

Town of Monroe Planning Board Work Shop MINUTES

— 08/11/2022

Town of Monroe Planning Board Work Shop (Thursday, August 11, 2022)

Generated by Norinne McSweeney

DRAFT

Members present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Steve Thau

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 Projects

Action, Discussion: 2.1 20 **Owen Dr** (0207-2022) SBL # 3-1-9.1 20 Owen Drive Monroe, NY 10950

held over to September

3. Returning Projects

Action, Discussion: 3.1 **Homeland Towers & Verizon Wireless** (0205-2022) SBL # 3-1-19.2 24-26 Strauss Lane, Monroe, NY

David Kenny Snyder & Snyder

Vincent Xavier - Regional Manager Homeland Towers

wireless telecommunication facility to be located at 24-26 Strauss Lane

proposed 100ft tall tower

need for facility to remedy service issues, service gaps, and capacity issues

application before ZBA for an approval being located out of the utility overlay district - use variance is required

ZBA is requesting this board to be declared lead agency as part of the site plan review as well as being in the ridgeline protection overlay district

we are asking for the board to accept this and declare to be lead agency tonight

ZBA has retained Cityscape to review the project we have already received some comments

from them

Cityscapes has determined the need for the facility and that we have chosen a reasonable location

additional comment from town engineer and we are working on those comments as well we would like to focus on tonight is the visual aspect of the facility

we are proposing to do a balloon test, float a balloon 100 ft in the air take photos to document the visibility

passing out tonight view shed maps where tower visible from based on a computer algorithm taking into account topography, vegetation and buildings

reviewed the map blue area where tower expected to be visible from and the yellow dots proposed photo locations

do the board members have any additional view points that you would like to add to the balloon float looking to do this around Sept 5th input up until the day of the float

Chairwoman Franson what was the methodology used to create the visual impact assessment? How was it modeled? So that I and the board have a sense of whether the areas theoretically visible are actually a complete representation of the area.

Mr. Kenny bottom right hand corner of the map it has a note about how the view shed map is taken into the land cover conditions , we had our team take leaf off conditions as well. We had this done so the final report after the balloon test would be able to show leaf on and leaf off conditions.

there is a bare earth map submitted in the initial packet

Chairwoman Franson at this point the board needs the following:

need copy visual assessment with the bare earth

how suggested locations reasonable & any other locations necessary

is there anything else you wanted to cover this evening?

Mr. Kenny just wanted to make sure that the Planning Board would also be using Cityscapes to assist in their review?

Mr. Arnott's comments:

after review of fire code with the building inspector the access drive is 1200 feet long and we believe a 26 foot wide drive has to be constructed in order to access the site what is currently proposed is 12 foot wide. The applicant prepared a response so it needs to be reviewed by the fire district, myself and the building inspector

a SWPPP would not be required since the disturbance is less than one acre, but if the 26 foot wide road is required then a SWPPP potentially be required

Strauss Lane is a private road with 2 residences on it so we are looking into whether a private road maintenance agreement exists or is needed

existing culvert proposed

view shed some lights proposed at 4000 kelvin, the board prefers to say at 2700 kelvin

rock was identified to be shallow

there is long eared bat mitigation will have to be proposed

need to see topography

Ms. Torre Comments:

unlisted action under SEQRA

board would be able to declare their intent to be lead agency this evening and circulate a notice of intent

already identified ZBA as an involved agency

will need to go to the County for GML

property located in the Ridgeline Protection Overlay submit some type of narrative going through the RPO regulations and how the project will be designed to fit within those regulations

need to submit a tree plan for those trees being removed need to follow the tree preservation law

there was a mention of painting or other stealthing techniques those will need to be presented to the board for review

I previously discussed this with the attorney the cell tower federal regulations allow an increase in height as of right after something has already been constructed, so I asked for the visual analysis to account for that even though it is not being proposed at this time

Mr. Kenny definitely accommodate that request in the visual analysis report

regarding the access drive we want to make sure it is safe and adequate for emergency vehicles just trying to do a balancing act with the wider it is the more trees will have to come down and that is an aspect we want to reduce and minimize, but we will do what is necessary to comply

conversation regarding the access drive

Chairwoman Franson items needed:

