

Town of Monroe Planning Board Workshop Meeting MINUTES

— 07/11/2024

Town of Monroe Planning Board Workshop Meeting (Thursday, July 11, 2024)

Generated by Norinne McSweeney

Draft

Members Present:

Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Dylan Penn

Members Absent:

Robert Garstak, Lou Rivera

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 **Henry Farms** (0201-2022) SBL # 29-1-2.52 Intersection of Lakes Road & Camp Monroe, Monroe NY

Applicant Representative:

Vince Pietrzak - Pietrzak & Pfau

Mr. Pietrzak review of status:

- we made a submission to address the engineers comments on the plans
- this will help Jon Dahlgren of Tim Miller Associates to prepare the consistency statement
- we anticipate doing for our next submission is addressing these additional comments from the engineer and a consistency statement for everybody to review.

Mr. Arnott comments:

- there's two main items I want to go over because we are missing some of the bigger items like the SWPPP and the SEQRA Consistency Analysis
- the first one I was able to attend the site walk and one large item stuck out to me for the design of the roadway on the lower portion of the lot

- project map brought up on screen for viewing - talking about grading at the top of the page adjacent to the roadway - the roadway is placed more or less in a pretty steep section if they move it down might be flatter and might affect the grading a little less, that was just the one kind of overarching roadway layout comment.

- the second one is previously the applicant was looking to phase the construction of the roadway while building some of the Lots, so I had question on how fire access would be obtained for especially turnarounds because there'll be dead ends that are created if only a portion of the roadway is built. The applicant since revised and noted that they will build or not provide any temporary turnarounds and build the whole roadway. I just want to make it clear that no building permits would be able to be granted until the roadway was complete which is quite a bit of money before any building.

Chairwoman Franson - would it be better just to get phase plan, phase sections to do this.

Mr. Pietrzak - well what our intent is to do phase one and build the loop in phase two for fire access only not complete the entire Loop Road.

Mr. Arnott - I think the roadway was proposed to be constructed in four phases under the SWPPP. There is a phasing plan, it's an overall plan with a bunch of hatching.

Mr. Pietrzak - again if we do phase the project, which isn't anticipated, we just provided the phasing for the courts for the judge to see if we do phase we'll make sure we meet all the fire code requirements.

Mr. Arnott - I think that's my question is what if you build phase one and two right is there a turnaround in the event that installation of the roadway stalls for a period of time whatever it is to make sure that there is adequate fire access during that time.

Mr. Pietrzak - we'll make sure that we meet whatever is required

Chairwoman Franson - is this going to be (inaudible) are we going to do preliminary (inaudible)

Mr. Pietrzak - we're not anticipating that at this time, we're going to get approval on the entire project we anticipate building the entire project at one time.

Chairwoman Franson - but we're not (inaudible) five acre.

Mr. Pietrzak - I've got to check what was done previously, if we had a waiver previously we will be requesting it again.

Chairwoman Franson - because this is looking like you're (inaudible) at least on this

Mr. Pietrzak - even if we design it that way you could still get the waiver.

Mr. Arnott - the MS4 does. Those were really the two Global you know big ticket comments I did ask for site distances to be provided at all the roadway intersections and the driveway intersections with the roadways.

- on the building envelopes, only about half of the building lots were presented with building envelopes shown.

- asked for the dwelling sizes including the footprint, total area and the bedroom counts be provided for each lot

Chairwoman Franson - all retaining walls shown?

Mr. Pietrzak - we were able to grade out most of site.

Mr. Arnott - I don't think there were any retaining walls proposed.

Ms. Torre comments:

- still waiting for the SEQRA Consistency analysis as previously discussed
- previously the board requested the plan identify both the current zoning district and the prior zoning district

Chairwoman Franson - was (inaudible) the ecologist there?

Mr. Pietrzak - I ended up flagging a trail from the road to each of the wells so he could go out and he confirmed that he was out there. The wetland specialist is suppose to be meeting up and walking the site as well.

Ms. Torre continues:

- you did add the Wetland 100 foot local buffer on the utility and grading plans, but it might be appropriate to add that to the first sheet as well.
- there were some items from that June 20th letter where we had set forth the scope of the review in addition to the SEQRA analysis
- there were some roads (inaudible)
- need to be drainage an
- updated wetlands delineation - and I believe the recent response letter said that the delineation hasn't changed but that up delineation was required by that letter
- a chart identifying the the steep slopes and showing the steep slopes on the plans
- demonstrate that the lot location as to wet lands and steep slopes.
- a lot of this might be set forth in the consistency analysis I just wanted to raise them as well
- does need local wetlands per local sections in Town Code 56-7A (inaudible)
- for your next submission go through and all those items that were in that letter that hadn't been addressed yet on the plans address those to whether in the consistency analysis or they require actual plan changes as well.

