

Town of Monroe Planning Board Workshop Meeting MINUTES

— 01/12/2023

Town of Monroe Planning Board Workshop Meeting (Thursday, January 12, 2023)

Generated by Norinne McSweeney

DRAFT

Members present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Robert Garstak (Alt. 1) sitting for Dylan Penn

Alternates:

J. Luis Rivera

Members Absent:

Dylan Penn

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. Appointments

Action, Discussion: 2.1 **Appointing of Acting Chair for 2023**

Action, Discussion: 2.2 **Appointing of Planning Board Attorney**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby approves the appointment of Naughton & Torre, LLP as the boards attorneys with representation by Ashley Torre for the term of January 1, 2023 - December 31, 2023.

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

Final Resolution: Motion Carries

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

Action, Discussion: 2.3 **Appointing of Planning Board Engineer**

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby approves the appointing of MHE Engineering as the engineers for the board with Shawn Arnott as our representative for the term of January 1, 2023 - December 31, 2023.

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

Final Resolution: Motion Carries

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

3. Returning Projects

Action, Discussion: 3.1 **Henry Farm** (0209-2022) SBL # 29-1-2.52 Intersection of Lakes Road and Camp Monroe Road

Vince Pietrzak Pietrzak & Pfau
Jay Myrow via Zoom

Mr. Pietrzak reviewed the plans that were submitted
shows old layout in red and the new layout in black
shows disturbance limits
there is no grading shown
there is a project comparison chart which list a number of items from SEQRA and some additional items
included bedroom count
5 single family houses being added
subtracting 50 multi family units with a total bedroom reduction of 80 units
town WD # 5, wells on site have not been dedicated
return to DOH for approval will have to perform additional testing for water quality
will need to test wells for quality
in preparing a submission to Army Corp of engineers explaining the situation and seeing what response we get regarding the wetlands disturbance since the last permit has expired

Chairwoman Franson as far as the table there is no change in the disturbances in the regulated wetlands and there is a slight decrease in the non-regulated

Mr. Pietrzak existing disturbance that was previously done when under a prior project and that is .3 acres that shows up regardless because it has already taken place, there is a permit for .38 disturbance prior to application being made
there are 2 wetlands on sit one which is regulated by Army Corp of Engineers getting reduced from .319 acres to .176 acres
then a non jurisdictional Army Corp wetland which would be town of Monroe wetlands and that reduces from .574 to .533 acres

Chairwoman Franson are you still proposing wetland mitigation areas

Chairwoman Franson there are parcels to be dedicated to the town of Monroe what is the purpose

Mr. Pietrzak will be taking the open space and the wells

Mr. Arnott what is parcel D access into the town property

Mr. Myrow storm water infrastructure drainage district

Mr. Pietrzak reducing 50 lots and adding 5 single family

Mr. Arnott comments:

SEQRA comment 2 listed many bullet points the applicant needs to update disturbance on slopes greater than 15 that was specifically spelled out in the findings statement

the excess cut and fill originally large 45000 excess cut from the site is that remaining the same

blasting protocol for cutting into rocks is that still anticipated - Mr. Pietrzak that blasting will remain

trying to clarify what the existing regulated versus proposed Town regulated and proposed regulated wetlands disturbances are Mr. Pietrzak cleared that up already

Community services specific thresholds in the findings statement that would be warranted in the chart

fiscal analysis, cultural resources and air noise sections

Then some preliminary comments on page 3:

amended subdivision layout plan

bulk table to be prepared for each lot to verify zoning met on each lot. court stipulation requires zoning regulations be applied to those from 2015

biggest one is net lot area does not apply to this project

add 100 foot regulated adjacent area to all the wetlands (from the wetlands code)

Phased Approach unclear of phase approach phase 1 and 2 on amended subdivision plan if it was actually contemplated

the FEAF that was prepared didn't identify phases

Mr. Pietrzak they're not anticipated but the judge mentioned in the stipulation about showing potential phases, so we quickly split project in half so water tower in phase one

