

Town of Monroe Planning Board Workshop Meeting MINUTES

— 03/13/2025

Town of Monroe Planning Board Workshop Meeting (Thursday, March 13, 2025)

Generated by Norinne McSweeney

Draft

Members present

Jeff Manson, Pat Shea, Dylan Penn

Members Absent:

Bonnie Franson, Bob Garstak, Lou Rivera

Planning Board Consultants:

Ashley Torre, Esq

Shawn Arnott, PE

1. Welcome

Action, Discussion: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. Returning Projects

Action, Discussion: 2.1 **81 Raywood Drive Lot # 3** (0238-2025) SBL # 43-1-11.3 Raywood Drive, Monroe NY

Applicant Representative:

Aaron Werner - Zarin and Steinmetz

Mr. Werner reviewed

- we are here this evening seeking a referral to the ZBA for the lot coverage and also parking in the front yard setback
- last before you a month ago addressing the MHE technical comments specifically the most substantial was whether the house was considered a rear dwelling still waiting for a report back from the Building Inspector for his determination. We have heard that he did make a determination that it was not considered a rear dwelling.
- the applicant would like to avoid going to the ZBA for the variance
- we have submitted a sketch plan for discussion purposes, the applicant made several changes since last submission hoping it would obviate the need for lot coverage variance
- applicant removed the turnaround in the parking area to reduce lot coverage

- parking is not permitted in the front yard setback without a variance so we request a referral to the ZBA for that as well
- the applicant also removed the pervious pavers and replaced with stepstones for the pathway reducing lot coverage to approximately 32%, might have discrepancy on coverage will need to clarify if 32% or 36%
- applicant willing to decrease the building footprint to avoid seeking a variance for the lot coverage

Mr. Arnott - sorry to interrupt - I can confirm that for the board that the Building Inspector has determined the residence is not a rear dwelling.

comments:

- it will be a determination from the ZBA as to which variances they need to obtain and whether a higher lot coverage variance or 2 variances for lower lot coverage and parking in the front yard
- there is nothing really for the board to discuss just the referral to the ZBA

Deputy Chairman Manson - if the applicant were to come back to us with a proposal for a smaller footprint of the building and a way to do the parking outside of the front yard setback would they be able to avoid a variance?

Ms. Torre - there were two sketch plans submitted one did show the parking complying with the outside of the front yard setback but that one did also have lot coverage of 44%. I don't know whether the applicant would be looking to reduce the building size in that scenario.

Mr. Warner -I'll have to check with the applicant about that but just to clarify so that I'm on the same page because the from the previous site plan the parking area was set back a little bit, there was a leeway is that would that obviate the need for having a variance for parking in the front if there was enough leeway to get the actual spots out of the front yard.

Mr. Arnott - the access to the spots, the driveway, can be in the front yard just not the spots themselves.

Deputy Chairman Manson - I'm assuming that's not an issue, we can make the referral to the ZBA and then the applicant has two paths they can choose which one to pursue

Ms. Torre comments:

-this is a Type II action under SEQRA need a motion to classify it

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare this project a Type II action under SEQRA.

Motion by Jeff Manson, second by Dylan Penn.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to refer this project to the ZBA for potential variances for lot coverage and parking in the front yard setback.

Motion by Pat Shea, second by Jeff Manson.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None

Action, Discussion: 2.2 **Eagle View Estates** (0168-2018) SBL # 18-4-60 402 Lakes Road, Monroe, NY

Deputy Chairman Manson - we're still prepared to discuss Eagle View tonight, so if you can just take us through the issue there please

Ms. Torre - this subdivision application was conditionally approved September 17, 2024 they have 180 days to satisfy all their conditions. They are really nearing the end of that we were finalizing some of the agreements that are required getting the language in order, and I don't think Mr. Arnott has done his sign off yet. Currently the subdivision approval does expire March 16, 2025 it would be appropriate to grant a motion to extend the conditional subdivision approval for 90 days to June 14, 2025 which would be more than enough time to work out those remaining issues.