More topography on maps has to extend out for context

fire lane

SWPPP

Color will need to be discussed

design - maybe some stealth design we could consider
the height of the tower relative to the trees

board members comments:

Member Manson why more and more facilities

Mr. Xavier RF Engineer is more qualified to answer this question, but it has to do with the, the larger the area the greater the demand, need to be above the tree line for better service, more recently higher demand on the towers especially over the last few years

Verizon is a co applicant

no direct corporate relationship

more people on cell phones increases capacity on network needs new coverage

more people working from home and putting a higher demand on current facilities

Member Manson the use variance you are before the ZBA for is that because you are outside the Utility overlay district and or does the ridgeline protection have anything to do with the ZBA

Mr. Kenny the use variance is for being outside the utility overlay district, the ridgeline will be handled at the Planning Board level

Chairwoman Franson do you have drop call records or records showing the gap

Mr. Kenny there is a key performance indicator data which is in Mike Crosby's report the RF Engineer for Verizon which shows how often the usage goes and has a percentage of the capacity, it shows the KPI data which indicates the capacity being exceeded by surrounding sites

Chairwoman Franson:

1)Homeland Towers who are you representing?

2) there are high tension utility lines and other tall structures in the area have they been inventoried and checked to see if whether or not you could co-locate on any of those facilities even if it means 2 locations

Mr. Kenny Homeland Towers and Verizon Wireless are co-applicants

colocations was reviewed and determined there weren't any co location opportunities

Cityscape also reviewed our submissions and confirmed if there are some other locations you would like us to review we would

Chairwoman Franson I would like to see that data regarding the colocation analysis and where it could go and why it doesn't work

Mr. Xavier I submitted an area analysis where I was responsible to go out and look for colocation sites

coverage maps shows gaps of coverage within Town of Monroe including outlying area

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to hire Cityscapes as the RF Consultant for this project.

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

Final Resolution: Motion Carries

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

Abstain: Steven Thau

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare it's intent to be lead agency for this project.

Motion by Pat Shea, second by Nicholas Napoli.

Final Resolution: Motion Carries

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

Abstain: Steven Thau

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to classify this application as an unlisted action.

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

Final Resolution: Motion Carries

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

Abstain: Steven Thau

Action, Discussion: 3.2 **BJ's Site Plan** (0200-2021) SBL # 2-1-30, 2-1-21.31, Harriman Business Park Larkin Drive Monroe, NY

George Lithco - Attorney

Chirag Thakkar - engineer

Pat Smith - RD Management

VIA Zoom Ken Wersted

Member Manson has recused himself

Alternate Member Thau will be acting on this matter

we are here for site plan review

completed review for SEQRA

meet with conservation commission generally satisfaction review will incorporate into the site plan

planting in the conservation easement

Mr. Thakkar the landscape consultants comments were advisory not code related, met with conservation they are satisfied with the plantings, we are removing 25 trees and replacing with 42 trees more than a 1 to 1 replacement

Chairwoman Franson the plan was reviewed by our consultant, are you making changes based on those comments or are there changes you don't want to make or haven't made based on her comments overall landscaping

Mr. Lithco this is an approved site the landscaping plan was reviewed in 2001 it was reviewed for all of Harriman Business Park projects and it is consistent throughout the business park, that was one of the findings in the landscape plan which was constant and coherent. We are essentially replacing that landscaping plan that exists now with the proposed landscaping plus we are adding some additional trees and shrubs, but it is incorporation all of Ms. Arents comments.

The traffic consultants are on zoom do we need to hear from them or are they just hear to answer questions.