Mr. Arnott asked in comments that the secondary access get moved to phase 1 incase phase 2 doesn't get built out for a while creating 2 access points to the subdivision

roadway need to meet town requirements, details on updated plans

SWPPP will have to be amended, in stipulation to met the 2010 permit, need current NOI or updated NOI

drainage water sewer system will have to be incorporated in final plat

outside agency approvals that are necessary

Army Corp

NYS DOH

OC DOH

OCDPW

NYSDEC & OCDPW

consider using the planning board consultants

the sanitary sewer collection system is in MOODNA which has no capacity, will have to wait for available capacity

Ms. Torre Comments

SEQRA did declare intent to be lead agency last meeting circulated a notice of intent there have been no objections can assume lead agency status

it has been 30 days the board can assume lead agency status

Chairwoman Franson Mr. Pietrzak did you receive the DEC comments and the ones from OCDPW

Mr. Pietrzak inaudible

Mr. Arnott DEC comments came in today and a surprise to me was the water withdrawal, you indicated the project would withdraw 30000 gals and normally it is 100000 gals, could you explain that

Mr. Pietrzak the original project included water for additional projects that is why the water tower was increased. Now that we are only providing water to our project we have to go back to the health department to reduce the size of the water tower.

Motion to assume lead agenc

Ms. Torre as far as the consistency analysis chart, there is a commercial lot not being proposed for development as part of the subdivision, but previous finding prior approval for a 15000 sq ft retail commercial space? Is that still in the planning?

Mr. Pietrzak assuming we are keeping that proposed commercial lot as it is

Ms. Torre that parcel is in the NM zone and it will be subject to the current zoning at that time of development

Ms. Torre comments continue:

DEC noted that it was an archaeological sensitive area, you would need to resubmit to SHIPPO as well

regarding wetlands the town has it's own Wetlands permit that would have to be issued by this board look at the regulations in town code 56-7

needs to be referred to county planning

Board might want to use additional consultants 3 month time frame to submit budget

Chairwoman Franson want to check if areas removed from development that might be better as lots

looking for creative ways to get lots in where there is little to no environmental impact

is it possible to get rid of or downsize some of the storm water ponds

Mr. Pietrzak once we get into design we will be able to tell more

discussed items to be reviewed by outside consultants and who to bring on board

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to assume lead agency under an unlisted action.

Motion by Nicholas Napoli, second by Pat Shea.

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to retain consultants Karen Arent, Dave Tompkins and Frank Getchell and their respective firms for the proposals to review the Henry Farm Project.

Motion by Chairperson - Bonnie Franson, second by Robert Garstak.

Final Resolution: Motion Carries

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

4. New Projects

Action, Discussion: 4.1 **Mandel Subdivision** (0210-2023) SBL# 7-1-28.1 129 Cromwell Hill Road

James Martinez

2 lot subdivision on 129 Cromwell Hill Road

might need some variances

remove impervious coverage

there is an existing house, tennis court, and walk way being removed
pool and pool house

Mr. Arnott comments

RR1 and Ridgeline overlay front half slopes from Cromwell Hill down to homes
plans update Ridgeline Overlay
lots served by wells and public sewer
bulk table lots 1 & 2 lots width requirements will require lot width variances
for lot area should subtract any of the environmental constraints slopes greater than 30%, any
easements or wetlands included on the bulk table
comment on the original iron preservation
applicant should provide a narrative how they met all the design requirements

minor technical comments:

review of pump stations being tied into the sanitary sewer collection system that the county
owns will have to be reviewed and approved by them
sewer district map portion on lot in sewer district clarification from the county if both lots would
be included
town code prohibits homes to be located behind other homes include the existing home that's
to the north of the eastern part of the property to see if the lots will be behind it or not
house relocation notes
tree preservation law
final proposed plan must have metes and bounds to be filed with the county
disturbance greater than 2 acres so a SWPPP will need to be prepared
long eared bats included notes regarding the restriction of time of year for tree cutting
Cromwell Hill Road is a scenic road so there is specific design criteria for that in the code
again looking forward to a narrative
referral to ZBA if necessary
SEQRA

Ms. Torre comments:

as far as SEQRA it is an unlisted action
other involved agency including the ZBA
you would want to circulate and declare your intent to be lead agency
big issues is whether the new house would be considered a rear dwelling based on adjacent
lot and that is a prohibited use in the town Zone and regulations
might need a use variance determination by the building inspector that gets appeals to the
ZBA
that's one kind of threshold question as far as what variances are required, whether or not that
is a rear dwelling
no referral to GML

Chairwoman Franson to Mr. Arnott in terms of design standards were you able review
subdivision regulations that apply here

Mr. Arnott I didn't go through all the regulations because it requires variances

Board Member Comments:

Member Manson: entity disclosure A&B not complete

in the certification section it lists Mr. Mandel as the President of Wise Equity Group, LLC and the plans themselves reference Mr. Mandel as the owner of the property it is unclear how Wise Equity fits in and who is doing the development that all needs to be corrected existing gravel drive and your proposing gravel drive for lot 2, is this remaining or being removed

Mr. Martinez a portion of the gravel drive will be removed, the walkway will be removed. We are proposing 2 driveways

Chairwoman Franson wants to see what the natural resources that get netted out we need Mr. Maldonado interruption on the lot behind a house need to know all variance prior to sending to ZBA

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion that the Town of Monroe Planning board declare its intent to be lead agency for 129 Cromwell Hill Road Minor Subdivision.

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

Final Resolution: Motion Carries

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

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

Motion by Pat Shea, second by Robert Garstak.

Final Resolution: Motion Carries

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

5. Discussion

Action, Discussion: 5.1 **Regarding two family law feedback requested by Town Board**

Chairwoman Franson we have been asked to opine on this amendment, it's required by our Zoning to be referred to the Planning Board. The amendment is to consider two family homes as well as single family homes

Ms. Torre it spells out what lands would be subject to this overlay district all residentially zoned land in Orange County sewer district one that's north of Route 17, all lands north of County Rt 44

requires special use permit and site plan approval
specific criteria that the applicant would have to meet to come before the board for the proposed 2 family
key terms of the Zoning changes this area currently allows single family detached it would allow two family detached units
minimum lot area would be the smaller of 2 times the minimum lot area for single family homes dwelling in the underlying zoning district or 1.25 acres
still has to take into consideration environmental constraints and the maximum lot coverage goes down because of shared resources so in theory your building footprint might be smaller

Member Manson - town needs more housing options diversity
looking at zoning map mixed locations some of the lands under discussion for the overlay include lots that are in the RR1 zone 1 acre lots, SR20 20,000 sq feet, OSR currently 3 acre lots north of 17 that are LI of HI
so I am wondering if the larger lots 3 acres would they be able to go down to 1.25 Acres

Ms. Torre the law is the lesser keep in mind that is net

Member Manson it doesn't seem to be a lot of OSR under consideration but I am guessing along Seven Springs there are a number and the end of Cliff Court,
reading the provisions for water water , the driveways in theory building footprint might be smaller
happy it requires a special use permit and site plan approval

Mr. Arnott some language changes that I will send in the code requires the lot to be within the sewer district however it does allow for some septic on site. So the language changes are that the town engineer has to certify that the wastewater disposal system is designed correctly, it should be the applicants engineer certifies it with the town engineer reviewing it

Chairwoman Franson this was anticipated by the comprehensive plan update the town board has evaluated it and they've decided to allow this to happen I just ask that they review the OSR parcels 3 acre parcels and to make sure they want to include them, there are sensitive lands back there, OSR 3 acres and the density better than having it reduced and having additional units going out onto Seven Springs into Mountain

review of the lots that were identified by this overlay
bring up 280-A issue on private road

Ms. Torre prepare comments for you to review on Tuesday meeting January 17th

Action, Discussion: 5.2 **Monroe Commons** (0182-2019) SBL # 2-1-10 Nininger Road

Vince Pietrzak Pietrzak & Pfau

Ken Wersted Creighton Manning

submit impact statement for next month and detail plans

18 acres HI

Northside of Nininger Road

westside VMG Project and the Kiryas Joel Village Line

northside Woodbury town line

east Woodbury Junction single family project

400,000 sq feet

653 parking spaces

uses include hotel, office, retail

met with Woodbury last month would like to schedule public hearing with them the same time as public hearing is scheduled here

grading into Woodbury property

expanding the tree survey we did for Monroe

wetlands and endangered species

nothing finalized looking into trying into VMG with access sewer and water access

