

Town of Monroe Planning Board Regular Meeting MINUTES

— 12/19/2023

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

Generated by Norinne McSweeney

Draft

Members present:

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

Alternate Members:

Lou Riviera

Bob Garstak - absent

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. New Public Hearing

Action, Discussion: 2.1 **Pallotti Village** (0196-2021) SBL # 33-1-1.21 98 Harriman Heights Road, Monroe, NY

Applicant Representative:

Michael Morgante - Arden Engineering

Mr. Morgante:

- since we were last here we have essentially addressed all the outstanding comments that were associated with the consultants comment letters and we prepared a Subdivision map for the Planning Board's review and it was deemed at our last meeting as a result of us addressing those minor items that we could schedule a public hearing for this project tonight. I'd be glad if the Board needs me to go over a general presentation for the public although that's been done now at both the informational meeting and the Town Board public hearing. If the board would like me to do an overview otherwise I can answer any questions or comments right now that the board and it's consultants might have. **BE IT RESOLVED**, that the Planning Board of the Town of Monroe hereby makes a motion to open the public hearing

for Pallotti Village subdivision and Wetlands permit.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Mr. Morgante:

- reviewing a map of the project on the monitor

- what you have here is the culmination of all the engineering and site planning that's been done both by the development team and it's been reviewed thoroughly by the municipality of Monroe. This is the final one of the final steps in this particular process where we are proposing what a potential subdivision plan will be for this project and so if the public can see the monitor as it stands right now what we're looking to do is create a four lot subdivision which will consist of the existing Convent (pointed out on map) and a triangular piece of property that was originally next to that particular Convent we are combining Blythea Lake at this time with what's going to be lot number two (pointed out on map) which is going to be this 100 unit senior housing complex and what we are going to do essentially also is subdivide out the cemetery that's located on the north side of Harriman Heights Road and we're going to connect that to the Convent so that the Sisters have the ability to maintain and control any operations and maintenances associated with the the cemetery. Lot number three essentially will include the multifamily buildings on this portion of the property (pointed out on map) the town houses and that associated wastewater treatment plate that's on that side that will be lot three and ultimately this small portion of property bottom left and corner will be lot four that's the soccer field and the associated parking for that soccer field that will ultimately be dedicated to the Town of Monroe. That is the simple four lot subdivision that is before you known as Pallotti Village. If there's anything that the public has any additional questions on we'd be glad to answer but as it relates to the subdivision plan that's pretty much all there is to discuss about it. In terms of the Wetland permit (looking at a mop on the monitor) one of the areas of disturbance there's an existing entrance located on the southern side over on Harriman Heights Road we're reutilizing that entrance as we're doing for most of this particular project we're trying to utilize areas that were previously built upon don't forget we had buildings on both sides of the road about two decades ago or less and so utilizing this existing road here there's an actual Wetland and Army Corp of Engineers Wetland it's located along our property line a little bit of it encroaches onto our property, but a majority of it is just about right on the property line so what we've had to do there is the Town of Monroe has a 100 foot buffer associated with its Wetland code so we showed a 100 foot buffer, which is this dark heavy black double dotted line it's a dash double dotted line, and we've quantified the disturbance area that's located within that 100 foot buffer, we have the quantities there just to the bottom of that same sheet. The Town of

wetland buffer disturbance in this particular area is about 40391 square feet (pointed out on the map). Again, the entrance is existing we're reutilizing it. On the opposite side of the street there is also a buffer disturbances, in this particular location (shown on map) a majority of our buffer disturbance occurs where we are proposing a Storm Water Management Facility. There's an Army Corps of Engineers Wetland located around this portion of the property, in accordance with the town of Monroe Wetland code we've taken a 100 foot buffer we've Quantified the area that's associated with that buffer disturbance and actually in both locations we're designing Storm Water Management facilities so it kind of augments a little bit of what's going on in terms of the wetlands in those locations. We'll have plantings in these particular facilities that will treat the water quality to a higher level of degree within that basin and kind of blend in with the Flora that's associated with the wetland nearby. Unless there are any questions or concerns that kind of concludes my presentation.

Chairwoman Franson - first we will open up to the public see if anybody has comments and then after that we will leave the wetland permit part of the public hearing open, but if there aren't really any other comments we can close it for the subdivision.

Ms. Torre - I'll ask the applicant to extend the 62 day period to render a decision on the subdivision application after close of the public hearing.