Ms. Torre there are 3 things that AKRF had mentioned in the last memo and the planning board needs to weigh in on them. They are a walkway between the fueling station and the restaurant, the waiver of the parking spaces, it's a waiver for 123 spaces, and the need for additional pavement markings on the gas station site to further channelize traffic and control weaving movements.

reviewed Karen Arent's letter

labeling grass and lawn area will be done

replace some of the trees with a different type she recommends

drainage pipe area need to be careful of what is in that area

replace CR with large shade trees that is within the O&R easement can't put certain trees there

plant more shrubs area embankment, there is a basin berm underneath, you can't put shrub over a berm

talk about locations for various plantings

will plant within O&R easement as requested but with trees from O&R approved list

Chairwoman Franson would like a comment letter regarding the landscape consultants letter with reasons for complying or not complying with recommendations

Open conversation regarding parking and the waiver, shared parking agreement for the entire business park, there is an REA that allows that, we provided a representation that we have the right to do it.

Ms. Torre located said letter from May 2022 from FPG Shop Center LLC stating that "The REA gives the owners of encumbered properties within the Harriman Commons Shopping Center reciprocal easements for access, parking, and drainage in order to facilitate the efficient operation of the Center.

Chairwoman Franson procedurally where do we stand at this point.

Ms. Torre the last meeting started going through the Part II, haven't completed that, there are a few items waiting for response on

I drafted a proposed negative declaration based on Mr. Lithco had submitted an EAF narrative. One question as far as the negative declaration goes was the water from the Village of Harriman need something in the record to confirm that they have adequate capacity for the proposed use.

Mr. Lithco we have not received that yet it will take time, we would like to make that a condition of approval before we get the building permit

Ashley started part II need to finish that, started draft negative declaration questioning the water need letter for the record

Action, Discussion: 3.3 **Rye Hill Preserve** (0206-2022) SBL # 31-1-1.11,31-1-1,31-1-12, 31-1-12,31-1-2.4,31-1-18.31,31-1-29,31-1-62,31-1-63

Fred Mundt PSS engineering
Jeff Buss via Zoom

Mr. Buss - we made a number of changes to the proposal from comments from the planning board, town board and the community
mass of 300+ apartment building top of Eagle Ridge we have abandoned building completely rather than a large apt building replaced with town houses 214 units on Eagle Ridge
Prestwick town houses

where the 2nd apartment has been broken into 4 separate buildings
closest 249 ft from Prestwick 300 feet property line from Hawxhurst
elevation not as high as before reduced visual impact for Eagle Ridge
Shea meadow side added 86 units stacked condo units, townhouses tried to reduce sizes
shifted the entrance way to avoid headlights into homes
within the requirements CCR Zone 491 units 96 multifamily apartments 76 senior apartments
195 townhouses 126 stacked condo units

Chairwoman Franson cross section from Prestwick to the apartment buildings. What are the number of stories and what are the heights of the buildings?

Mr. Mundt with the apartment buildings we are going with 3 stories and the flat roofs so not to exceed 40' height. The central grade of the apartment buildings at the bottom of the hill is about elevation at 230, the grade along Prestwick 250 elevation
50 ft buffer along edge of property

Chairwoman Franson the senior apartment building is that 3 stories plus a garage?

Mr. Mundt yes with the garage going into the grade with 3 stories above that
relocated the club house
formerly an 8 unit townhouse building parallel to Rye Hill we broke up to smaller units 3 buildings with 3 units each

Ms. Torre presented an overview of the Planning Boards role with this project:
you were referred the petition and master development plan from the town board
there is a certain amount of time to review that and give your report and recommendations to the town board
you review it against the criteria that is within the CCR law (Conservation Cluster Zoning Law) and the intent of the law, including goals and objections
what you ultimately be recommending would be whether to approve, approve with modifications or deny
the board is also looking for recommendations for how the plan could be improved to incorporate the best practices of sustainable land development
ultimately those are your 3 options

Mr. Arnott comments:

resolution from the town board there were 9 items that the planning board was asked to look at and we haven't seen responses to those

Ms. Torre did follow up earlier in the week looking for those responses
two sections of the code the planning board was asked to comment on

design standards and advisory design standards

under the design standards:

1) parking required 960 spaces can't verify as some are in the underground garages
question as to whether the townhouse garages and spaces in front of garages being counted
towards parking requirement

Mr. Mundt on the smaller townhouses with a single car garage and driveway we are counting
as 2 spaces, on the larger 2 car garage we are only counting the garage spaces not the
driveway

