

Town of Monroe Planning Board Workshop Meeting MINUTES

— 04/13/2023

Town of Monroe Planning Board Workshop Meeting (Thursday, April 13, 2023)

Generated by Norinne McSweeney

Draft

Members Present

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Nicholas Napoli, Dylan Penn (didn't make it)

Members Alternates:

Robert Garstak

Luis Rivera

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. Continued Public Hearing

Action, Discussion: 2.1 **Homeland Towers/Verizon** (0205-2022) SBL # 3-1-19.2 24-26
Strauss Lane Monroe, NY

Applicant Representative:

David Kenny Snyder & Snyder Associates

Vincent Xavier - Regional Manager Homeland Towers

Mr. Kenny:

This is a new application for a wireless telecommunication facility located at Strauss Lane

The access drive has been rerouted saving 52 trees from being removed

The board wanted some additional simulation based on the 2nd balloon test

Submitted a VRA dated March 30th

reviewed some photos submitted from the 2nd balloon test

Also from the second balloon float line of site drawings

We were asked to provide pictures of full build outs of the monopine and the monopole and

they are located in subsection D at the very end of the VRA also included some photos of the original site and the new location
reviewed various different photos explaining what each one was

Mr. Arnott comments:

Reviewed revised plans they are updated to reflect the new location of the tower, the compound and the road.

Not sure if the MCC has had a chance to review this as there are no comments from them.
SWPP will not be required as disturbance has been reduced to .8

Minor technical cleanup items on the plan the board needs to decide on the monopine or the monopole, as a reminder Cityscapes had suggested a note on the plans as a condition of approval how the monopine was chosen, how it would look, and where the branches would start.

We discussed the visual analysis that has been prepared

With regards to the lighting I don't see on the elevations where the lights are proposed on the plans, they are noted to be with a dial timer more details on that is suggested

The vinyl fence to be determined needs to be addressed

Mr. Kenny replied to the comment of the timer. It is a normal dial timer that the engineer would turn on while they are working on the site and then they can adjust it to go off after they leave.
Chairwoman Franson in regards to the vinyl coating on the fence typically we use black to minimize visibility.

Ms. Torre comments:

Regarding the tree plan needs to add some information from the town code

New tree law has not been adopted yet

The project is in the RPO so those regulations also need to be reviewed. In November applicant submitted a narrative addressing those elements, a couple of items they were requesting waivers from. The top of the structure not being located below the ridge line and not fully screened by existing vegetation and inaudible.

The applicant is before the ZBA for a Use variance.

First the board needs to agree to the location, then assess the waivers based on the location and whether you agree with their analysis of the RPO elements.

The shot clock needs to be extended which can be done this evening or the 18th.

Chairwoman Franson opens up to the public no one here. We can now discuss the tower design monopole or monopine. I would also like to discuss the height of the pole. Right now it is designed for four carriers, up to four, we don't have a telecommunications law so co-location is usually a requirement of many municipal codes, or is it an FCC requirement?

Mr. Kenny there's a federal law that sets a certain parameters that limits local or state

government's review over certain co-location requests that are called eligible facilities requests. So very often certain towns that have wireless laws will require co-location because that helps eliminate the proliferation of towers and unnecessary one-off Towers but as an eligible facilities request basically the applicant would make a filing with the jurisdiction that says we are submitting this application as an eligible facilities request because we meet these six objective parameters that determine that this is not a substantial change to the existing structure. So that would be basically the application that would be received that is called an eligible facilities request it's up to the town on how they review it there are certain requirements about what kind of documentation can be requested there are requirements about how fast that application has to be processed but it's still an application that needs to be reviewed and processed by jurisdiction and someone to confirm that it actually is an eligible facilities request because if it's not ineligible facilities request then you're allowed to impose your own zoning jurisdiction in your own law.

Chairwoman Franson where I was going with my questions was can we reduce the height by 10 feet allowing 3 co-locations instead of 4?

Mr. Kenny the short answer is no. Verizon's need for its height is what's dictating the top height of this tower right now the way it's been designed for three or four carriers we're talking about structural capacity to support the weight it's not that we know that these certain rad Center Heights or these lower heights will work we're essentially doing a very educated guessing we're in the industry we know that more likely than not it will work at the 10 foot below and the 10 foot below, but until we have that carriers Network information it's all speculation at this point. We feel very confident you'll get a second or third carrier there, but there's no way to guarantee that and there's also no way to guarantee that they wouldn't come here and have a need for an additional height. We're here now with Verizon's application and Verizon statement which has been confirmed by Cityscape your consultant is that this height that we're proposing now is the minimum height necessary if you may recall from past meetings we showed you kind of the line.

Chairwoman Franson I remember that there was, did we actually evaluate it at let's say 10 feet lower.