Mr. Morgante - we take no exception to that.

Chairwoman Franson - is there anybody from the public that would like to come up and make any comments on the proposed subdivision or wetland permit for this application. Come on up just state your name and address for the record.

Resident - my name is Joy Hyman I live at 64 Shadowmere Road in Monroe and as far as the subdivision goes it said that Blythea Lake is being subdivided along with the now existing Convent.

Chairwoman Franson - Blythea Lake is on its own parcel at this time, at a request of the Planning Board we were concerned that when the subdivision would happen especially because there's a wastewater treatment plant and other improvements that are related to the lake that somehow that lake would get lost in the shuffle and in theory could be sold separately which would be problematic. One of our requests was to attach the lake to one of the parcels so that it would be in the same ownership.

Ms. Hyman - which parcel?

Chairwoman Franson - it's getting attached to the Convent parcel

Ms. Hyman - that is what it said in the letter, but I thought I heard something different

Mr. Morgante - that's what we had originally discussed in our last planning board meeting and then after that I subsequently had a meeting with the Sisters and our development team we thought it was a better idea to actually combine Blythea Lake with either the 100 unit complex on the South side or the townhouses and multifamily on the North side so that the development team is the one that will ultimately have the SPDES permit in their hand and it makes much more sense for us to be in control of Blythea Lake because they kind of go hand in hand so in the future you'll be dealing with the development team and any issues that are

associated with Blythea Lake.

Chairwoman Franson - the concern is that we want to be able to enforce and go directly to the people who have the infrastructure that are discharging to the lake - if there's any issue if we separate it from the sister, well first of all if it's left by itself someone else could entirely own it separately.

Ms. Hyman - so that was a concern understanding that it was going to be to the Convent which is also next to it.

Chairwoman Franson - what are your concerns?

Ms. Hyman - I guess my concerns are what does that mean for all of us living around the lake? Who is then taking care of it, who's really doing some oversight there. Because I mean that's where our houses are.

Chairwoman Franson- in terms of enforcement and care of the lake it would be whomever owns it in addition there are other permits that are going to apply so if there's a DEC permit for SPDES storm water it can be also enforced by the New York State Department of Environmental Conservation.

Ms. Hyman - We're not going to like drive down the road one day and it's fenced off and we're told not to fish or use our kayaks in it.

Chairwoman Franson - there's nothing like that shown.

Mr. Morgante - there's nothing at this time that we're proposing of that nature.

Ms. Hyman - now it becomes in like forever because it's no longer you know the people down the road

Mr. Morgante - For us the most important factor is whoever controls that wastewater treatment plant also needs the control the lake because they go hand in hand. Chairwoman Franson - I would only ask a question to that end the lake is owned by the Sisters, does everybody around have easements to use the lake.

Ms. Hyman - I'm not sure about that, I know that the houses on the back of Shadowmere, so once you pass the lake, that we all have deeded lake rights.

Chairwoman Franson - it's in your deed.

Ms. Hyman - yes, it's in our deed. I don't really know about everybody else on the other side or at the head of the road, but I know that the five houses past the lake all have deeded lake rights.

Chairwoman Franson - whoever has deeded lake rights presumably continue. We as a Planning Board, because this came up with another application we can't enforce a private right but we certainly know that the plans do not show fences so we're not anticipating

Ms. Hyman - this is new to me and there's all kinds of alarm bells but I haven't had time to digest it or look into it so I don't even know the appropriate questions to ask this point in time.

Chairwoman Franson - so again it's privately owned you have lake rights in your private deed that continue regardless of whatever action we take, there's shown on the plans to limit that.

There are proposed improvements that are related to the lake and so the proposal by the applicant is to attach the lake to one of the developments so that there's a relationship between the development that's being served.

Ms. Hyman - I get that but it does not ease my mind at all.

Chairwoman Franson - all I can say is the wetland permit, the subdivision application, depending on comments we hear tonight, we wouldn't take action on this evening, if you have comments you can still submit something in writing for our consideration.

Chairwoman Franson - anyone else have comments for this application in the audience.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to close the subdivision public hearing subject to the fact the applicant representative has consented to waiving the 62-day time frame within which the Planning Board has to act, we can receive written comments up until January 5, 2024 by 4pm.

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

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Mr. Arnott - no comments

Ms. Torre - nothing procedurally, I did prepare a draft resolution for the site plan portion of the application for the board's consideration this evening.

Chairwoman Franson - can we approve a site plan if the wetland permit isn't approved?