Chairwoman Franson - do you see where 59 60 61 and 63 lots are, that's a jurisdictional wetland from the Town's perspective, but is that an Army Corps isolated or jurisdictional. do you know

Mr. Pietrzak - it's non-jurisdictional isolated

Chairwoman Franson - # 70 is there any reason why that can't go down by 47 and 46. I don't know what those lots look like I'm not seeing any grading. I'm just curious because those at least large lots. why we Mr. Pietrzak - there's a drainage swale that runs along the property line the common property line of 46 and 47 and then there's another one on the other side of 47 drainage that comes down at drains from the top of the hill.

Chairwoman Franson - are those drainage ditches or intermittent streams?

Mr. Pietrzak - intermittent streams

Chairwoman Franson - we have a lot of grading going on between 27 and 50 correct. Why are we doing all that grading there just for the road? correct. So if we're having a grade for the road anyway since you're doing all that grading could the house be tucked over there.

Mr. Pietrzak - it's my understanding that nothing on this plan can change it's been agreed between the Town Board and the applicant and the judge that this is the plan that's to get approved and any changes to the road or lot configuration must go back to the Town Board for authorization.

Ms. Torre - this was previously discussed, because when (inaudible) overall review setting forth the scope that was one thing that had been asked if some of the lots could be reconfigured to minimize the wetlands impacts and other things, but it was ultimately decided or determined that they were not going to be required to change the configuration at all.

Chairwoman Franson - they weren't going to be required but could they. In other words if you want to change it.

Mr. Pietrzak - it's got to go back to the courts.

Ms. Torre - I don't know that it has to go back to the court, but I do think it would perhaps need to get the Town Board to sign off.

Chairwoman Franson - that wasn't my understanding (inaudible)

Dennis Fordham - MCC - submitted written comments:

- no tree plan required as a court settled project

- there's a number of trees not that many which are large old well established trees what I would term under a current tree code AS specimen trees most of them being 24 in dbh or larger it would be

nice if some of those trees could be preserved what I asked in my comments is could could those trees and we would be prepared to go out there again spot those trees on a survey so that we can see whether they do fit in with the current layout and property and which ones would be preserved.

Action, Discussion: 2.2 **Golden Delite** (0189-2020) SBL # 2-1-5.13 31 Larkin Drive Monroe, NY

Applicant Representative:

John Queenan - Lanc & Tully

Mr. Queenan review of project:

- we're back before you with Golden Delite Bakery

- the main reason why I'm here tonight is we did hear back from the Building Department on a we Foil request for all the records in association with the application

- came to us a couple days ago, but I think it was just sent to you by the applicant today

- good news is it looks like the building did have or the site had a site plan originally back in it's hard to read but a warehouse and office building with site plan approval granted by the Town and Monroe Planning Board situated in an I2 industrial district.

Member Penn - but it's not a warehouse right now

Chairwoman Franson - it's not, it was approved as they still have to go through site plan approval, but it's just that there was a site plan approval.

Mr. Queenan - there was a site plan, there have been CO's issued and generally the building is the same and the site is the same although Larkin Drive is now there prior access through Old Country Road

Chairwoman Franson - submitted a site plan

Mr. Queenan - yes so we had a site plan, but the biggest question we had at the last meeting was whether or not we ever had an original site plan and if the building ever had C/O's, which apparently it does and so that was going to chart the course on how it was going to be processed. I guess at this point it would be an amended site plan application for the list of new uses that are on the site.

Ms. Torre - I did see what was submitted, it's hard to tell from the plans and it might just be the way they were scanned in, but how big each use was. So, it appears there were two uses the warehouse and the

office use but, the question would be what the amount of the square footage is and confirming that the building hasn't been enlarged at all beyond what was originally approved.

Mr. Queenan - I think it has, they added on like little storage sheds and stuff to the original footprint. I think it was one user with office and warehouse space.

Ms. Torre - looking at what's on file in the Building Department it might be clearer to read, but really to determine how much if at all the building was enlarged so if that was done without any approvals then that's something that would be essentially treated as if it was not there and it's being constructed new.

Chairwoman Franson - that's interesting because they were going to have these angled stalls for the trucks that's probably where they were going to put it.

Mr. Queenan - front edge is still the same the dock doors where the loading docks are that's still the same today.

Mr. Arnott comments:

- kind of a reiterating last time's comments about the water that's supplied to the building there's the service that comes in off the property that looks like it's going to need an easement and the applicant noticed that they are working at an agreement with the Village of KJ to provide for Ms. Torre's review since that was supplied prior to this site plan application.

- secondly the applicants working on their proposed sewer design which is going to go out

through Old Country Road and connect into the lot where Sheri Torah is.