Mr. Kenny so we did and we showed that with the 10 foot lower then we're starting to more and more touch the tops of the trees and attenuate the signal because it's a wavelength so it doesn't move just in a straight line it kind of moves like that so you're having more of the valleys get attenuated signal and Cityscape also confirmed that you know that was accurate that we did to do a demonstration of minimum height so this has been something that's been reviewed by this board and I think it was confirmed that we are the minimum height necessary.

Chairwoman Franson if that's the case then that's going to be true of any potential for the carriers if you can't go 10 feet lower then and the signal starting to be attenuated it seems it would be the same case with any other co-locations.

Mr. Kenny it's not necessarily true because again what we're doing for Verizon's network is it's stating for us to be able to get this signal strength to the areas that we know that we need this signal and also again to connect to the other surrounding sites that we need to offload capacity from we know that we need this general footprint so to speak another carrier may need a lesser footprint. Verizon's coming in with a brand new facility a brand new tower so with the capital that's being invested they want to make sure that they're 100 filling their need with this facility another carrier may come along and say we'll take 80 percent of our need being filled because we don't have to build a new tower we can just co-locate on here and you see that quite often it's almost one of the things where if you build it they will come can.

Member Manson can I also assume that since each of the carriers operate on different frequencies that they've been assigned by the FCC that that has an effect on the height that's needed as well because if they're particularly high frequency is a considerably shorter wavelengths than Verizon's they won't necessarily have that clipping in the valleys of the attenuation.

Mr. Kenny absolutely and also it's their signal strength certain like there's different frequencies we have for Verizon on this Tower and exactly there's different frequencies for T-Mobile different frequencies for ATT and they all have varying levels of signal strength some are a little bit more powerful and can reach further distances than other some are higher capacity can handle more data than others but don't go as far of distance.

Member Manson there are variations amongst the carriers in the technology that they use for this as well.

Mr. Kenny absolutely most of them are going into 5G but within that there's so many different sub Technologies of what actually is 5G and each one of them is different in fact it's proprietary and also they're buying certain licenses for that particular Spectrum so that's where the FCC is regulating who is a national carrier or not it's who gets that license to operate that Spectrum in this country.

Chairwoman Franson the purpose for my questions is just simply I'm trying to figure out what any other alternative to reduce the height in any possible way because it is still sticking up and and I at this point I'm a little I'm back and forth in terms of whether it should be monopole or monopine because they're just very different and if the tree look if it was a little lower I would I would say definitely but it still sticks out enough that I'm not sure and so I just I want to get a

sense again whether there's any way to get it lower.

Mr. Kenny we've coming in at the lowest height possible normally these towers are closer to 150 feet so we came in knowing we're on a ridge line we're in a sensitive area we want to do the minimum height but also I think your focus right now is maybe the memory of this Round Lake kind of view where we do seem to be sticking up I'd ask you to look at some of these other views from other Vantage points where we're barely sticking above the tree line I think it because of the topography in the area and the vegetation the minimum height from certain areas may seem like we're above the tree line well above it in some other areas it looks like you can't even

see us above the tree line so I think we really are at that minimum height and while one Viewpoint may seem like we're sticking up more the vast majority of the viewpoints were barely above the Treetops anything in particular we have the Cromwell condominiums that is actually a condominium where we had a member of the public complain about the lack of cell service right and that's one where we're just above the tree line and I'd be concerned any lower whether or not we're getting her the service that she's asking for.

Chairwoman Franson that particular vantage point is probably ones that is the most highly visible and viewed because of it being a main arterial, Lakes Road is much more traveled than many other locations from which it would be visible so while I appreciate we don't really want it being visible for many areas at all that one happens to be a higher traveled road and is going to be visible so that's the one I focus on.

Mr. Kenny absolutely and I think it's a good point to focus it's a lake it's an area of an aesthetic resources but again lowering the height to make it less visible from that site may reduce this quality of the service because it's now well below the tree line from most of the other vantage points.

Chairwoman Franson so lets talk about the monopine vs the monopole. Board members your opinions.

Discussion among the board members and the applicant on the 2 options, plus a review of 2 color options a brown and a gray.

Overall the board members like the monopine style.

reviewed waiver requests

Discuss the extension of the shot clock currently expiring on April 18, 2023.

Mr. Kenny we would respectfully extend the shot clock to June 20, 2023 upon consent of the Planning Board and the ZBA.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to grant a waiver from the RPO design standards as it relates to locating the structures outside of the original unregulated area as well as not piercing the skyline.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

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

Not Present at Vote: Dylan Penn

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to extend the shot clock to June 20, 2023 and that we authorize our attorney to sign a letter to that effect.