Ms. Torre - it is a conditional site plan approval and one of the conditions is to satisfy before the signing of the plans is getting the wetlands permit application. So they won't have final site plan approval until you have the wetlands permit among other things.

Member Manson - maybe it's something I'm just unclear on when I was looking at the architectural drawings from December 1st I believe it was from Copolla Associates and looking at building two and three. If I understand correctly - I don't know if you have these - I'm looking at building three for a moment which is A5 there's a basement portion and five units shown and label first floor plan and then the second floor plan has a number of units those units only total 18. But what I think is probably correct is from the front of the building you're actually entering on the first floor which is apartments front and back but if you go around the back of the building because it's at a lower grade it's apartments around the back so I think it's the labeling is just unclear because if I was doing a unit count just based on first and second floor I'd get 18 units.

Ms. Torre - which sheets are you looking at?

Member Manson - I'm on A5 A3 is probably the same that which would be building two. On something else it was labeled lower level and then first floor and second floor and again I'm assuming that the first floor and second floor architectural mirror each other. So I think it's just unclear the way this is labeled and I would suggest that for clarity sake that be.

Mr. Morgante - I believe a portion of the lower level is for storage so you may not see a full mirror of the first floor and the second floor. The portion of the basement that's going to kind of be buried that we can't get windows within is going to be like some type storage.

Member Manson - that's not what I thought at first but then I took another look at everything and looking at the elevations it made more sense and the way that the entrances to the building were laid out. I think that the labeling on A3 and A5 were just a little confusing, because I would from what I anticipate if I'm behind around the back of the buildings I'm actually seeing three stories of windows and again it's a grading thing.

- my other thing is most question/comment so I saw something that we had discussed when we were doing the environmental review as far as the main entrance to the senior building on the southern portion and we talked a little bit about making sure that the front main entryway was accessible now I see all the places on the plans where you've added handicap ramps and the details of those. What I'm not clear about is there's five parking spaces across what would be the middle space is that merely a long ramp that leads to the parking so if say somebody's being dropped off, better view page 6 (conversation at the dais inaudible).

Mr. Morgante - that's just a striped area so that people can get into and out of passenger cars, dial a bus, taxi.

Member Manson - that was my concern okay good so that's addressed.

Chairwoman Franson - review of the resolution of conditional approval. Nature of application Parish Property Management Inc.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn the wetland permit public hearing until January 16, 2024 at 6pm or soon thereafter.

Motion by Chairperson - Bonnie Franson, second by Nicholas Napoli.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the provisional resolution for the project known as Pallotti Village subject to the amendments as set forth.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

3. Returning Projects

Action, Discussion: 3.1 **127 Seven Springs Road** (0204-2022) SBL #1-1-41.2 127 Seven Springs Road, Monroe, NY

Representative for the applicant:

Chris Fritzl - Lanc & Tully

Mr. Fritzl - we're here tonight to speak about zoning there have been some prior discussions about the bulk regulations in particular on this project. Since then we reached out to the Building Inspector and he provided an interpretation on the zoning and based off of his interpretation it appears that we can move forward with the whole line of bulk regulations under Central sewer.

Member Manson - my understanding is that the question was because it was located in a sewer district there was the potential opportunity for there to be sewer service. There's not currently sewer service to that site, but because there could because it's within a sewer district the Building Inspector has made the determination that qualifies for us to treat it as if it was with central sewer.

Mr. Fritzl - for that particular part of it there was a local law adopted and that addressed the fact that it was within a sewer district but not served by sewer.

Ms. Torre - that sewer law said that if you're in a sewer district, but you don't have sewer and you meet certain conditions including that your lot has been in existence for a year or you're proposed as a minor subdivision you can benefit from, the way the law was written it said you'd get the reduced lot area for lots with central sewer. But the question was whether it's just the reduced lot area or if it was all of those reduced bulk requirements. That did go to the Building Inspector for determination so he has determined that basically you get that whole line of the "with central sewer" even though you're not going to have the central sewer so in order though to get that as I said there was a few requirements so you have to be in a public sewer District, the lot has to be part of a minor subdivision not a major subdivision. In order to

be a minor subdivision there's a limit on the number of lots which they do meet, you can't have any new town roads or new water, sewer mains, the one other item is you need to comply with the Zoning code, you can't conflict with any provisions of the code or the official plan, and it needs to not adversely affect the development of the remainder of the parcel or adjoining property. That's something for the Planning Board to determine that you consider this is not going to adversely affect the development of the remainder of the parcel or any adjoining property and then also that it complies with zoning. With the Zoning I did have a question I couldn't quite tell that the Town Code has a provision that prohibits rear dwellings where you can't have a dwelling behind another dwelling I don't know whether a portion of the one on lot three might be behind the portion of the dwelling on lot two.