Mr. Arnott - the applicant is diligently working on addressing all the comments so in my opinion it's warranted.

what's the date we're talking about extending it through 14th okay so I'm going to make a motion

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to extend the approval for Eagle View out to June 14, 2025.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None

Action, Discussion: 2.3 **Contract Superior Packing** (0201-2022) SBL # 1-1-24.1 2 Baily Farm Road, Monroe, NY

Applicant Representative

John Furst - Catania Mahon & Rider

Mr. Furst - we were last here in January of 2025 generally what we're trying to seek here is some type of conceptual approval with respect to our requests for a variable buffer under your Wetland regulations. You regulate wetlands and you do have a buffer, but it's as per the definition it's a variable buffer it's generally 100 ft could be more could be less, that's right out of your code so there is the ability to have some flexibility. We had a discussion in January after we submitted some information in December I think there was some more information that was requested by the board members and your Consultants so we had a follow-up submission in February talking about some enhanced storm water provisions to help mitigate any potential impacts to doing some work in the Wetland buffer. We also provided some additional maps to help you have some more information before you. We believe there's enough information here for at least to give us some type of indication if the board is okay with what we're proposing then we can kind of go and get into the weeds of the project site itself with the traffic, the lighting, specifics on the landscaping and specifics on the storm water. We're here for some questions, just got some comments from your engineer I guess I'll let him address them and if I could respond when he's done.

Mr. Arnott comments:

- as Mr. Furst had mentioned the applicant did address many of the comments that the board had last time notably they were more or less defining how wide the buffer would be and trying to increase that as much as possible on the undisturbed areas of the site.
- some additional comments not that they're going to drastically affect the buffer, but some pointers to potentially increase it. There's some additional area, again not a very large amount of area, but between the proposed dry swell and the driveway and the green that the applicant could potentially move the buffer over and preserve that area as well. Additionally on the other side of the Wetland there's kind of a pocket where there's no buffer proposed that is required to have buffer, but as of right now is not counted towards the buffer that's being protected in the future.

Mr. Furst - that's all buffered, that's going to be protected regardless of whether we seek a variable buffer or not that's why we didn't include it.

Discussion regarding this wetland area that if need be would be part of the buffer. The board consultants and the applicants consultant discussed this matter and determined that it was not worth disturbing a wetland to get to an area and create a new wetland.

Mr. Arnott -

- additionally the the dry swell I was referring to earlier, which is that three weighted line between the driveway and the green buffer area on the map, the limits of disturbance in order to create that are not shown so that should be shown so we can confirm that the buffer is truly where they're saying it is along that side.

- they did provide a detail for the width of that, but we need to confirm that the grading should not be in the buffer therefore should be shown to confirm that it's not in the buffer

- last time the board discussed adding noise mitigation from the truck delivery area and loading dock to protect noise from the neighbors to the west to that end the disturbance for whatever noise mitigation the

applicant selects is not shown on there which could potentially impact the buffer.

- one more procedural item with regards to Wetlands the applicant submitted an email from Mike Fratz from NYS DEC dated December 7, 2023 stating that they would not, meaning the DEC, would not take jurisdiction of that Wetland. However, since then the DEC Wetland regulations have changed in January of this year so the applicant should submit a jurisdictional determination to the DEC to find out will they take jurisdiction at this time.

Mr. Furst - correct and to answer that question the applicant did submit and I thought the copy of the email or letter was in this package. Recently within the last three weeks or since the last meeting we have reached out again to the DEC to ask for that jurisdictional letter I understand it takes 60 days or something 90 days. Our Wetland consultant went through the analysis the new analysis under the new regulations

and they feel like it's not a wetland of unusual importance, but obviously that's up to the DEC to decide he did include that prior letter just to show that the DEC was out there in the past and that is one of the factors that they consider is you know was this mapped or did we have an interest in this previously it was only shown for informational purposes. We know that we have to reach out again.

- with respect to the noise question as part of the existing approvals, this property is also located in the Village of Harriman. We had done some work in the Village just on the Village portion of this property before covid, like five or six years ago, I would say 2018/2019 we did some work on the parking lot side of the existing building and I was looking at the approved site plans there are specific notes with respect to noise limiting the shipping and receiving operations to certain hours, 7am - 7pm, limiting the use of the compactor or something like that so there are noise limitations within the Harriman's existing site plan approval and I'm assuming that's Harriman's probably going to want that to carry over on this when/if it's approved, assuming the Town of Monroe would also have similar limitations regarding the noise impacts.