- there is truck turning diagram for a 33 foot box truck is that the largest truck that's used on site per applicant
- last time a question on the building heights which the applicant says they're working on addressing if it's over 30 ft there's some fire code implications that have to be met
- tree clearing comment from last time may be required - per applicants response there won't be any tree clearing

Ms. Torre comments:

- confirming the square footage of the building and of the the previously approved building the previously approved uses and then what's been added to it since that way you could determine the SEQRA classification and also whether it needs to be referred to the Orange County Planning Department
- add the setback boundaries delineate those on the plan
- the plan does indicate that a fence on the adjacent property is going to be removed so you'll need an owner's endorsement from the owner of that property SBL # 2-1-29
- the narrative did indicate that there'd be some lighting, landscaping and refuge areas so that'll need to be shown and spec sheets for the lighting and materials and all of that.
- the project narrative was requested that you specify whether there's going to be delivery trucks and/or any customers coming and going for any of the businesses and just to give an idea of how what the truck traffic might be like

Mr. Queenan - I would say use wise we you know it's completely different than that, square footage wise we'll try to figure it out but this building is larger.

Chairwoman Franson - from a use perspective what I'd like to see is whatever the uses are to have the parking it's all yeah there but also to have the parking properly paved demarcated you know because it's been a mess.

Reviewed how the project would be classified under SEQRA.

Action, Discussion: 2.3 **Eagle View Estates** (0168-2018) SBL # 18-4-60 & 61 402 Lakes Road Monroe, NY

Applicant Representative:

David Niemotko - Niemotko Architects

Mr. Niemotko:

- we were here last month with a design that incorporated a septic system for both lots it was determined at that time that perhaps it would be since the testing occurred on natural grade we should try to maintain that so we did by extending retaining walls as discussed at that time.

We proposed or increased the length of the retaining walls and the location of them in the front of each house to accommodate the septic fields as tested and as designed on natural grade.

- we did propose further retaining walls in the back to try to minimize the amount of grading in the back and I think we were successful with that as opposed to that bold kind of effect that we had previously.
- the house locations remain
- the driveway locations remain as approved by Orange County DPW
- now that the town has allowed a septic design for each house or for this area we have done so and believe we are substantially complete.

Chairwoman Franson - I see a lot of grading still happening with the retaining wall so how is it changing? What are the heights of retaining walls and what do they look like?

Mr. Niemotko - there was a lot more grading prior. They will be textured block walls not mafia block something like Terra Crete. The heights varies up to 12 feet to maintain the natural grade and in the back the heights are less.

Reviewed retaining walls showing on Page C4a

Chairwoman Franson - what's going on with the wall that's right by the easterly house where you have the stairs and it's 738 to 730 8 feet by the steps. I guess same thing on the other side 727 736.

Spoke about the retaining walls, house elevations, garages will be under the houses, exposed basements areas or ground floor area asking regarding building height considerations.

Mr. Arnott comments:

- as we had discussed at the last meeting the septic testing was done at the elevation of existing grade as if the septic's were going to go in at the existing grade but the grading previously was between a four and 8 foot cut so essentially the soil that they did the testing in would be taken away when the septic's were actually installed to that end that's why the revised retaining walls are provided in the front yards to maintain the existing soil where the septic's will go.
- one comment I had that I discussed with Mr. Niemotko yesterday was that the expansion areas that are required for septic systems half of the size that's required for septic system has to be reserved in case a portion of the septic failed or if you needed additional area that can be built at some time in the future. In order to accommodate that walls had to be extended in order to make room for that fortunately. You don't have the latest version but Mr. Niemotko forwarded a revised (inaudible) version how expansion or provided which only extended the wall you know another 30 feet correct.

Member Manson - is that moving the the walls in front closer to the lake? How will that affect

the highest wall elevation on that front?

Mr. Niemotko - correct and actually it didn't too much. I mean on the western house the wall actually tapers so the amount of wall that shows also starts with a lower point and then increases in height so on the west end it's less than a foot and then as it East it increases to about 8 feet because the grade slopes down. So I think it has a minor impact on the correct Mr. Arnott spoke to Mr. Niemotko and Member Manson's concern but it is inaudible.

Chairwoman Franson - is there any landscaping going in front of those retaining walls or no
Mr. Arnott - (inaudible)

Mr. Arnott continues his comments:

- the retaining walls should include this standard retaining wall notes which just requires that they be designed by an engineer at building permit time and that a building permit is required pursuant to the building code for wall Heights over four feet.
- the applicant did provide a road maintenance agreement which is really for the shared curb cut and shared driveway improvements so I suggested Ms. Torre take a look at that and that be filed in the county clerk's office with the plat.
- as a reminder to the applicant the deeds and the easements that are proposed will have to be provided so that Ms. Torre can take a look at those and if needed we can take a look at the metes and bounds descriptions.
- we checked and Walton Lake is actually a foot buffer Island and will need a buffer permit buffer disturbance permit for the proposed driveways (this was all in and out inaudible)
- lastly Orange County DPW did provide a conceptual approval but must be finalized prior to any disturbance on the site

Ms. Torre Comments:

- so my first comment was about the amount of disturbance in the 100 foot Wetland buffer I know previously it was 7,355, but has that changed now?