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

Final Resolution: Motion Carries

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

Not Present at Vote: Dylan Penn

3. Returning Projects

Action, Discussion: 3.1 **Pallotti Village** (0196-2021) SBL # 33-1-1.21 98 Harriman Heights Road Monroe, NY

Applicant Representative

Michael Morgante Arden Engineering

Chairwoman Franson this evenings objective is to work through recommendations, it's been forwarded to us for the proposed CCR Zone for this particular project. We have to develop recommendations put them together and consider them for next Tuesday's meeting. The Negative Declaration was adopted at the last meeting.

Ms. Torre section B5 explains what the overall referral is asking for and then the criteria are in Sub C which is going to be recommending approval, approval with modifications or denial and five recommendations on how it can be improved in order to incorporate best practices of sustainable land development.

reviewing the CCR criteria

discuss the 20% restricted how will they be and in what type of units - this has not been totally decided but will meet the requirement

will there be any common spaces within the buildings and on the grounds

spoke about the wetlands

spoke on waste water treatment plant that is already existing

Chairwoman Franson would like added to the narrative is consideration of the wastewater treatment plant location, the lake discharge and should the lake be part of one of these parcels

Action, Discussion: 3.2 17m Executive Offices (0212-2023) SBL # 25-3-10 Rt 17M Monroe, NY

Applicant Representative:

Andrei Lukianoff Engineering & Surveying Properties

Mr. Lukianoff here this evening to see if any updates or additional information that would help move this project along, addressed many of the concerns from the last meeting

Mr. Arnott:

The applicant addressed the previous environmental assessment comments

They provided an architectural rendering for the building, at first look the height looks to be above what is the maximum required by town code, sent it to Mr. Maldonado his determination is it meets requirement.

Applicant has reached out to O&R in regards to the disturbances in the easement have not heard back yet

Look tonight for possible circulate for the lead agency just a reminder the access is through an existing commercial access drive with no improvements within the right of way at this point possible in the future, it should be circulated to DOT

Ms. Torre:

As mentioned in Mr. Arnott memo there are easement on the property need copies of paperwork

There is additional paperwork needs to be resubmitted deed, owners endorsement, B of entity disclosure form

The board does have Architectural review need all the details per the code 57-31

You need a tree plan pursuant to the town tree code, possible amendments to the tree code

This is an unlisted action under SEQRA

GML 239 referral

If the board wants to make a preliminary classification as unlisted and declare your intent to be lead agency and circulate lead agency notice I could prepare that for you

Member Manson I was absent at the being of the last meeting can you review what your project is about please.

Mr. Lukianoff the proposed project consists of one unusually shaped building with 36,600 square feet of office space, two and a half stories with parking underneath the building, the site will utilize the retaining walls, will require plenty of earthworks calculation as well as coordination with on-site easements O&R primarily. This parcel is located in the GB Zone.

Member Manson how many offices do you anticipate being occupying the building.

Mr. Lukianoff will have to get back to you on that don't have that information available yet
Member Manson my concern is the additional traffic not just for people working in the offices but visitors as well. I'm certain that the number of parking spaces that you're proposing is what's required under the code, since the uses are unknown are the numbers realistic. Has concerns about the existing access area not being adequate for both buildings

Chairwoman Franson not a fan of this layout, keep seeing non-residential developments maxing everything out on the site especially impervious and parking. There is no landscaping or vegetative relief all the way up to the building. How is the drainage going to be handled is there going to be subsurface? Any stormwater basins in the front?

Mr. Lukianoff there will be subsurface probably toward the front of the building. I don't believe so on the stormwater basins.

Chairwoman Franson you will be grading out the front and one side have a wall eight feet tapering to nine feet. I want to see vegetation as far as some kind of landscaping in the front row of parking spaces.

you need to figure out what type of offices are going to be in the building, recalculate the parking accordingly, add landscaping, need to show all improvements down to the road, need to see more in refinement and making it attractive

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare its intent to be lead agency and the action to be classified as unlisted action.

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

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

Not Present at Vote: Dylan Penn

Action, Discussion: 3.3 **339 RT 17M Mixed Use Building** (0198-2021) SBL # Rt 17M Monroe NY

Applicant Representative:

David Niemotko - Niemotko Architect

Chairwoman Franson brought to boards attention that this project is located next to the 17M Executive Office project we should be thinking about an opportunity for synergies and for the

possibility of connections in driveways etc.

Mr. Niemotko they have been uncooperative. We couldn't obtain a temporary construction easement from them which has caused part of our delay. The applicant would like to have this application stand on its own.

Mr. Niemotko updates on the project:

Last here 9/9/22

This is a 2900 sq ft per floor mixed use building plus an additional 700 sq feet for a 1/2 store. First floor is retail, 2nd floor offices. We have modified the site design because we could not obtain contemporary construction easement from either neighboring property.