Mr. Arnott - appreciate the restriction on hours of operations, currently the loading docks face away from those town homes in this iteration the loading docks face the town homes and

that's where all the noise is generated the backup beepers, the noise when the truck slams against the dock, and the loading of the trucks. I'm not going to suggest any noise mitigations that's for you and your engineer to suggest some mitigations to that end.

Deputy Chair Manson - what's the nature of the existing wetlands in proposed buffer area now is it generally wooded is it open field. It's hard to envision how much of that open field area is going to be taken up by the building, the road and the parking before you get to the tree area. Is this going to require a lot of tree removal as part of this.

Mr. Furst - existing wetlands is partial wooded and partial open field. Whatever trees are removed will still leave a significant amount of trees that are going to remain and to provide that buffer to the neighbors, but we'll certainly look into any other mitigation measures besides restricting the hours of operation.

Deputy Chair Manson - Mr. Arnott based on what you've looked at in the plans on the proposed dry swell and the fact that the road is a 2% grade to angled towards the wetlands will the dry swell and what's being proposed there be effective in protecting the wetlands and the buffer?

Mr. Arnott - they'll have to provide calculations to that end my understanding based on our prior meeting they're going to treat 150% of the water quality volume, when you disturb over an acre you're only required to treat 100%, they're offering to treat 50% more than what's required.

Mr. Furst - that's allowing us to do a little disturbance in the wetland, we are offering enhanced storm water service mitigation, details of that have to be worked out, the attorney idea was just of give you some ideas with rough calculations until we have the go-ahead with this very buffer.

Ms. Torre comments:
- nothing really new for me

Deputy Chair Manson - what's being proposed in the variable buffer is actually slightly more square footage maybe another thousand feet on top of what would have been if we had preserved 100 feet

Mr. Arnott - from what I recall it's about 20% max difference

Deputy Chair Manson - from the review that I read our wetlands consultant was one of the people that came up with this concept of the variable buffer and gives it his recommendation as well as the applicants. Mr. Furst - as opposed to disturbing the existing wetlands to create new wetlands in that pocket.

Deputy Chair Manson - addresses the boards consultants any concerns about this variable wetlands buffer? Is it keeping with the code and is it keeping with the logic of protecting the wetlands?

Mr. Arnott - in my opinion it makes perfect sense

Ms. Torre - your code does provide in the definition of wetland buffer that it's generally 100 feet horizontally away from and parallel to the wetland boundary, but can be greater or less than 100 ft when designated by the approval authority based upon site specific conditions, relating to topography, slopes, soils Etc. They had submitted previously a narrative giving their analysis of why they felt they met that standard which would allow the board if you agree to modify it.

Deputy Chair Manson - I just want to make sure that agreed with your interpretation of of the law. Based on that and the site specific conditions and what the applicant is proposing in storm water mitigation I think this is actually the best plan to preserve the buffer and I'm also sensitive to the fact of wanting to locate the road in a way where the intersection is at the best place for the trucks to turn in with sight distances and safety and keeping those turns as far away from the homes as possible so for those reasons I would suggest that conceptually the wetlands buffer makes sense to me. I think we can comfortably say at this point that we're in agreement with this in concept and now it's just a matter of working out the fine details to demonstrate what you're suggesting you can do you're going to do.

Mr. Furst - you mentioned the road and the access they left a little bit of wiggle room, they didn't bring the buffer all the way to the swale because they weren't sure if they needed to slightly move the access depending on site distances, if we can bring it as close as possible to the building we'll do that but they did want to provide a little wiggle room from the buffer.

3. New Projects

Action, Discussion: 3.1 **Nick Gordon** - (0220-2023) SBL # 3-1-25 18 Stairway, Monroe, NY

Applicant Representative:

David Higgins - Lanc & Tully

Mr. Higgins reviews the project:

- believe this project was presented to the board in January of 2024
- Council had advised that the application which is for a contractor landscape storage yard in a garage that's being converted for that use behind the existing Master Class Shooting range
- the applicant was advised the use was not permitted in the district that this property's in which is the GB District
- there were two options one was to go to the Zoning Board of Appeals to seek a variance for that use or to go to the Town Board to request that the Zone be changed to allow that use in the district
- the applicant spent a number of months last year going to the Town Board and ultimately they did grant that petition
- there is now a section in the code that allows this use in the GB district
- there are some criteria that apply to the building or landscape material storage that's section 57-13(V)

