Town of Monroe Planning Board Workshop Meeting MINUTES

— 06/11/2020

Town of Monroe Planning Board Workshop Meeting (Thursday, June 11, 2020)

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Zoom Meeting

Members present
Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Members absent Anthony Vaccaro

Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. **Welcome**

Procedural: 1.1 Roll Call

Procedural: 1.2 Pledge of Allegiance

2. **Returning Projects**

Action, Discussion: 2.1 **Cupo/Maffei** (0184-2020) SBL # 3-2-8, 6-4-2, 6-4-3.1 Round Lake Subdivision

RoseEllen Cupo -owner
Vito Maffie - owner
John Loche - Architect

applicant wishes to make a lot line change between 3 pieces of property. Making the larger piece smaller and adding to the 2 smaller pieces making them closer to conforming lots
2 smaller lots have septic
all comments from last month I believe have been addressed on the current map

Chairwoman Franson asking if Engineer Mr. Arnott has any comments

Mr. Arnott just a few clean up items
confirm by previous subdivision map on nonconformity, none are getting worse
question on the right of ways that are shown for proposed lot 1, point out on maps, whether these are proposed or existing
Mr. Loch response they are existing

looking for the metes and bounds they need to be provided
topography was shown there are numbers for topography, but I don't see the topographic lines through the site which are a requirement per the code
plan has to be stamped by a land surveyor
don't remember if a Public hearing would be required

Ms. Torre first real issue if it can be classified as a lot line change and one of the things that need to be a condition of that is whether it doesn't create any parcels that are at variance with the bulk table
issue at last meeting came up with whether the front yard is actually correctly labeled as the front yard. The front yard is labeled off West Wind drive, the pre-existing nonconformity for lot 1 is now a side yard but
with the new configuration it will no longer be a side yard it would be a rear yard unless the front yard is a different lot line. The other possibility is it is the lot line by the right of way. Need to verify with Building Inspector as to what would be considered the front yard.

Easement needs to marked better
Note 2 Deeds were not the current deeds
Note 3 add map dates

Member Manson drove by saw that the location is fairly wooded, what is the intent of the applicant if the lot line is granted for future use of the land.
Ms. Cupo and Mr. Maffie both said they are not intending to build, they currently own it.

Chairwoman Franson as far at the lot sizes themselves the town code has a net area requirement that you have to subtract out any environmental constraints. The map itself isn't showing topography regarding any features that might be present any steep slopes, wetland.
Mr Loch I don't believe there is anything that would be considered a wetland on it , it is relatively flat, no significant grade

What are the next steps Ms. Torre need input to determine whether we can treat this as a lot line change revision versus a subdivision
Ms. Torre yes that is the primary question which will dictate the process
Chairwoman Franson if it is lot line then we don't have to have a public hearing
Ms. Torre yes

Put on workshop for July 9 if lot line we can move on, if subdivision then we can do that PH on July 21

Mr. Loch can I go meet Mr. Maldonado Ms. McSweeney Town Hall is not open to the Public

best would be to call him Action, Discussion: 2.2 **Monroe Commons** (0182-2019) SBL # 2-1-10 Dunderberg Road

Joel Mann - Project Manager
Caleb Pawelski - Pietrzak & Pfau
Jon Dulgrin -

Mr. Pawelski we have not submitted anything additional as far as plans prior to April 27. Confirming NOI was distributed. Purpose tonight was to have lead agency declared and Town of Monroe Consultant list

Ms Torre we circulated the Notice of Intent May 11.
Have received some comments so the 30 days has past

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to retain lead agency status for the Monroe Commons Project

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

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

Chairwoman Franson we have declared lead agency which means we coordinate the entire SEQRA review with all the other involved agencies. Mention Ms. Torre started to draft Part II EAF , this starts to define what would be looked at in terms of potential impacts, based on the part II EAF and our review is that when we make our determination of significance
Ms. Torre yes it will be based on that and any other information that you might need in order to make that determination.
Chairwoman Franson essentially with the determination of significance we as the planning board would issue a positive declaration, which means that this project is one that's more likely to have an environmental impact, therefore the applicant would be required to prepare an environmental impact statement the other if not significant impact would be a negative declaration. If positive declaration we enter the whole SEQRA EAS process which would commence with a Scoping Document, the scoping document is essentially an outline of what the content of the environmental will be.

Started reviewing the Part II
Chairwoman Franson explained that Ms. Torre has been essentially helping to fill it out, based on data and information that's been submitted to date by the applicant and essentially the Part II EAF consists of a series of questions and criteria to determine whether any potential action

would have no impact, small impact or moderate to large impact. The more moderate to large impacts that get checked off the more likely go in the direction of this project having a significant adverse impact and a need for an environmental impact statement to look at those impacts comprehensively. Chairwoman Franson continues to read and answer the questions. Discussion of questions with applicant and Planning Board. Going further once more information is received the Planning Board can decide if this will have an adverse impact and is an environmental impact statement warranted. If agreed one is necessary then we would end up passing a positive declaration then proceed with the Scoping process, various consultants will be brought on board for the review of the environmental impact statement that is prepared by the applicant, reviewing where we identified the areas where there could be a significant adverse impact. There would be a planning consultant to oversee the whole process, a hydro geologist, traffic specialist, ecologist to look at wetland habitat, our engineers, and attorney. Might need more information from the agencies that might help with finalizing the EAF. Looking to next month to declare positive declaration and start the scoping process. Would like to see some possible alternatives to the current proposed layout. Maybe some tiered parking, more open space areas, open space pockets between the tiers. Member Shea the property has beautiful stone fences and just from an aesthetic point of view, incorporate some of the stone fences or stone into the project.

Next workshop meeting July 9, 2020

Action, Discussion: 2.3 **81 Raywood Drive** (0176-2019) SBL # 43-1-11

Joel Mann - Project representative

the recent submittal should address all the planning board previous comments

Mr. Arnott comments:
the comments are technical in nature and based upon the SWPPP I have a separate memo and will share with the applicant
The applicant has prepared the SWPPP and we have reviewed procedurally a stormwater maintenance agreement will have to be prepared and reviewed by the board's attorney
water and sewer easements proposed need to be prepared and reviewed by the board's attorney
metes and bounds should be shown on the subdivision plat
Mr. Mann responded metes and bounds are shown on the first page - Mr. Arnott agreed
previously received the Orange County Sewer application when approved needs to go to the board
last time we spoke regarding revising some of the layouts of the stormwater improvements and sidewalks to save some of the trees

Chairwoman Franson I was at site and took some pictures - put up on screen for board to see

Mr. Arnott the trees to be saved need to have the construction protection around them during construction
had the chance to review the plan with the highway superintendent he brought 2 things to my attention
first there is an existing chain link fence to the right of way - that needs to be taken out or rerouted
he didn't take exception to the trees in the right of way however he suggested that a note be added to the plans that the trees be maintained by the homeowners
applicant provided the potential locations of the transformers for the electricity and provided some correspondence with O&R gas is on the opposite side of the street, suggest showing that on the plans

Ms. Torre comments:
Garbage enclosure is new that has been added and I don't believe that's permitted to be in the front yards, so there's certain encroachments that are allowed in the front yard but this isn't one of them
plan needs to show limits of disturbance and bedroom count because the code provides that the limit to disturbance and footprint height and bedroom count that's going to be binding on any subdivision map so that needs to be consistent with your house relocation note so that needs to be clearly shown the limits of disturbance and bedroom count
procedurally the board is going to have to go over and either require or waive the public improvements, need to address the recreation fees
erosion and sediment controls specific notes that are required under section 46-17 some notations that need to be added to the plans
trees - not all trees were identified, you will need some type of legend or labeled on the plans , again you need the envelope of the plan disturbance
protect the trees that are going to remain buffer zones
proposing to remove 9 trees and adding 7 - tree preservation law requires replacing on a one to one basis or on a basis acceptable to the planning board
need to add the tree plan notes 57-84 sub i
referred to Monroe Conservation Commission for comments as well
as far as SEQRA a prepared part 11 EAF has been done as well
complete SEQRA before setting up public hearing