The retaining walls shown now will be replaced with concrete to not impact neighboring properties explained how that would work

We needed to research the existing sewer and finally got answer back from OCDPW they have no information on it, this would mean a site survey would need to be done. I ask that the board consider the applicant being able to do this as part of pre-construction or something along that line, this can definitely be researched by the developer.

Mr. Arnott I would caution the board against waiting until construction because that could drive the whole elevation of the building. If the building can't be served by sewer because the sewer main is too high that could affect the whole grading plan.

Mr. Niemotko we're sloping up to the building from 17M. We are increasing in elevation as we go to the site and as long as the detail the sewer pipe coming out of the main building right underneath the first floor elevation and traveling down I'm confident that we would hit the sewer main. Maybe discuss further at what point we investigate the elevations and what's reasonable.

Mr. Niemotko we were also to research the water, we have reached out to the Village of Monroe, the Town of Monroe and the Village of Harriman, no one has documentation of water in that part of 17M.

Mr. Niemotko we provided an architectural rendering something a little more modern that we would like to start to develop a little further.

Chairwoman Franson I have asked about the stream and whether it's also Wetland, I don't believe we have gotten an answer on that yet.

Mr. Niemotko inaudible

Chairwoman Franson we will have Mr. Tompkins go out and look. The stream empties at a pond above the property then goes along the side of the property and comes back underground in front of the paved parking lot. Pointing on the plans to an area, this is where we have talked about that gets blown out in when there is a bad storm. Have there been any improvements as far as piping that goes under 17M as far as capacity or do we know what is

creating the problem.

Mr. Niemotko we had an excavator clear the culvert that was clogged and we included the dimensions and the shape of that on the plans, the plans were submitted to DOT we got preliminary comments back that we shared with the board. We believe that the new culvert that goes under 17M will suffice.

Mr. Arnott:

Comment # 5 the driveway the portion of the driveway towards the entrance the grading appears to have the driveway or a portion of the driveway at about 17 percent grade. That will have to be reviewed. Come up with some mitigations to get that lowered.

Previously asked if the proposed well will require public water supply, applicant responded that they didn't think so, it is important to get some input from OCDOH it's my understanding if a well is serving more than 25 people on a regular basis and there's a definition in the part five public water supply code, but that a regulated water not district but community water supply would have to be formed with OCDOF and NYSDOH.

We discussed the DOT permitting requirements for the driveway as well as drainage. There have been a couple of comments with regards to the hydraulic analysis that was supplied with regards to the stream basically as preliminary comments prior to DOT.

Plans have been sent to Karen Arent she has not commented yet.

Ms. Torre:

On the architectural detail elaborated on one minor issue in the bulk table where you noted the minimum 50 foot rear yard setback, I believe you referred to the wrong code section, I'll send you the correction to make there.

Chairwoman Franson I think it makes sense to have a work shop or a technical meeting with the two applicants because I think if it's in the best interest you might be able to create better layout from a health safety, from a design, etc. There should be at least some communication, I don't appreciate that the other property owner may not have been willing to work together so there may be some benefit because they are literally right next to each other. We could have 3,4,of 5 access points next to each other when we could do somethings that's more comprehensive look more cumulatively.

Member Manson what do you anticipate the use on the half floor.

Mr. Niemotko office space, small area 700-800 feet.

Member Manson I see above the wings on either side there's balcony space is that proposed space for the people working there.

Mr. Niemotko yes an outdoor terrace that will be flat roof construction use for outdoor space.

Chairwoman Franson when you say proposed mixed use what do you anticipate or the combination of uses to be.

Mr. Niemotko retail on the first floor, offices on the second and third floor. Looking at

renderings the first floor would be divided into 3 sections. The entrances for the offices in the back.

Discussion of what the building materials would be. Reviewing the submitted renderings.

Chairwoman Franson we need to look at what the areas considered total square feet for parking because you do have the outdoor area I don't know if it does or doesn't count toward parking, Your getting into the half floor but your actually using the whole floor but it is outdoor area. I don't know what that answer is.

Mr. Niemotko I applaud what you are proposing with the surrounding properties, but I can't ask the owner to wait another six months it needs to happen sooner than later.

Chairwoman Franson we need to see the elevations for the buildings, Ms. Arent needs to review the landscaping, need to look at the wetlands might include a wetlands permit and the 100 foot buffer.

4. Minutes

Action, Discussion: 4.1 October 18, 2022

held over

Action, Discussion: 4.2 January 12, 2023

done last meeting

Action, Discussion: 4.3 February 21, 2023

held over

Action, Discussion: 4.4 March 9, 2023

held over

Action, Discussion: 4.5 March 21, 2023

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 Chairperson - Bonnie Franson, second by Pat Shea.

Final Resolution: Motion Carries

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

Not Present at Vote: Dylan Penn