

Town of Monroe Planning Board Regular Meeting MINUTES

— 11/17/2020

Town of Monroe Planning Board Regular Meeting (Tuesday, November 17, 2020)

Generated by Norinne McSweeney

Meeting Held Via Zoom

Members present

Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Members Absent:

Anthony Vaccaro

Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Pledge of Allegiance

2. Returning Projects

Action, Discussion: **2.1 Raywood Dr** (0176-2019) SBL # 43-1-11

Joel Mann - representing applicant

Mr. Mann review-

been before the board for a couple of months now, have addressed most of the comments a few minor/small ones still open that can become conditions of approval
some of the things we are waiting on is language for the SWPPP
waiting for our comments on the water agreement that was filed with the Village we have a will to serve letter
we delivered a hard copy of the plans for the MCC

Mr. Arnott - unaware of the language for the SWPPP mentioned, knows of some outstanding things to get in the final SWPPP

Mr. Mann waiting on the language for maintenance for the sidewalk and the trees into the agreement

Ms. Torre so those will be conditions of final approval, it will be finalizing all the language with both the water agreement and then the stormwater maintenance agreement, including

maintenance of the sidewalks and the trees

Ms. Torre reviewed the resolution that was circulated to the board for review. Need date on the negative declaration signing

Chairwoman Franson read the specific conditions for discussion

discussion of trees for planting options emerald green, green giant arborvitae

Mr. Brower from MCC also commented on the trees BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the resolution with tonight's adjustments.

Motion by Jeff Manson, second by Lisa McQuade.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

Action, Discussion: **2.2 Verizon Wireless** (0186-2020) SBL # 2-1-36 40 1/2 Barr Lane

Scott Olson - Young Sommer LLC

Mr. Olson this is a relatively simple project that has been through a very comprehensive somewhat controversial review at the Zoning Board of Appeals.

Verizon wireless originally proposed to put 2 antennas on a wooden utility pole approximately 67 feet tall, which was to be placed in front of the existing water tank in the Meadow Glen Development. There was a total of 5 nights of public hearing, many hours long, a lot of comments from neighbors that didn't like the pole, the ZBA wanted Verizon to look at various alternatives which we looked into on site and off site, the ZBA hired Cityscapes Consultants to assist Rick Edwards a frequency engineer who reviewed the entire process, who agreed with our engineer this was a good spot. The ZBA wanted to consider 3 separate on-site alternatives one was a tower behind the water tank which would raise the height up to 110 feet, option 2 was to put the antennas on the water tank Verizon construction did not like that idea at first but ultimately consented. The ZBA did finally approve the antennas on the tank, they issued their SEQRA Negative Declaration, it was an uncoordinated review and they also granted the use variance that was required, the use variance is required because the Town of Monroe requires these types of facilities can only be located in the utility overlay zoning district. There are only about 5 Utility Overlay districts in the Town and we already have sites in everyone of those districts. The ZBA granted the variances on October 27, 2020. We are currently working on the plans to show the new location of the antennas. We did provide a pretty comprehensive visual analysis. The antennas will not extend above the top of the water tank as it currently exists, we are to paint the antennas and any equipment to match the color of the tank, the ground equipment at the base of the tank it's in 48 square feet it'll be fenced and it will not be viewable from the road.

Chairwoman Franson asks Ms. Torre so at this point we need to grant site plan approval ?

Ms. Torre you have to review the application for purposes of site plan approval. At this point I need to mention, because this is a cell tower you have a shot clock which limits you as far as the timing where you have to make a decision on these types of applications. We had reached an agreement with the applicant while they were before the ZBA that held the shot clock for 90 days after the ZBA decision because they needed the use variance. Here it makes sense because they are now proposing something completely different in the interim then you weren't going to be bound by the clock, so I calculated January 25th Mr. Olson do you agree? At this point don't know when you will get your submission in the board needs enough time to review, the board voted and retained the same consultant as the ZBA so that would streamline any additional review, if they have any additional comments based on the site plan specific or planning board issues. I don't think it is necessary tonight, but at the next meeting if progress isn't made we'll have to talk about extending the shot clock, I am sure that won't be a problem. Mr. Olsen that won't be a problem.

Ms. Torre continues to explain the steps in addition to site plan approval, it was an unlisted action under SEQRA, it was an uncoordinated review so the ZBA already did their SEQRA review, but the Planning Board will have to complete SEQRA before making a decision on the application. So at this point the ball is in the applicants court.

We need site plan information, revised EAF from the applicant

Mr. Manson as site plan review we don't have to hold additional public hearings

Chairwoman Franson correct that is optional we can determine that once we get the submission Action, Discussion: **2.3 Monroe Commons** (0182-2029) SBL # 2-1 -10 Nininger Road

Caleb Pawelski - Pietrzak & Pfau

Joel Mann - Brach & Mann

Jon Dahlgren - Tim Miller Associates

Barry Terach Architect

Jay Myrow - Bluestein, Shapiro, Frank & Barnes LLP

Chairwoman Franson at last Thursday's meeting we all reviewed the draft scoping document and there were some minor revisions that were recommended and Mr. Werner endeavored and succeeded in getting an updated scoping document for review. Any comments or questions from the Board members? Nothing from the Board members. Does the applicant have any questions or comments? Mr. Myrow spoke for the applicant that they were satisfied. Mr. Dahlgren I have reviewed the document and have no comments.

