

Town of Monroe Planning Board Workshop Meeting MINUTES

— 02/08/2024

Town of Monroe Planning Board Workshop Meeting (Thursday, February 8, 2024)

Generated by Norinne McSweeney

DRAFT

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera, Robert Garstak

Members Absent:

Nick Napoli, Pat Shea

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. Returning Projects

Action, Discussion: 2.1 **94 Seven Springs Road** (0215-2023) SBL # 1-1-14 94 Seven Springs Road Monroe, NY

Applicant Representative:

Shloimy Gelb - Hartman Design

Mr. Gelb reviewed where the project currently stands:

- proposing a 2 family in overlay district with septic
- last meeting we were given comments to address - we completed them
- except the short EAF was not addressed
- updated bulk table
- submitted tree plan
- we submitted the elevations of the floor plans and square footage
- here to see if any additional comments and concerns to address

Mr. Arnott comments:

- received revised site plan with architectural floor plans

- biggest concern with revised architectural is the number of bedrooms didn't match the site plan
- why that is important is the number of bedrooms is the basis for the design of sanitary system
- site plan identifies 4 bedrooms per side which is what current sanitary is designed for 8 total bedrooms
- according to the architectural plans it looks to be 6 bedrooms per side which will trigger a larger septic system
- it will now need a SPDES permit through NYS DEC because it will discharge over 1000 gals per day
- so either the floor plans will have to change or the sanitary system will have to be enlarged to meet the increased demand

Mr. Gelb - the floor plans show 4 bedrooms and other rooms not bedrooms, one is a library as well as a guest room

Mr. Arnott - there is a nursery which is classified as a bedroom, as well as a guest room possible 2 guest rooms on one side

Mr. Gelb - it is a 2 room suite with a serving area kitchenet, the nurse is a station for a small kid, we can open that up and connect to the master bedroom
it's not a separate bedroom just a small space for a newborn

review the set of plans for the amount of rooms on the large screen open discussion with board, consultants and applicant

discussing the size of the rooms

if it has closets, it is considered a bedroom

building code perspective remove closets

discussed the kitchenet would that be like an accessory unit

guest room needs to be rearrange as to not appear as a separate dwelling

nursery is appearing to be a separate room needs adjustments

possible building code requirement of closets and doors

Chairwoman Franson asks Mr. Arnott if he was able to get the building height? Mr. Arnott has requested additional information as well as on the facade colors and types of roofing.

Mr. Arnott continues:

- with the applicant there was a well testing report by the well driller and he stated that he was comfortable with enough water for an eight bedroom house, that will have to be revised should additional bedrooms be sought, but a professional engineer stamp that certification saying he feels there's sufficient water

Mr. Gelb - my engineer claims he can't sign certifying that there is sufficient water in the existing well because he didn't do the testing.

Mr. Arnott - he will need to perform whatever testing is required for him to certify the well. Someone with a license needs to certify the well.

Chairwoman Franson - go back to the SPDES permit in the event you did want more bedrooms what is the process and how rigorous it is to get a SPEDES permit? What's the SPDES permit for?
Mr. Arnott - The discharge into the septic being able to handle more than 1000 gallons per day.

Chairwoman Franson - it's not that you can't have more bedrooms in it just might require a couple of more permits including possibly going to OCDH

Mr. Arnott continues with comments:

- disregard the EAF the Planning Board has typed it a Type II action so the EAF is not required
- applicant prepared a tree preservation plan a lot of information, to be clear the Zoning code only regulates trees that are 6 inches in diameter and larger. No need to include all the shrubs. But identify which ones would be cleared as part of the preservation plan.

open discussion regarding tree plan what is required, what the board is looking for list of which ones to be removed and what is being replaced. Mentioned the fee included with the tree removal.