Mr. Niemotko - no actually we maintain the same.

Mr. Arnott - it might be a little different because of the Retaining wall (?) take a look at that and let us know

Ms. Torre:

- one other item to be able to have the septic's you'll need to provide the engineer certification pursuant to Town Code Section 57-21
- the zoning table still refers to the SBL 18-4-61 which it's no longer being part of the subdivision I think you had removed them elsewhere but I did catch that one
- as far as SEQRA goes I think the one question was the amount of disturbance for the 100 foot buffer that was the one item I had remaining for that but it would be less of anything
- showing both the DEC and Army Corp was just added because previously it needed a local

Wetland permit

Chairwoman Franson - so did we circulate to the DEC?

Ms. Torre - yes I believe we did it

Chairwoman Franson - but for purposes of the SWPPP not realizing that they might need a 100 foot or they might need a permit from developing in the 100 foot adjacent area

Ms. Torre - no but it didn't specify they were included as an involved agency but the reasoning wasn't and they didn't I'm not seeing a response I'm not seeing one and usually they do

Chairwoman Franson - it is here as a wetland MO15

Ms. Torre - the board will need a complete SEQRA it'd be appropriate at this time that you could schedule a public hearing and if you're able to (inaudible) back night or you could always hold off

and wait and issue it next month before opening the hearing

Chairwoman Franson - from my perspective I thought about it for tonight except with this DEC item I would like some communication from DEC because we don't really even know where the boundary is for the Wetland. I imagine it's at the Lake Edge but how far does that even go into the site.

Mr. Arnott - the 100 foot is noted because it we initially thought it was local so the 100 foot buffer is actually noted from the water's edge you have approximate location here the you can see the 100 foot

buffer just below the proposed septic's.

Chairwoman Franson - 100 separation from waterline right and we've got the retaining wall in both driveways and some more retaining wall so I would like for some communication with the DEC just to take a quick look at it and for them to say this is minor so that we can incorporate that into a negative declaration so we can do a negative declaration and open a public hearing the same evening and I would like to be able to incorporate whatever DEC says into the neg deck if we're going to do that. So to hold off doing a neg deck tonight and doing it on the next meeting before before a public hearing.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to set a Public Hearing for August 20, 2024.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Dylan Penn

Action, Discussion: 2.4 **Town Tree Preservation Law**

Dennis Fordham - MCC - openly speaking with the board regarding a new Town Tree Preservation Law that has unofficially been referred to the board for their input.

Ms. Torre: so it should be I don't believe it's been referred yet to the Planning Board, but

usually so the Zoning requires the Town Board to refer zoning laws to the Planning Board I just don't think that's been done yet

Mr. Fordham - I emailed to you

Member Manson - no that was that was part of a conversation with Councilwoman Houle and there was an agreement with Mr. Fordham that he would forward that to us, but we haven't formally been referred

to us by the Town Board

Chairwoman Franson - informally so that I could look at it and I think Member Manson you also were going to look at it as well.

Member Manson - it was provided to all of us to start taking a look at it in advance of it being formally referred we do have it

Mr. Fordham - just don't understand why if the if the Town Board has closed a public hearing if they indicated that it was then going to be subject to further review by the Planning Board why that hasn't officially happened. I thought their conversations with Councilwoman Houle that me sending it to you was effectively passing it on to you for formal comment.

Member Manson - were you at the meeting where they closed the public hearing? Do you recall that the board completed a motion to refer it to the Planning Board, because I do not recall that night if they did or

they didn't I just was wondering since you were more familiar with it that's what happens in in the process is there'll be a a motion and and a vote on a resolution to well I don't thin

Mr. Fordham - I wasn't at the meeting but I did watch the video. I don't recall if a motion was made.

Ms. Torre - we could certainly follow up with the Town Board, it just wasn't clear from the email I saw that was meant to be. Usually, it's a formal referral from the town clerk.

Mr. Fordham - Supervisor Cardone is anxious to get this thing resolved and we can all move on because it's going to be the Planning Board which is going to have to administer and monitor this tree law along with input from us if that's the way it's being written.

so I'm gonna I'm going to say that we table the minutes okay so I could check this is

3. Minutes

Action, Discussion: 3.1 March 14, 2024

Tabled

Action, Discussion: 3.2 March 19, 2024

Tabled

Action, Discussion: 3.3 May 21, 2024

Tabled

4. Adjournment

Action, Discussion: 4.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby adjourn the meeting.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, Pat Shea, Dylan Penn