Mr. Fritzl - this current layout it's close, but we could definitely shift it there's plenty of room draw that out.

Ms. Torre - one other requirement for that sewer law to apply would be a certification regarding the waste water disposal system. A licensed PE has to certify and the Town Engineer verify based on observing the soil tests and a review of the Wastewater Disposal system that it can be occupied in the wastewater disposed of without resulting in the danger to public health personal property and that adequate separation distances exist to protect the existing public and private Wells. Those are the requirements in order to get that reduced bulk requirements.

Mr. Fritzl - on the wastewater we have done preliminary soil testing and we're looking into scheduling with Mr. Arnott's office in the next few weeks to get those witnessed. At this time we're really just looking for direction on the zoning so we could proceed with our design now that we have the interpretation from the Building Inspector.

Member Manson - when you suggest direction on the Zoning. The Building Inspector has determined that you're eligible to use the bulk table as is laid out. I don't see how we don't proceed with that we don't use that. If I remember correctly from the origins of this application without that was going to mean reduced development as compared to what's being proposed under three lots, two family houses. Does any of the Board have any comments or questions regarding that? Going back to when they were working on this law was to provide for what's being proposed. I think it's in keeping with the intent of what the Town Board was going for when they created this two family zoning overlay so we're seeing it put to use. That works for me.

Mr. Fritzl - next we schedule the soil test with Mr. Arnott's office and then move forward with the design we do have to address that one rear lot. We're going to come back with a full design and hopefully at that time we can make a SEQRA determination and get a public hearing scheduled.

Ms. Torre - when you make that submission can you provide the revised EAF because it hasn't been resubmitted since the project changed.

Mr. Fritzl - that's no problem.

Mr. Arnott - And site plan and special use permit revised applications.

Member Manson - trying to remember there was an easement between this property and the property next door as far as access and that was again part of the issue with how we wound up landing on the three lots. Is there going to be a private road in the subdivision to provide access to the three lots or is it a shared driveway with three separate entries?

Ms. Torre - they each have their own separate driveway each from a separate entry point.

Mr. Arnott - so I have a question that maybe the board should discuss on the layout of lot three, so as you mentioned there 5 foot easement that's along southern boundary line that the question is if the applicant and the adjoining property owner in the future is going to be proposing a roadway or other access way that the setbacks for lot three should be taken from that 25 foot easement in order to prevent hardship if the set back doesn't comply in the future.

Member Manson -if that was the case would that be prohibitive for the layout that you're thinking now?

Mr. Fritzl - it may be considering the lot widths would be adjusted on that at this time there's no road being planned in the future I don't personally know the history of the easement but there's no road being proposed as part of this application and we didn't really find anything in the town code either which stated that we' need to take the setbacks from the easement and that's kind of how we landed on this layout here.

Mr. Arnott - the question is if applicant next poses a roadway because they have the right to construct it how does that affect the lot three setbacks?

Mr. Fritzl - I mean we could take another look at the layout. A possible solution to this maybe we could have one of the proposed driveways within that easement or just off of it.

Member Manson - my question would be - so now this property is developed and now later on the adjacent land owner comes and wants to use the easement and create a private road. It's not a self-imposed issue for our applicant currently and would it be for the applicant in the future if they decided to use easement that way. Because as long as they met the setbacks on their side of this now new proposed private road it's not an again it's not an issue on the 127 property if indeed they in the future should find themselves out of compliance because

something was built in the future or am I wrong about that?

Ms. Torre - if it was currently an improved street that would essentially make it a corner lot then you'd have to apply the front yard setbacks on both but I think - I don't know that there's anything for purposes of this application that would.

Mr. Arnott - Should that be a front yard should the applicant next door construct the roadway within the easement.

Chairwoman Franson - it would become a front yard, so is the issue would there be a setback issue - would the setbacks have to change?

Mr. Arnott - it would create a hard ship self created the developer next or build.

Member Manson - which only becomes an issue if the owner of lot three comes back either to the Planning Board or the Zoning Board proposing to do something different they'll be limited and I get that the argument in front of the ZBA could be at that point.