Mr. Arnott - sheet 4 identifies improvements that are not shown on what's proposed, what's existing and what's to be removed

- the board previously recognized that the GML referral is not required
- the board typed it a Type II action under SEQRA
- last meeting public hearing was discussed, but the septic and bedroom situation needs to be clarified before that

Chairwoman Franson - let us know sooner than letter regarding the bedroom count to process it properly

Ms. Torre comments:

- entity disclosure form section B needs to be completed
- septic in the 2 family overlay requires certification from the engineer which then gets verified by the Town Engineer

- soil testing and showing that there will be no danger to Public Health or personal property
- adequate distance between septic and the wells also certified and then verified by the Town Engineer
- 2 family overlay limits the driveway width to a maximum of 24 feet at any point within the front yard
- protection of woodland character goes to the tree preservation
- limit removal of any natural vegetation for the first 50% of the required front yard and the Planning Board may require reasonable assurances including landscape plan, conservation easement or other assurances as necessary to maintain the Woodland character
- tree plan adding trees on a 1 to 1 replacement fee for not replacing

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to hold a public hearing March 19, 2024 subject to submitting the architectural information and the septic and well information.

Motion by Chairperson - Bonnie Franson, second by J Louis Rivera.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera, Robert Garstak

Action, Discussion: 2.2 **Meadow Hill** (0169-2018) SBL # 37-1-1 Lakes Road Monroe, NY

Applicant Representative:

Ryan Smithem - MTM PC

Mr. Smithem review of the project:

- we originally submitted a plan set that was before the board under a different applicant. After receiving comments we realized some of the Zoning from original application had changed so we have submitted a new set of plans with the updates for the cluster regulations.
- lot widths were increased to meet Zoning
- minimum lot areas were decreased to meet the cluster regulations
- which spread out the subdivision more
- condensed the conservation areas into 3 main areas on the southwesterly end, center of the site and the easterly side of the side
- due to the proximity to the road the applicant wanted us to push everything back from the dwelling in the backyard to be the more usable area for the residents
- open the backs slightly more and pushing back the sewage disposal system
- pushed back the dwellings on lots 1 & 2 at the boards request
- started updating soil testing
- wanted more feedback from the board before continuing with OCDH and other agencies

Mr. Arnott comments:

- 6 lot subdivision slightly revised
 - bulk table shows cluster subdivision lot area which is 1/2 what is required in the RR1 Zone so it goes from conventional 1 acre to half acre the rest of the dimensions are the same
 - the board has the ability to reduce those if they so desire, the rest of the bulk table is currently showing the dimensions as required in the RR 1 zone
 - driveways will connect to Lakes Road which is a County Road and will need authorization, review and acceptance by OCDPW
 - the board should make the referral vs applicant
 - Lakes Road is scenic road regulated under zoning
 - we need acceptance or acknowledgement from O&R that they are ok with bringing in the utilities in or close to the driveways so that there is no additional disturbance to the buffer along the roadway - the applicant noted working with O&R on that matter
 - required tree clearing for the site distance for lots 1 & 2 may change per County review
 - whoever responsible for clearing should be noted on plans especially on the plat to be filed
 - wetlands delineation could affect the over layout of the lots last performed March 2019 will need to be updated soon
 - previous engineers did receive letter from SHPPO no impact based on the layout, that should also be updated based on new layout
 - applicant has also noted they will be preparing an new SWPPP
 - final plat will have to be signed and sealed by a surveyor
 - conservation easement - delineation procedure and markers to be used - will forward the policy
 - tree preservation plan needs to be prepared for any clearing that's proposed
 - SEQRA needs to be discussed with Ms. Torre
- We need to send our outside consultants to the property.

Ms. Torre comments:

- last meeting discussed new owner they completed entity disclosure form but the signature page was missing, other application forms need to be signed by new owners
- needs to be permit for improvements in local wetland buffer
- bulk table minimum side yard is 65 feet for the total sides the table says 60, update table accordingly
- as far as SEQRA you did assume your intent to be lead agency
- have a revised EAF for the new plans
- needs more information SWPPP, well tests, soil tests, species before you can move forward with preparing a part II
- note # 8 revise it to say no further subdivision of cluster lots shall be permitted
- add a table with the square footage of the bedrooms and a bedroom count for each of the dwellings that is needed for the house relocation notes

- tree plan note belongs on the tree preservation page only, other pages will have reference note

Chairwoman Franson:

- there was a SHPPO response at 2019
- we have a comment letter from OCDPW from 2020 you will need this as some of it is required to be shown in terms of coverts and providing spot elevations etc.
- GML was submitted with the sketch plan will have to resubmit

Member Rivera - 2 concerns:

- 1) your smack in the middle of a wetland your surrounded by water I am concerned that these wetlands may at one point come out
- 2) they may experience a lot of flooding seems like 2 houses are smack in the middle of a water situation specifically lots 1 & 2

Mr. Smithem - there is a fairly large elevation change on lots 1 & 2 in the center of the lots where the houses and the improvement are going to be located. They are vertically much higher than those wetlands. There is approximately 10 feet of elevation change to the lowest portion of lot 1 and with the grading associated with lot 2 it will be 4 feet.

Chairwoman Franson - this is a cluster subdivision you will want to maintain your septic area not sure if you have done any testing yet. There are some old test pits were they relocated.

Mr. Smithem - we did some testing today. Those test pits are from previous engineers. The current applicant has asked us to move the septic back a little further to make the back yards more usable. There will be more revisions to the septic area as the soil testing and reviews by OCDPW continue.

Discussion regarding making some adjustments to the houses to avoid butting up to wetlands.

Chairwoman Franson -

- need to update outreach to agencies
- look into the lots see if you can balance a little more
- some flexibility in staggering the houses a little
- Army Corp update

3. New Project

Action, Discussion: 3.1 **355 Rt. 17 M** (0221-2024) SBL # 25-3-6.12 Monroe, NY

Applicant Representative:

Michael Morgante - Arden Consulting Engineers

Lipa Deutch

Mr. Morgante - overview

- property has been sold new owners are looking to utilize facility as an office space
- the prior use was a restaurant
- we are looking for a change of use from a restaurant to an office building, this has been discussed with the Building Inspector and it was referred to the Planning Board for review and that the board is in concurrence with what we are proposing the change of use

Chairwoman Franson:

- do you actually need site plan approval?

Mr. Morgante - that is also a question that Mr. Arnott had. We are not looking to change anything on the site, so the existing conditions is kind of the proposed plan other than we are changing from a restaurant to an office space. The restaurant was certainly a more intensive use at least from like a parking perspective it's like one space per 45 Square feet in a code and Office Space case is one per 200 Square feet. It appears we have adequate parking on the site as it stands right now. So we needed to come into the board and discuss this with you guys at the request essentially of the building department.

Mr. Arnott comments:

- 2 lots that make up the site, is the applicant looking to consolidate the lots?
- Mr. Morgante not at this time.
- can an parking lot be an accessory to nothing? sit on its own lot?
- bulk table identifies water and sewer as private meaning well and septic, I don't see that noted on the plans. Need to confirm that the existing sanitary is adequate to supply the office space.
- Mr. Morgante that is an error on the plans it's municipally served by water and sewer.

Back to Mr. Arnott:

- who is providing water?
- Mr. Morgante - need to look into that and get back to you.
- partial parking within the DOT's right-of-way, can that parking continue within the right-of-way and not on the lot and together with the fact that it's within a front yard setback which is no longer allowed by the current code
- exiting curb cut from 17M
- discuss SEQRA with Ms. Torre

Ms. Torre comments:

- this would be a Type II action under SEQRA as a reuse of a commercial structure that's a permitted use under the Zoning
- exempt from County GML review as a change of use in an existing structure so long as certain conditions are met. That there is suitable access to a state or county road. that the

intensity of use change doesn't significantly increase traffic demands or significant increase water or sewer demands from prior use and that new sight lighting if proposed uses full cut off and doesn't exceed IA recommended lighting levels.

- owner of the property is AIR LLC, the LLC needs to be identified on the project forms, entity disclosure statement and owner's endorsement all forms that need to be signed on behalf of the LLC

- there are 2 parcels involved, application should identify both parcels

- parking on adjacent lot the code says that all districts required parking areas accessory to any permitted non-residential use shall be on the same lot or partial of land with the main building or use except when there are practical difficulties or unnecessary hardships and in that case the Zoning Board of Appeals can grant a permit to allow it within 500 feet. I don't know whether that's been obtained previously or if this is considered a pre-existing non-conforming use of that adjacent lot.