- we've noted those conditions on the plan
- just received the comments from your engineer and there was some questions with regards to that criteria
- I believe that we do meet most of those
- we are seeking amended site plan and approval to allow the use of the existing building that's behind the Master Class Shooters range for use as a landscape storage

Mr. Arnott comments:

- the Town Board added this use into this Zone to allow these types of businesses
- the Town board gave you the special use permit criteria so that you could potentially regulate it more than just a permitted use
- as Mr. Higgins mentioned section 56-13 (V) is the specific conditions that have to be met in order to Grant the use permit
- some of those conditions require screening from public vantage points specifically in this instance Rt 17M
- the applicant should confirm and the board should confirm the site is elevated enough and there's plenty of vegetation along the frontage of this to sufficiently screen from Rt 17M
- the heavy equipment storage has to be placed over a paved or concrete surface pursuant to those regulations in the Town Code that has to be noted on the plans and what
- additionally any compost manure organic material has to be stored 100 feet from any existing lot line but we should note that on the plans if there is

Ms. Torre -that was a question I have is there outdoor storage of any equipment or materials or is everything in the building?

Mr. Arnott continues:

- with regards to access there's an easement over the adjoiner this property gets access from via common driveway there's a couple easement notes that have to be cleaned up on the plans
- same thing with the bulk table that was provided I didn't note any dimensions that would require variance, but just a couple cleanup items on that
- with regards to the existing septic system that's shown it looked like there might be a proposed driveway improvement or existing driveway improvement that's over top of that septic system so I just asked that to be looked at to see if there's any issues there
- discuss the need for County Planning referral with Ashley
- as well as SEQRA

Ms. Torre -

- related to those last two items your SEQRA classification and also your county referral depend on whether it's strictly the reuse of this existing building or if there's going to be any

outdoor storage of any kind, materials or equipment we'll need to wait to confirm that before you could make a classification or determination on the referral

- the special use permit criteria there's the general standards in 57-12 and then the specific ones that we were discussing earlier if you could submit a narrative going through both the general and the specific demonstrating how you meet all of those

- the property is adjacent to a residential district so some of the specific special use permit criteria discuss use adjacent to, if there are additional setbacks or anything like that make sure those are shown

- parking table I didn't see any additional parking outside of the Master Class Shooting parking. I know there's not something that I saw in the Town's parking requirements that would clearly apply, but when it's not something shown then there is supposed to be something that's the closest. Just show parking calculation for both uses

- talked about the the easement some of that cleanup item

- the applicant did submit some of the revised project forms because there's an LLC that owns the property there was a couple I didn't see an actual revised application or owners endorsement from the LLC I saw the entity disclosure and some other things, but we will let you know what's missing.

Deputy Chair Manson - I observed at the site there were a few pickup trucks, a heavy dump truck with an equipment trailer behind located in the paved area, a few snow plow blades, a couple of other pickup trucks on the site, a small bulldozer. Regarding materials there were some paving stones past where the carport area is. It didn't appear to be any other materials. The tree clearing goes a little bit further up onto that hill at the top of the property where it flattens out it seems to be somewhat clear of trees up there because I did get my car up that far, but I didn't have the plans in front of me. Overall what I observed was very consistent with what were being told to what the use is. I think the only thing that might need to be addressed is the requirement that heavy equipment over one ton has to be on a concrete pad or otherwise impervious surface. I looked at screening and from Rt 17M the project site is invisible because of the trees and the topography coming down RT 17M.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to schedule a public hearing for April 15, 2025.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None

Action, Discussion: 3.2 **Paul Reiser** (0239-2025) SBL # 3-1-26 20 Stairway, Monroe NY

Applicant Representative:
David Higgins - Lanc & Tully

Mr. Higgins reviews the project:

- the property is being used for contractor storage
- the owner did receive a violation from the Town
- the property's been used like this for quite some time
- a violation was issued one of those things is that we bring the property into conformance
- The Town Board did change the GB Zoning to allow the use in that District subject to special use permit
- we have prepared the site plan it's an amended site plan for the property
- we've provided the topography, existing structure locations
- there are a number of items that do cross over the property line
- there's a an existing storage container right now that's on the adjacent property the 18 Stairway property
- that structure is being proposed to be relocated onto this property
- there's a shed which comes very close to the property line, one of Mr. Arnott's comments was that because that's in the front yard that's going to need to be removed