Chairwoman Franson - before there was a cul-de-sac here in that other arrangement that was with single family. Why are we not doing a cul-de-sac?

Mr. Fritzl - it was kind of cost prohibitive and this layout works.

Mr. Arnott - plus the fact for minor subdivision because they don't public allows them to use lot areas and setbacks with a septic new under the law. (having mic issues)

Member Manson - the issue was with the adjoining property owner and that because they were first at the table. Because there was going to be four lots as soon as they added one more lot it becomes, it has to be a public road, it has to all those things have to then come into play so it gave that lot owner effectively no opportunity to subdivide and really develop that property.

Chairwoman Franson - my thought rather than having these all front to Seven Springs Road I wouldn't mind if they came off a cul-de-sac if ultimately that other property is going to use that easement area but can they do a private road for now until that happens in the future or no we don't allow the private roads assuming you could still meet all the requirements. I think you would get wider lots and I don't necessarily want you putting in a public cul-de-sac because that's a maintenance headache but it would you know I don't know if we allow private roads then they're just responsible.

Member Manson - the question is could the proposed driveway for proposed lot three be a cul-de-sac and lots one and two be rearranged to front on that cul-de-sac so they were more

squarish rather than rectangular and still fit within the bulk requirement.

Ms. Torre - so in order to get that reduced bulk requirements under the new sewer law you have to be a minor subdivision in order to be a minor subdivision among other things you can't have any new street or road so even if it's a private street or road once you're constructing that road then you're triggered into a major subdivision.

Chairwoman Franson - so are these subdivision provisions we're talking about which we can then waive or these zoning requirements which we can't waive.

Ms. Torre - this is the definition of subdivision.

Chairwoman Franson - minor subdivision - the definitions in the subdivision regulations and typically the subdivision regulations are certain things we can waive although those are usually improvements as opposed to process. I'm trying to figure out a way to get around having to do a major but also having for what again it's up to the board what I think might be a nicer layout rather than having these houses front right to Seven Springs - its a busy street. It'd be nice they came off of a shared access drive because I think that would also be safer for the kids and for everybody else who's going to be living in this little neighborhood and you could only get this many units out of that property.

Mr. Fritzl yes this is pretty much maximized as per the interpretation by the Building Inspector where we went with the central sewer facilities line on the bulk regulations.

Chairwoman Franson - can we share a driveway, do we allow shared driveways?

Mr. Arnott - shared access has to be via private road or Public Road.

Chairwoman Franson - that's our town law or in general New York town law?

Mr. Arnott - that is Town of Monroe Town Road law.

Member Manson - we have two projects - Eagle View and Meadow Hill - where both were proposing or propose a shared apron cut curb and then once you get onto the lot it has to be split into two separate driveways. So the question is, would that be feasible at least for lots one and two here and eliminate one of the three entrances onto Seven Spring Lakes Road?

Ms. Torre - might potential be under law 280a issue if you were trying to do a share driveway for all three lots.

Chairwoman Franson - we don't allow flag lots right?

Ms. Torre - essentially you don't allow rear dwellings behind exactly so you could potentially get away with maybe one driveway entrance.

Mr. Fritzl - so you're saying like one central curb cut in the middle and then from there pretty much three separate driveways.

Member Manson - if it was a scenic road, the Planning Board may require shared entrances of adjoining driveways to minimize the number of curb cuts along a scenic road where a shared entrance is proposed the Planning Board may allow driveways to be located within required side yards 57-21.4.

Ms. Torre - Mr. Arnott was asking whether there could be a shared entrance with all three where they moved that stem on lot three to the middle but I don't know that then they'd be able to comply with the prohibition of rear dwellings I don't know where they'd be able to arrange the layout so that the dwelling in the back is not behind one of the others.

Mr. Arnott - the 50 foot plus the side yard setbacks on each should give you enough room - it would be 80 feet the width of the rear dwelling would not be greater than 80 feet I wouldn't imagine.

Mr. Fritzl - it's only the footprint of the building which needs to be not directly behind the building in front of it.

Chairwoman Franson - in the best of all worlds I think it would be great to have them off of some shared access way whatever we call it, and then have them next to each other and it could perhaps allow for a wider lot and they wouldn't be smack on Seven Springs so and then you're only getting one curb cut is that County Road or it's Town Road yeah I believe it's Town yes so now you don't have three curb cuts you have one.

Mr. Fritzl - I'm open to exploring different options I mean I'll consult with the applicant and then maybe we find the best option in terms of site distance and kind of stem off from that.

Chairwoman Franson - it's not about the number of units it's about a better layout which would be better for your client.

Member Manson - any other comments any other questions I think we've got a direction then.

Action Discussion: 3.2 **94 Seven Springs Road** (0215-2023) SBL # 1-1-14 94 Seven Springs Road Monroe NY

Applicant Representative:
Shloimy Gelb - Hartman Design

Mr. Gelb - we were in front of the board a few months ago and we had a letter with all the comments and we worked on all the comments and everything is addressed and we are back

here to have if any comments and if we can go for approval.

Chairwoman Franson - that would be very quick we appreciate your your enthusiasm and positivity.

Mr. Arnott - comments:

- this is a two family dwelling being proposed to replace an existing single family
- comment number two discusses the item we were just discussing on 127 where they are eligible for the reduced lot size and setbacks because on septic system because they are within the Sewer District this lot is very large so that was never really an issue I'm just letting the applicant aware that they are eligible for reduced lot dimensions
- number three I'm asking them to update the building envelope to show those reduced dimensions currently showing the larger ones for septic system
- our office did review deep pits and percolation tests on the site
- we've reviewed the septic design the design is generally in compliance with our field observations and the design manual
- I just had a couple minor more or less typos on the plans for the calculations that were provided
- that being said I think the design of the septic system meets the requirements
- number six is about the portion of the lot is located within the Town's road right away. That portion should be dedicated to the town so that they own the land beneath the Town Road
- comment number seven the applicant provided a water well completion report that I'll say is partially complete what we are looking for is to demonstrate that the existing well can supply enough water the 880 gallons per day that you're proposing given that the existing well hasn't produced that much for this single family dwelling
- number eight is making sure that there's enough parking on the site. I believe it's two spots are required for each dwelling don't need to be striped but they have to be demonstrate that four cars can be parked there without blocking one of the cars
- the applicant submitted the plan to SHIPPO and they got a determination back that they will not impact archaeological or historic resources on November 1st
- last time the applicant was here Ms. Torre had a comment that the EAF should be updated that it should not be multifamily but two family dwelling
- and then the applicant should note how many bedrooms and the square footage of each dwelling and floor should be delineated on the plans
- the tree preservation plan is going to be triggered since it's a site plan special use permit we'll need a tree preservation plan
- again 1314 and 15 are the technical comments on septic driveway cross-section for the driveway proposed (mic in & out)
- 17 applicant should review need for a driveway culvert
- 18 is more technical comments on the driveway curb cut 19

- within 500 feet of the Village of Kiryas Joel boundary it'll have to go to County planning
- discuss SEQRA

Ms. Torre comments:

- GML actually you did sign that agreement with Orange County I think this would fall under that exemption for site plan or special permit for a duplex home on an approved lot
- last time it was asked that the EAF description be modified to clarify that it's a two family dwelling not a multifamily
- also update the plan to label the dwelling as a two family
- the entity disclosure form also needs to be completed it was missing the list in section B that was blank
- in order to show you meet the criteria for the special use permit for a two family dwelling you have to show the wastewater system has been verified by the engineer
- single driveways required you have a single driveway but if you could label the width of the driveway to show that it doesn't exceed the maximum that's permitted under the special permit which I believe is 24 feet
- within the front yard - there's a provision on the protection of woodland character so except as necessary to provide a driveway and utilities there shall be no grading or removal of natural vegetation for the first 50% of the required front yard closest to the front lot line. The Planning Board may require reasonable assurances including a landscape plan, conservation easement or other assurances as necessary to maintain the woodland character of this area to the Town where a lot has been cleared of trees and is proposed for uses as two family. The Planning Board shall require supplemental plantings to restore the natural wooded appearance of the front yard. Mr. Arnott had mentioned how you need to submit the tree plan under the tree preservation law and that will likely help the board evaluate the criteria of the special use permit as well.

Chairwoman Franson - is this a Type II action?

Ms. Torre - yes

Chairwoman Franson - we talked about updating the EAF but do we need to if it's a Type II action. With SEQRA if we designate Type II we don't have to make changes to the short EAF.

Ms. Torre - the plan should be labeled with the dwelling as a two family and if the board wanted to this evening classify the action as Type II under SEQRA and it will require a public hearing.