Town Consultants: Mr. Arnott and Ms. Torre neither have additional comments to add

Ms. Torre the next step would be to appropriate to consider a motion to adopt the scope for the Monroe Commons Project as reviewed tonight

Chairwoman Franson the scoping document has been adopted Ms. Torre and Mr. Werner will work to make sure that the document gets circulated to any of the involved agencies. Anything else to add.

Mr. Werner now the applicant is going to work on the PDEIS if there are questions to feel free to reach out to him. Will work with Ms. Torre to get final pdf to get posted on line and circulated. Will need to add date of adoption.

Chairwoman Franson if there is any communication between consultants and applicant just to make sure Ms. Torre and Ms. McSweeney are included on the communications for the record. BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adopt the draft scoping document as last revised by AKRF and circulated to the Planning Board.

Motion by Jason Czerwinski, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

Action, Discussion: **2.4 Berchtold** (0178-2019) SBL # 28-4-8

Caleb Pawelski - Pietrzak & Pfau

Chairwoman Franson stated they are here to have an extension of time 90 days for submission of plans until February 11, 2021

Mr. Pawelski plans should of been dropped off at the office today everything is done so plans are ready for signature, the common driveway maintenance agreement is filled out and should of also been submitted.

Ms. Torre the applicant received conditional approval on March 12, 2020. They did apply and receive a 90 day extension that was granted on September 10, 2020 expiring at tonight's meeting. So the letter is requesting another extension to take care of the last issues. So it would be a motion to extend the approval another 90 days which is February 15, 2021. Per the upcoming meeting schedule it would have to be February 11, 2021.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to extended the approval for the Berchtold Subdivision to February 11, 2021.

Motion by Chairperson - Bonnie Franson, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

Action, Discussion: **2.5 Smith Farm** (0005-2000) Phase 3 & 4

Ron Kossar - Attorney

John Henry

Vince Pietrzak - Pietrzak & Pfau

Chairwoman Franson the applicant is here for an extension for final filing of Phase 3 & 4. This project has not been before any of the current board members so we need an overview of the project.

Ms. Torre this is a cluster subdivision that was approved in 2015

partially in the town and partially in the village

It is a phased development so there are different section to the subdivision, so the developer did not file them all at the same time. The first section was filed on June 22, 2017 and the second section was November 2017. Under the Town law section 276 - 11 when a developer files a plat in sections rather than all at once there's a period of 3 years to get all sections filed. So that 3 year period expired on June 22, 2020. SO they are before the board for an extension of that date so that they have additional time to file the remaining sections of the plat. I understand the applicant disagrees with the expiration date and how it's calculated, but that is my advice to the board, and that is how we read the law and that this was not impacted at all by the Governor's Executive order . So I would say that you could consider to grant a 180 day extension which would run from June 22 2020 until December 19, 2020 an in that time the Town would be able to make sure all conditions that may or may not be outstanding have been satisfied as this has predated most of us need to make sure everything is in order to sign the Plat.

Chairwoman Franson for everybody's benefit Smith Farm is the project that sits behind Shoprite and is under construction.

Mr. Henry the Village Planning Board is not having a November meeting and both the Village and Town must sign the map. I request it be pushed out to January to follow the same procedure for execution of the maps that was filed with the prior phases.

Ms. Torre in speaking with the Village Planning Board attorney they are going to be having a meeting before the December 19th deadline. They are meeting I believe December 14 so it

wouldn't impact that time frame. In the mean time as I stated the Town will be reviewing the plans to make sure nothing has changed and conditions are satisfied.

Mr. Henry thinks the schedule is still too tight between December 14th and when the maps could be filed

Ms. Torre it is a 5 day period I don't foresee an issue

Mr. Arnott my office has already started the review to confirm that the phased plans match the originally approved overall 2017 plans

Ms. Torre mentions that she believes you can start working with the county already for filing, you can submit electronically what you have

Mr. Kossar that's a very very tight schedule and I don't want to have to go through this exercise again. I checked with my Title Company and they can probably do it within a week's time. Listed all the steps to take and Ms. Torre stated those are things you can be starting now. Mr. Kossar is asking for more time a couple of weeks total of 270 days.

Open discussion among Ms. Torre, Chairwoman Franson, Mr. Kossar, Mr. Henry and Mr. Pietrzak as to when to make the extension to.

Decision made to extend to December 15, 2020. BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby make a motion to extend the time frame to December 15, 2020.

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

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

3. Adjournment

Action: 3.1 Adjourn Meeting

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

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

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro