for 2nd & 3rd floor levels

3% slopes in parking area - very appropriate slope

tall wall - 39' in height - tallest to east end along Woodbury

Chairwoman Franson - asked Mr. Edsall if he knows of a comparable size building in Orange County

Mr. Edsall can't answer off the top of his head

significant bldg more of a challenge forget pervious vs impervious full site to be built out, slopes and finishes

DPW, OCDP, V/Kiryas Joel and T/Woodbury for SEQRA and GML

MS. Torre

special use permits for the hotel

market analysis for demand for hotel in the area - applicant must submit

tree plan required

height variance for building

Type I action under SEQRA - notice of intent

public water supply? to be determined

GML

Mr. Pfau will submit to OCHD will be involved

DEC ? TBD

OCDP, DPW, Town and Village of woodbury

Chairwoman Franson suggested submitting a list of consultants you have obtained, as we will also have to get some additional consultants as well

Member Czerwinski 3 things where is sewer going, dunderberg road traffic light - traffic study
2 large schools down the road - office hours similar -

Mr. Pfau we have hired a traffic consultant already for this project - Creighton Manning

Mr. Mann 2 traffic lights already proposed

Chairwoman Franson - applicant to go before the Town Board regarding fee requirements - November 25

Member Manson with the building height calculations, since different elevations on the different sides, max permitted 40 ft - average elevation of the finished grade to the highest point of the building, finished grading
possible ZBA variance will be needed

Mr. Myrow I have requested a height adjustment to the code at the Town Board level to make it 50'

formal petition to get zone change - drafted for signature - done in next 10 days
Chairman Franson open discussion on project try to locate a property of this size within Orange County that maybe the board members can get a look at

hotel market analysis - size of building 39 guests units - nature of hotel -

Barry Terach Architect - no events planned, per night hotel, not a conference center, no operator planned for the hotel yet
no retail applicants have been determined yet

Member Manson - entity Ninneger LLC across line is also Ninneger LLC - are 2 properties related - common members - plans - vacant land - zoned residential village/Town woodbury
Mr. Myrow - vacant land zoned residential

Chairwoman Franson - back on agenda after you resolve with the fees with the Town Board
Mr. Pfau - contact town traffic study - too early no one selected

Mr. Myrow briefly who to start SEQRA
Chairwoman Franson look over app in detail, army corp, DOH, DEC
Mr. Myrow - another meeting prior to notice of intent
EAF - list agency involved and interested agencies
List of consultants 3. **Returning Project**

Action, Discussion: 3.1 **Eagle View Estates** (0168-2018) SBL # 18-4-60 & 61

David Niemoitko representative for applicant
Sol Ezra

Chairwoman Franson last item addressed water shed overlay district, limitations on impervious surface coverage and where we are with that depending on outcome and where we are take action or extension

Mr. Niemoitko - addressed all comments from last meeting in cover letter, responses in cover letter dated October 31, 2019 answered and satisfied design impervious service, private road using grass pavers, excellent design, benefits of grass pavements - benefit vs oil and chip not in submission - reached out to other independent sources as to where being used - DOT projects shopping centers, email regarding this
pass out submission

Chairwoman Franson addressed Mr. Edsall in terms of the towns private road specifications does this meet in your opinion what would be required and is there a waiver ability and if so is this something you would recommend as a design for this particular project

Mr. Edsall - specific to the private road the code is specific as to what is required and it does provide for the highway superintendent the ability to do a waiver on road - not this board - even if the highway superintendent agrees that this is an improvement the ability to change town law is not a consensus procedure its about the statue - waiver to be granted to not build it as shown in the text of the code and the detail of the code the information is informative but ultimately it's up to the highway superintendent to consider the waivers and he has in the past. This could be brought to him and if he believes it is an appropriate waiver to be granted he could do so he has communicated with the board in prior projects and indicated no objections so if the board so cares for Mr. Niemotko and I to meet with him regarding private road specification and if he would consider granting a waiver we can do that (A63-29)