Chairwoman Franson - do you have any building plans or knows what it looks like or the floor plans or anything did you submit to the Building Department.

Mr. Gelb - not yet we have preliminary floor plans but they didn't finish it because if it's not required but if you want to see it

Chairwoman Franson - it would be nice to see it so that when we go to the public hearing people know what they're looking at we'll have a floor plan and I just think it's useful if you

could submit that so we have.

Member Manson - Do we have Architectural Review on an application like this?

Ms. Torre - I think because it's not a single.

Member Manson - okay so we need elevations.

Chairwoman Franson - for any site plan special use permit or subdivision application other than for a single family detached dwelling.

Mr. Gelb - is this called a two family or single family detached dwelling.

Chairwoman Franson - a single family detached doesn't require it for two families we do architectural review.

Mr. Gelb - two town houses attached with a firewall - is this called a single family detached dwelling.

Ms. Torre - this should be a two family. The architectural review provisions that's 57- 31 of the code if you could take a look at that and what it requires elevations and materials.

Mr. Gelb - regarding the part of the lot the 50 Feet easement from the right away to delegate with the Town. What we should do about it?

Ms. Torre - this isn't a subdivision when you file a subdivision that's automatically but even in that case you usually require a written offer of dedication to be filed with the County in a form that's acceptable to the Town and then the Town's able to accept that dedication.

Mr. Gelb - so we have just to make a note

Ms. Torre - for now you show on the plan that it's proposed to be dedicated to the Town of Monroe and then at the time of any approval you could specify how to go about that dedication.

Mr. Arnott - if I can make a suggestion a surveyor is gonna have to describe the metes and bounds of the property that's going to be or dedicated so it might be beneficial to get them involved now.

Mr. Gelb - the setbacks has to be from the proposed potential new lot line after dedication for the Town right-of-way.

Mr. Arnott - typically I would recommend that this setbacks be from the existing line because they're offering for dedication we're talking about the front yard right because that they're offering to change that typically I would say from the existing lot line not the proposed because they're giving the Town a piece of property.

Mr. Gelb - regarding the tree removal plan we had it on the latest set of plans.

Chairwoman Franson - the yard front definition says it's situated between the street line and the front lot line and the front line of the nearest roof portion of the building and then Street line right of way.

Mr. Arnott - on the tree plan I recognize you identified all the trees but we need the size the diameter of the tree and type and which ones are going to be removed and typically we see that in a chart - see Chapter 57-84.

Chairwoman Franson - I would say with regard to the street right away in the setback if for any reason they were going to widen the street that means the house is going to be closer to the

road so you might want to set it back farther just so it doesn't affect your house so that would be my suggestion if you have to make changes to the map anyway you might want to set it back to 10 feet because I think that's better for you in the long run.

Mr. Arnott - honestly this is all the way against the rear yard so the front it's not going to affect really where his house is laid out. It was really just a question he's got to revise the building envelope he's asking what whether or not to show up from the existing lot line or the proposed.

Chairwoman Franson:

- I think this evening we can resolve that this is a type two action so there won't be any more SEQRA.

- then they need a public hearing

Mr. Arnott - I have an outstanding question on the existing well whether or not that'll produce enough water for the increased demand I would question that for the board whether or not you feel comfortable scheduling the public hearing with that outstanding.

Chairwoman Franson - so what does he need to submit

Mr. Arnott - his engineer's opinion their own testing that they can meet the average day demand 880 gallons per day with the existing well.

Mr. Gelb - we have submitted some we did some right?

Mr. Arnott - I saw you submitted that partially completed well log all that told us was how deep the well was. It didn't tell us any pump demand whether or not the existing well could keep up with the demand that will be placed on the well.

Chairwoman Franson - this well was installed and it's noted under 12 it says flowing and you can check yes or no and it says no does that mean no water came out of it?

Mr. Arnott - it means they didn't test it at the time that they did the report.

Mr. Gelb - so just to speed up the process we submit well testing which is going to work for you before the next meeting and if you're reviewing that it works can we now schedule public Hearing in advance or we have to wait till the next Planning Board and then wait for a public hearing.

Chairwoman Franson - so my thought is if we wanted to entertain a public hearing just to keep it moving I would say a public hearing but subject to information architecture but that's fine as long as it's subject to.

Ms. Torre - I don't know that there's enough time what our time frame is.

Chairwoman Franson - but my question more is when regular meeting?