Ken Wersted Creighton & Manning

prepared traffic study with AKRF to start review

overview what we are looking at for traffic

counted before pandemic, VMG included Village of Kiryas Joel is included

supplement in 2021

adjustments at certain intersections

looked at future growth rates, looked at other development projects

traffic counts at Kiryas Joel of business centers

large multi story building Baker town Road & Town Hall on Forest Rd used these as data points

both were generating traffic less than what IT typically says AKRF suggested using IT information as a conservative analysis

study area included Bakertown Rd to 105 down to Larkin Dr and then Nininger all the way East out to Route 32

looked at site distance in particular

looked at driveways, the western most one is kind of downhill of a crest and the site distance isn't great further west and the driveway is good in both directions

made some suggestions restricting the turning movements coming out, mitigate by widening the road and providing a refuge area

we ran a signal warrant analysis found one of the driveways would meet it wouldn't

necessarily signalize both driveways

Village of Kiryas Joel thinking of a connector road

VMG has to widen Nininger Road at Dunderberg Road to provide a left turn lane

there will be pedestrian connections through both projects as well as vehicle and transit providers

Chairwoman Franson right now it shows retaining walls your saying there could actually be a connection

Mr. Pietrzak we have been authorized to look at a connection one behind Brach & Mann and the other behind the building

this option will not be included in the DEIS that is being submitted in a few weeks, need to make sure everything will work before we authorize analysis work to be done

Chairwoman Franson how does this relate to the Village of Woodbury? Is it just grading, are there additional connections, pedestrian anything going on with this site?

Mr. Pietrzak Woodbury will just have the grading associated with it

Mr. Gross reviewed what the uses in the building are going to be

materials natural stone

more natural looking stones

one wing supermarket

retail mall 2nd and 1st floor

office area 3rd floor medical offices

4th general offices

added more "green" area

added 2 more additional pedestrian walking areas

Member Manson addressed Mr. Wersted looking at retail and office centers and that IT got lower traffic counts, how signification is the difference between the properties and what does that tell us about Monroe Commons?

Mr. Wersted roughly 25% lower

like the idea of connection to VMG

left hand turning lane makes a lot of sense

fair amount of transit usage in that part of town, how does that effect the need for parking on this site and what kind of ability and flexibility do we have to take into consideration know town parking mandates set

interested in comments that Kiryas Joel is considering expanding Nininger Road across 105 relation to design of building is the hotel section by clock tower

supermarket what is the square footage going to be?

Mr. Gross between 25,000 and 35,000 square feet

Chairwoman Franson one of the scoping items is that they are to do a parking analysis to

determine what is in fact the parking demand for this and then some flexibility in zoning
Mr. Gross traffic and parking has been submitted

how many retailers smaller retailers

Chairwoman Franson

cast stone or concrete , culture stone

rendering what is final color rendering

modern design

width of the sidewalk landscaping close to the building

lights on the building up light or down light 2700 Kelvin max

Member Manson hotel portion opportunity for small outdoor public spaces add to your facility
listening to the local radio and the County Planning Commissioner was on and he was talking
about a program called CPace Commercial Property Assessed Clean Energy Program spoke
on different items solar on warehouse, NY State local development corps program provides
funding for energy efficient environmentally friendly that support the vision might want to look
into it.

Chairwoman Franson mentions Paramus Park mall with solar canopy

6. Minutes

Action, Discussion: 6.1 April 19, 2022

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to
approve the April 19, 2022 minutes subject to amendments and checking the one line item.

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

Final Resolution: Motion Carries

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

Abstain: Robert Garstak

Action, Discussion: 6.2 August 11, 2022

held over

Action, Discussion: 6.3 October 13, 2022

held over

Action, Discussion: 6.4 October 18, 2022

held over

Action, Discussion: 6.5 November 15, 2022

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the November 15, 2022 minutes subject to the revisions.

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

Final Resolution: Motion Carries

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

Abstain: Robert Garstak

7. Adjournment

Action, Discussion: 7.1 **Adjourn Meeting**

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

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

Final Resolution: Motion Carries

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

Not Present at Vote: Robert Garstak