Mr. Arnott comments:

- as Mr. Higgins had stated the shed down in the front there has to be relocated
- as well as the concrete barriers there's three lines of them there that will also have to be removed from the front yard
- similarly to the previous application you'll have to ensure that all the special use permit criteria requirements are met
- the first one is that screening again similarly to the other site
- this site also derives access through the other lots and shared access drive
- a couple cleanup items on those easements that I noted in my comments
- same thing with the organic materials, equipment have to be 100 ft away from a residential district
- equipment storage has to be on paved or concrete surface
- couple of cleanup comments on the bulk table

Mr. Higgins - spoke with the applicant and there will be no storage of organic materials and he will double check with regards to the heavy equipment.

Ms. Torre -

- asked for a special use permit narrative addressing both the general standards and the specific standards for the use
- there is heavy equipment storage make sure that's labeled on the plan
- show materials and make sure they are 100 feet back to the adjacent to the residential

properties district as

- it looked like the corner of one of those storage containers is also in the side yard setback if you could take a look at that, the letter said one is being either moved or removed just to make sure which is happening

Mr. Higgins - quick question you had just mentioned, I just want to make sure that I understand, you had said that none of the storage containers, is that also the bins like the concrete barriers Etc that might be used for storing Stone etc those can't be in any of the setbacks is that correct.

Ms. Torre - Mr. Arnett's comment had suggested that the Building Inspector weigh in on that with the front yard. We will get clarification from Mr. Maldonado

Mr. Higgins - the containers the like the storage contain they have to be within the setbacks, they have to meet the setback requirements

Ms. Torre continues:

- application partially filled out and signed. I know it's not so they have the one form that talks about subdivision but usually just cross out you know write what's applicable when you can and have the application document signed as well.
- if you could also show the parking calculation and parking for this plan
- well likely require a referral to the county since it does have an outdoor storage

Deputy Chair Manson -

- had the opportunity to get onto this portion of the site as well quickly this evening
- it's less trees more cleared out
- couple pieces of heavy equipment on the site
- I saw the containers and the Jersey barriers
- not a lot of material on the site currently
- in looking at the plans I noticed in the material storage area considered possibility for stone, top soil, gravel Stone Etc
- in my review it appears that top soil would be considered organic material but I leave that to our experts for an interpretation on that
- in relation to that setback the fact that the paved area not only spills into the setback which isn't necessarily an issue, but onto the adjacent property
- how does the concrete pad get handled as it crosses onto the adjacent property

Ms. Torre - I don't know whether that was existing and then there was a subdivision and that came or if it was something that was added after the fact. Whether the applicant is proposing to keep that remove it. Mr. Higgins - what we had shown on the map as abandoned but we didn't necessarily show it as being reclaimed. I have spoken to the owner he said he's going to discuss with the adjacent land owner of 18 Stairway and discussed the possibility of an easement for that and again I don't know when it was put in there. Hopefully they can get an

easement for it, if not then we'll have to discuss you know the disposition of that.

Deputy Char Manson - for this property we're going to have to get some more clarity around a few things before we move forward with a public hearing. We will need information regarding the jersey barriers, the pavement encroachment into the neighboring property, exactly where the storage containers that are going to be moved will be relocated too.

Mr. Higgins - questioned about sending to the County for the GML 239

Ms. Torre - once all the information requested is received the board can refer it to the county. The updated plans and the narrative, as well as the determination from the Building Inspector.

4. Minutes

Action, Discussion: 4.1 June 13, 2024

held over

Action, Discussion: 4.2 July 11, 2024

held over

Action, Discussion: 4.3 September 12, 2024

held over

Action, Discussion: 4.4 September 17, 2024

held over

Action, Discussion: 4.5 October 15, 2024

held over

Action, Discussion: 4.6 November 14, 2024

held over

Action, Discussion: 4.7 December 12, 2024

held over

Action, Discussion: 4.8 December 17, 2024

held over

Action, Discussion: 4.9 January 9, 2025

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 Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None