Chairwoman Franson read from the code A63-29

Mr. Edsall a few more comments: Town road - slopes acceptable, fire turn around - SP7 detail shown, SP5 shows turn around, does meet the appendix d of state code

conservation easement markers good - should say typical

Lanc & Tully response - sewer design approved for Moodna Basin

Town Hydrogeologist have been resolved
conservation easement notes closed out
easement and road maintenance agreement

Ms. Torre - Board is up against a deadline 2 choices extend deadline so items can be reviewed with the Highway Superintendent, submit something different, or go for variance if you prefer, to increase above the 15% you need storm water controls that show potential water quality impacts are reduced to pre development standards, all 3 lots, working on easements with attorney, sp5 proposed marker should be sp7

Mr. Edsall deferred to Mr. Arnott who says they have not seen anything to date but realize they would be reviewing different pavers if the waiver is granted

Mr. Ezra as far as further water quality measures at least in relation to lot 61, I know it pertains to all 3 lots the have the swale, but for lot 61 in addition to the grass pavers being proposed, the driveway and sidewalk are also permeable pavers which are similar to another water quality measure. If these are not sufficient we can work on something that is more acceptable as a water quality measure.

Mr. Niemotko lets reiterate, so we're all clear that there are 2 outstanding concerns 1) the

private road design which needs to be discussed with the highway superintendent, 2) the proof of calculations or our water quality controls especially if the Superintendent grants us that relief from the code because we will also be using those grass pavers withing that calculation within that method or approach for water quality control so those are the 2 outstanding concerns

Chairwoman Franson part of this determination also is do impervious surface pavers or grass crete pavers are they considered pervious not impervious

Mr. Vaccaro I would be curious Mr. Edsall your opinion on pervious pavers maintenance of pavers I think they have a life span and over time they become impervious as they get filled with sediment, perhaps the grass pavers would be good as they will always be grass but what is the life span with them too

Mr. Edsall it is a concern because the maintenance to maintain pervious pavers to keep them functioning is a high maintenance

Chairwoman Franson - look into with our definitions

need answer as to how the code treats the pavers- prior to meet with John Scherne

waiver goes site to site

you need to be at 15% you have currently brought it down to 35% coverage, what additional measures are you introducing to take care of the 15-35% in question

Chairwoman Franson so what is happening with the proposed storm water technique you are only getting to the 35% , so the engineers have to look at the 35% from the 15%

Mr. Niemotko no we are supposed to meet the 35%

Ms. Torre you have to meet the 15% unless the planning board finds with consultation of the town engineer that it could be increased up to 35% because you have storm water quality controls that reduce potential impacts to pre development

Chairwoman Franson you are suppose to be at 15% , you have brought yourself down to the 35% so what additional measures are you introducing for the 15 to 35%

Mr. Ezra the code says storm water quality controls will reduce potential water quality impacts to pre-development conditions

Mr. Arnott if you provide the calculations that you prove that you treated the water quality control volumes typically for SWPPP

Mr. Edsall on the road modification issue just to be clear I will need to talk to the Highway Supervisor and the Code Enforcement Officer because we have 2 situations. 1) will the

Highway Superintendent grant the waiver - he wears 2 hats as Highway and Fire, we also have Code Enforcement officer who has to make the determination that the road that's constructed meets the state guidelines for access.

applicant to extend Dec 17

consent to grant extension to December 17 - Glenn Schaeffer approved

4. Minutes

Action, Discussion: 4.1 September 12, 2019

held over Action, Discussion: 4.2 September 17, 2019

held over Action, Discussion: 4.3 October 10, 2019

held over Action, Discussion: 4.4 October 15, 2019

held over 5. **Adjournment**

Action: 5.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby adjourns tonight's meeting at 8:50 PM.

Motion by Chairwoman - Bonnie Franson, second by Anthony Vaccaro.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairwoman - Bonnie Franson, James McKnight, Jason Czerwinski, Jeff Manson, John Allegro