Mr. Morgante - we don't take any exception to doing a lot line combination for this particular project we'll do it through the assessor's office which would be just as easy.

Chairwoman Franson - I prefer that because then they can't sell one off if they need the parking on the other.

Ms Torre comments:

- show any lightening and signage that will be for the new offices and architectural information as the board has architectural review

- changes to exterior of the structure all renderings need to be submitted

Mr. Morgante - due to the simple nature of this project is this particular application exempt from a public hearing

Chairwoman Franson - do you know what kind of office is going to go there? Do you already have a tenant?

Mr. Morgante - they are going to be offices supporting the health care industry. There will be people there to assign healthcare workers to assigned homes, they will do the billing. There will be some training in one area. There are no doctor's offices per say just offices to support what is going on in the healthcare industry.

Chairwoman Franson - will there be patients coming in?

Mr. Morgante - no patients coming in. There is potentially one side of the building that will be used possible physical therapy. Something to the nature of people coming in and given programs to work on and exercises to do at home,

Chairwoman Franson - is there going to be multiple tenants in the building or just one?

Mr. Morgante - just one tenant. There will be a section of the building for administrative office,

billing, coordination that kind of tasks, another part that is like training for power professionals, like Home Health Care nurses, and then the other part would be potentially for some type of physical therapy.

Chairwoman Franson - will you need any additional ADA or parking spaces in any particular location?

Mr. Morgante - just saw a preliminary floor plan and it seems the entrance for the physical therapy is pretty close or next to the ADA spaces that's there

Chairwoman Franson - what is the back building? Was it an apartment at one time?

Mr. Deutch - it was an office for the restaurant. Not planning on using it for anything at this point.

Chairwoman Franson - in terms of bulk requirements what's the requirement for landscaping versus impervious.

Chairwoman Franson - as far as access are you going to have an access aisle running or keeping the current entrance and exit?

Mr. Morgante - we're going to leave the main entrance and exit. We are going to remove the 4 parking spaces that are within the DOT right-of-way and put them in the upper parking area. There will also be access to the garbage area as well.

Chairwoman Franson - I would like to see some landscaping put in maybe some tree shrubs.

Ms. Torre - isn't there a greater parking requirement for a medical facility? Need to clarify the definition of medical offices and whether a portion of it might meet that for the physical therapy.

Mr. Morgante - if you look at the definition of office in the code I believe it includes medical uses. I understand there's a difference in intensity but if I'm not mistaken one of the definitions said there needed to be a licensed professional there's not going to be any licensed Professionals in this building.

Ms. Torre - offices used by persons having Professional Knowledge or skill in the diagnosis and or treatment of human ailments including Medical, Dental, Chiropractic Diagnostic and other similar off facility lab.

Mr. Morgante - We're not treating people here we are helping people rehabilitate potentially with the physical therapy but there's no doctor's offices there's no licensed Professionals in this building.

Member Garstak - nobody taking prescriptions from doctors for the PT.

Physical Therapist now need to have Masters degrees. So that might change the parking requirement. Need to look into that.

Chairwoman Franson - is there a little encroachment with the neighboring property. Would like to see some type of screening of the dumpsters.

Member Penn - slight displeasure with no plans to make any visual changes I would suggest some paint or some roof line changes to make it more visually up to date.

Chairwoman Franson - we do have architecture review so we could require some upgrades. We will also need to see the design for the sign.

4. Minutes

Action, Discussion: 4.1 August 15, 2023

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the August 15, 2023 minutes.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Dylan Penn, J Louis Rivera, Robert Garstak

Abstain: Jeff Manson

Action, Discussion: 4.2 September 14, 2023

tabled

Action, Discussion: 4.3 October 17, 2023

tabled

Action, Discussion: 4.4 November 9, 2023

tabled

Action, Discussion: 4.5 November 21, 2023

tabled

Action, Discussion: 4.6 December 19, 2023

tabled

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 Chairperson - Bonnie Franson, second by Robert Garstak.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Dylan Penn, J Louis Rivera, Robert Garstak