Chairwoman Franson addresses the board if they want to review EAF or wait for the changes to be made
shows some pictures
asked if possible to save some of the larger stones
keep some of the vegetation

Reviewed part II EAF with the board
BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to be lead agency status for Raywood Drive proposed subdivision.

Motion by Chairwoman - Bonnie Franson, second by John Allegro.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to issue a negative declaration, the project would not have a significant adverse impact on the environment and that and environmental impact statement does not need to be prepared.

Motion by Chairwoman - Bonnie Franson, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby to schedule the Public hearing for July 21, 2020 subject to application submitting necessary information and review and approval by the Engineer and the attorney.

Motion by Chairwoman - Bonnie Franson, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro

Action, Discussion: 2.4 **Yoel Shtose**l 502 Rt 208 (0183-2020) SBL # 1-1-87

Joel Mann - Project representative

Chairwoman Franson - this is the existing medical office building the applicant is trying to make improvements to the property, plans as well as a presentation of the aesthetics the architecture of the building have been submitted, we're just seeing information missing curb cut, not seeing handicapped access to get to the front door, there is now a proposed ramp that doesn't appear to meet the ADA requirements, Mr. Arnott has shared the site plan we look at the curbing here and what really brought this in front of the Planning Board is the

applicant wanting to put a curb cut in to be able to have handicap accessibility to the front door , there is no cut instead there's now a ramp and the corner of it actually doesn't allow or appear to allow someone being wheeled in a wheelchair to get around that corner, no indication of the width of the sidewalk. Mr. Mann at this point can you clarify what is going on.

Mr. Mann I received the comments from the last meeting needed a sign site plan and show the location of the ramp. I became aware the ramp doesn't meet ADA requirements it is close but some discrepancies will look into that. The curb cut is mistakenly not showing on the plan it was on the architectural plans will add to the site plan with the corrections to the ramp to meet ADA requirements and if not come up with something different. I know they made changes to the building after getting permits and they weren't approved by the Building inspector and they were referred to the Planning Board for removing windows. I have spoken with the applicant and told him he needs to disclose the full picture what he wants to do and what his end goal is.

Chairwoman Franson directed at Ms. Torre can we approve items separately?

Ms. Torre it is definitely best to have them approved at the same time because the architectural review is part of the site plan - they go hand in hand
another issue is the lighting there was as spec sheet provided but it exceeds the 2500 - 3000 Kelvin that Mr. Arnott had recommended
the sign appears to be fairly large there needs to be dimensions, its not clear whether how many signs and the size compared to the building length and height. 2 of the signs can't be above the height of the building this might take time to get it all straighten out

Chairwoman Franson brings up the provided design book showing the signs

discussion on the colors and the size of the signs, materials of the building side

July 9th workshop
Action, Discussion: 2.5 **DG Management** (0172-2019) SBL # 1-1-95

John Queenan - Lanc & Tully

We are still trying to get some drone footage for you, having issues with power lines
once we have the footage we will be able to prepare for you the conservation layout plan, the cluster plan and really start the process from there

Chairwoman Franson we have to have a conversation about the open space the 50% and what constitutes the 50% and if its not met and clearly the whole discussion revolves around the utility easement area. What would be the process if it doesn't meet the zoning. Ms. Torre

will guide us as to what the Planning Board can and can't waive. Planning Board as a whole has to weigh in whether the easement right of way will constitute the kind of open space that the cluster subdivision anticipated in terms of preserving.