Ms. McSweeney - the regular meeting is January 16

Chairwoman Franson - when would the publishing and mailing need to be complete?

Ms. Torre - the publishing would be five days before the hearing it needs to be mailed 10 days and sent to adjacent municipality 10 days too so I think that would be enough because publication's just five days.

Chairwoman Franson - we don't have to worry about SEQRA we don't have to worry about

GML review if we did the public hearing but we'd have to say subject to getting architectural and we'll probably leave it open if we don't have everything - if we have enough but not really everything architectural and we need evidence that you have sufficient water have septic.

Member Manson - I don't think differently. I just want to mention two things that I noticed in reviewing the stuff today. I also agree that we should update where it should say two units rather than multifamily but can we also get what the square footage per floor is on the site plan. I think that just gives us a better understanding of what the scale of the building is and so because it's labeled grading and utility plan I noticed there's no provision for electric and the buildings that are there now are defunct there remains so there's not electric running to those buildings currently. I think we ought to see where the electric line is going to run or is that not necessary and primarily I was thinking about that in relation to possible tree removal.

Mr. Arnott - that's a good point and it something that you have required in the past where the electric is going specifically for scenic road but for the tree removal that's a good point we should understand where that is going to be buried.

Member Manson - it's just going to help you show us maybe why certain trees have to be removed if we knew that there was the electrical line there. So I would recommend adding that as well. But other than that I'm on the same page as you are as far as going about scheduling a public hearing and moving forward based on those provisions.

Chairwoman Franson - anybody else - any reaction? you're okay with public hearing?

Ms. Torre - to clarify you would schedule it subject to receipt of those things before so it won't get noticed unless you have the architecture and the well correct?

Chairwoman Franson - any disturbance?

Mr. Arnott - they are shown they are under an acre and actually I commented that they are pretty liberal in their depicting so I feel confident that they will be less than an acre.

Chairwoman Franson - okay and just so you're aware because we'll have a tree fee so you may want to really consider how much area you show as limits of disturbance to save yourself some money and that means you save trees.

Chairwoman Franson - what we will do is schedule a public hearing subject to you getting us well information architectural and floor plans

Mr. Gelb - I will make sure at that time to improve all the notes all the comments

Chairwoman Franson - floor plans elevation whatever is required under that part of the law. So we will notice it if we receive all that information so this is subject to it would be held on January 16th 2024 at 6:00 p.m. or soon thereafter.

Mr. Gelb - the date where when I have to submit everything is December 28th.

Chairwoman Franson - should get it December 28th Ms. McSweeney will be away but she'll process it when she gets back in.

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to designate this proposed action which is construction of a two family dwelling as a Type II action which is exempt from SEQRA.

Motion by Chairperson - Bonnie Franson second by Nicholas Napoli.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to schedule the public hearing for January 16 2024 at 6:00 pm or soon thereafter subject to receiving all documents requested.

Motion by Chairperson - Bonnie Franson second by Jeff Manson.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

4. Administrative

Action Discussion: 4.1 Approval of 2024 Meeting Schedule

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the 2024 Planning Board Meeting Schedule dates set forth on the schedule being held at 6:30pm except for January 2024 at 6:00 PM.

Motion by Chairperson - Bonnie Franson second by Nicholas Napoli.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

5. Minutes

Action Discussion: 5.1 May 11 2023

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve subject to Pat Shea status subject to revisions and updated.

Motion by Chairperson - Bonnie Franson second by Dylan Penn.

Final Resolution: Motion Carries

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

Nay: None

Abstain: Pat Shea

Action Discussion: 5.2 June 20 2023

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the June 20 2023 minutes.

Motion by Nicholas Napoli second by Jeff Manson.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Action Discussion: 5.3 July 18 2023

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the July 18 2023 minutes.

Motion by Pat Shea second by Dylan Penn.

Final Resolution: Motion Carries

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

Nay: None

Abstain: Nicholas Napoli

Action Discussion: 5.4 August 10 2023

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion to approve the August 10 2023 minutes

Motion by Chairperson - Bonnie Franson second by Jeff Manson.

Final Resolution: Motion Carries

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

Nay: None

Abstain: Pat Shea

Action Discussion: 5.5 August 15 2023

tabled

Action Discussion: 5.6 September 14 2023

tabled

Action Discussion: 5.7 September 19 2023

tabled

Action Discussion: 5.8 Any additional minutes necessary

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 Chairperson - Bonnie Franson second by Pat Shea.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

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