2) there are limitations for the maximum floor areas for each dwelling unit previously discussed
architectural requirements, the applicant should confirm that they can be met with regards to
the floor plans

3 advisory comments:

1) provision against front load garages on townhouses - tonight you are saying proposed

2) sidewalks are generally recommended on both sides of the street where residential units
are, there are proposed sidewalk but not throughout the entire site, that will have to be vetted,
wondering if any proposed connections to the existing public roads with sidewalks

3) historical resources be kept including stone walls or any existing foundations to try to
preserve or reuse them

additional comments:

regarding water - if you're planning on hooking into the existing water district one highly
unlikely the infrastructure will be able to support all the domestic services let alone the fire
suppression that will be required, what improvements will be made to the site with regards to
pumping treatment or storage on the site

Ms. Torre

no comments other than the 9 items that the town board referral resolution required to be
accomplished before this board completes its recommendation
need a narrative addressing all of those items

Mr. Buss yes we will get a written response over to you. Mr. Buss did a verbal review of the
comments but will submit a written letter with all the comments.

construction to start Aug 2025

40ft height

NY Natural Heritage waiting on response

no tree cutting April to October

minimize disturbances

planting plan

impervious measures

Rye Hill road agreed

stabilization in the traffic study

spoke about changes on the plans in adding a secondary road for the townhouse on top of the road

Member Shea the job you did hiding the large building on the Eagle Ridge side is very good, I would like to see the same option on Shea Meadow tallest building in everybody site line move to top of hill southern portion town house steep hill put town homes there wouldn't see them from the road a development that is there but can hardly be seen

Member Manson just want to mention how important it is to get submissions in by the deadline in order for the board to have time to do their due diligence in reviewing all the details and the narrative

I did a detailed review of the 5 page letter dated July 28, 2022 that was sent to see if the numbers behind the project and address the issues of does it meet what was examined in the test case, comparing it to the CCR law and the FEIS in particular to the test case , the numbers do support it. I did notice an error with the calculation on the Shea Meadow says 153 townhouses previously it was 191 96 three bedroom and 56 4 bedroom but that works out to 152 units not 153 so just be careful with the items like that. Also saw a difference in the number of the open space calculations which is a crucial item as the minimum 65% has to be met.

description on under FEIS source of water demonstrates water supply is there for construction and the residents that are going to be there, need to show that it can be supplied from the town

disturbance what are the limits of disturbance

preferred layout for the apartment buildings, townhouses on Eagle Ridge not accepting of those yet

maybe put in a cul-de-sac by the townhouses

Chairwoman Franson:

need sufficient space between other developments and the new plans

I don't think the town board should make any decisions based on the submitted information because this is more of a master concept plan there is other information necessary to guide the planning board for example:

is there a water tank

are there trails - suppose to be

are there sidewalks - there should be

these are basic bones and the framework to be guided by us

in general building are now just boxes and at one point there were building renderings moving things around has changed that but the Town board should have something to look at in order to make proper decisions

on your maps emergency access only to Prestwick Gardens
townhouse configuration adding agree impervious areas, need another way to access
townhouses, maybe a cul-de-sac
conceptual some form of floor plans verify bedroom count - water & sewer demand relies on
floor plans
calculated the parking area for visitor parking
parking added to club house
road back to apartments parallel to back of homes come in more less off it
consideration how to minimize impacts of the roads to the adjoining developments
water & sewer demand
noise
lights - visual intrusion

Member Manson in relation to CCR in general when land goes under conservation easement
how perpetual is that once the conservation easement is placed does that depend in part who
holds the easement, would it make a difference whether it's a municipality or something like a
land trust, can those be changed down the road, or once in place that is going to protect the
land forever?

Ms. Torre intent is that it would be in perpetuity to protect the land forever. The actual terms
would of course depend on who is going to hold it. I believe the way the law is written it has to
be either the town or someone that's acceptable to the town and the town will be able to
dictate those terms as far as preventing future modification of the essential protection.