Ms. Torre I did look into a little but it comes down to that the open space has to have conservation value and the state law and town code speak to preserving the natural qualities, natural environment that type of natural resource that's protected by the conservation easement. The big issue here is the O&R easement they have the right to install utility lines and utility poles and to keep the area clear, so the Planning Board will have to discuss that, and I did not see any way the Planning Board could waive the 50% so you would have to go for a variance if you are not able to meet the 50%.

Mr. Queenan aren't we getting punched twice on that because effectively when we did the conventional layout we didn't include that area under the easement in the conventional layout for lot calculations and then we established the number of lots based on that and now we come back and we tried to cluster and now we are forced to include that property in the 50% open space calculation where we couldn't use it in the conventional

Ms. Torre it is the way the code is written. You could certainly argue that with the Zoning Board but the Planning Board is bound by the code and they don't have the option bury that, and that is what the code requires.

Mr. Queenan what if the applicant didn't pursue the cluster and stay with the conventional.

Chairwoman Franson that was going to be my question does the Planning Board have the ability to pursue the conventional plan or is the zoning written, but Ms. Torre if you don't have the answer and you need to research it more you obviously do so. But can the Planning Board decide given this particular site it makes more sense to pursue the conventional plan or does that also than involve some other board involvement

Ms. Torre no that is your decision when you get a major subdivision you decide whether to pursue cluster or conventional. SO you previously decided to pursue the cluster and calculated the maximum lot yield but I don't see why you couldn't then change because of the circumstances that came about with the cluster plan and decided to pursue the conventional.

Chairwoman Franson so the yield is the yield, so it will either be cluster or conventional. If the board wants the applicant to pursue cluster and we don't believe that the right of way satisfies the requirement of our law and NYS town law. But the Planning Board could say given the site its limitation maybe it makes more sense to pursue a conventional plan for this particular application and that is something the board would have to decide.

Ms. Torre yes that is something that the board will have to decide, but just to mention the yield was set for the purposes of the cluster only so if you were going to pursue the conventional there wouldn't be any determination yet as to the yield, what type of lots and how many lots.

Chairwoman Franson so Mr. Queenan I think it would be useful to know whether the applicant wants to pursue the cluster or the conventional

Mr. Queenan I think if we were situated to have to go for a variance we would go with the conventional why go through the process to get a variance to do the cluster

Chairwoman Franson so now the Planning Board has to decide whether that's the route to take . Eventually what ever is decided the board would need to see some visual analysis in terms of maybe simulating the massing of the buildings and specifically to add back vegetation, bring back trees to screen some of the development.

3. **Project Discussion**

Action, Discussion: 3.1 **Verizon Wireless** (0186-2020) SBL # 2-1-36

Chairwoman Franson explained that the application is not currently before the Planning Board it is still before the ZBA and the Ms. Torre was preparing a letter to extend the shot clock so it will give us a chance to review a site plan.

Ms. Torre I have spoken with applicants attorney and we reached an agreement that the Planning Board would have 90 days from when the ZBA takes action in order to complete your site plan review and take action. So tonight the Planning Board needs to vote to approve the agreement and authorize me to sign it. This board agreed to hire the same consultants that is reviewing the application for the ZBA, and we are already reaching out to them to have them consider the Planning Board issues as well. The public hearing is discretionary and they are already having a public hearing for the use variance.

Chairwoman Franson so we will see if there is a need for another public hearing, if the public had the opportunity to attend the ZBA meetings and talk about their concerns with the telecommunications facility. BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to grant Ms. Torre the authorization to sign off on the letter and the extension of the shot clock for the 90-day period after we receive the completed application.

Motion by Jeff Manson, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

4. **Minutes**

Action, Discussion: 4.1 Planning Board Minutes January 21, 2020

held over Action, Discussion: 4.2 Planning Board Minutes February 13, 2020

held over 5. **Adjournment**

Action: 5.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby make a motion to adjourn 10:15 pm.

Motion by Pat Shea, second by Lisa McQuade.

Final Resolution: Motion Carries

Yea: Lisa McQuade, Chairwoman - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Anthony Vaccaro