Member Manson would the easement be written in such a way or could it be written in such a
way that prevents, if it was held say by the town, that would prevent future town government
once there were changes and attitudes or perceptions in changing what had been done at that
time, would it continue to be protected in that situation or could a new reformed government
down the road again with different priorities undo what had been done.

Ms. Torre the idea would be that it would be in perpetuity, it is going to depend on the terms,
but I can look into that further.

Chairwoman Franson it is usually a layered approach, for instance you could do a deed
restriction so that it's enforceable in the development, then the conservation easement is
added to it and that has to be run by an organization, another layer may be that it is actually
open space designated to park land and to be able to alienate it you actually have to go to the
state legislature for an approval.

Ms. Torre the law requires deed restrictions as an added layer

Chairwoman Franson what are the next steps?

Ms. Torre to discuss your recommendations and for me to prepare a report the 9 items that remain open need clarity before submitting your recommendations

Chairwoman Franson so our recommendations can include need to see floor plans for us or the town board how technical do we get with the recommendations

Ms. Torre if there is something you think you need more information on in order to make a more sufficient recommendation something to speak to applicant about. If you feel there are items that are more technical the town board would likely want this boards input on them at the time.

Chairwoman Franson we are reviewing the master development plan at this point but if we think there is additional technical detail that's needed before the town should consider it, that is part of our recommendations correct. Two areas whether we would approve or approve with modifications or deny. The applicant is holding at 491 units and that is the maximum whatever our recommendations is it should be clear that we're not say 491 is it, it's you've shown 491 units so that is what our determination is based on and our review could be modified in many ways including reduction in units.

Chairwoman Franson my thoughts are the project needs to be modified and vetted

Ms. Torre just a comment on what the point of the master development plan is, this isn't the code. It's to allow the town board and the petitioner to reach an understanding on the basic use mix density and layout prior to determining whether to layout. So those items the use mix of types of different housing, density and layout are the key things that would be set by this master development plan. If there things in those categories or certain areas where you want as a board more leeway, example the project showing 491 and the planning board can show design changes that wouldn't necessarily guarantee them that amount that would be something to mention.

Member Manson overall concept generally in favor, do think there are some further modifications that we need to see, frankly I don't know that we have a final layout yet. Positioning of the townhouses and the road all need to be decided, possibly realigning some or all the stacked condos on Shea Meadow. Using a berm to protect against light noise from the road even visibility might be a suitable suggestion for the townhouses on Eagle Ridge.

Member Napoli is there a traffic report on this project?

Chairwoman Franson there is a GEIS (generic environmental impact statement) prepared and evaluated for this site in tis totality but it had a different layout. Unit type and the mix being

moved which moves the trips around.

Discussion regarding the traffic, adjusting how many exits onto Rye Hill road was a lot, suggestion of a four way intersection and or possible a light , needs to be a matrix between GEIS and how this project may change that, they will have to provide either wells or proof with hydrologic analysis that they have water and from what source and the source has capacity.

Our recommendations should have:

substantive comments

requesting additional technical information

SEQRA

a category that the current water status and how being provided needs to be confirmed

Member Shea 2 most important things is:

1) the visibility from Rye Hill Road want as much as possible hidden

2) conservation easement to the extent possible find the most foolproof way to make sure the some future board or even town board cannot change it

Chairwoman Franson some additional points:

conservation easement definitely part of the recommendations

larger set backs should be twice the height of the closest building

very robust landscaping

to the audience here want to let you know we have gotten the emails, we consider them, we are not the decision makers, but we appreciate them, ultimately this is the town boards decision it's a legislative action and it has to land, we are advisory at this point if it gets approved then we get involved in the full-blown site plan.

As part of the recommendation it would be important for the town board to say what can and can't be changed whether it be reduction in units or moving things around, we need to understand from the concept master plan what's within the planning boards authority.

4. Minutes

Action, Discussion: 4.1 March 15, 2022

held over

Action, Discussion: 4.2 April 14, 2022

held over

Action, Discussion: 4.3 April 19, 2022

held over

Action, Discussion: 4.4 May 17, 2022

held over

5. Adjournment

Action, Discussion: 5.1 Adjourn Meeting

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

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Steven Thau