

Town of Monroe Planning Board Workshop Meeting MINUTES

— 08/12/2021

Town of Monroe Planning Board Workshop Meeting (Thursday, August 12, 2021)

Generated by Norinne McSweeney

Members present

Anthony Vaccaro, Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Pat Shea

Members Absent:

Jeff Manson

John Allegro

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 **A. Kestenbaum** (0188-2020) SBL # 7-3-13 20 Allison Drive

Dan Richmond - Zarin & Steinmetz

Joel Mann - Brach & Mann

We are here of behalf of Congregation Habones which is proposing a religious school at 20 Allison Drive. I believe the board is aware the school is in a desperate situation and currently lacks facilities for its students.

We have worked on the comments received at the June board meeting and we have submitted a revised site plan, paved cul-de-sac is shown providing sufficient root turn around movements for the buses and adequate are for circulation of buses, vans and cars. Adequate room for buses to stack 4 buses on site, parking adjusted for 5 parking spaces which are more than sufficient, some staff will be on buses or carpooling.

The applicant is requesting that the board modify the parking requirement, which would result in an over parked project, although we are proposing an area for 8 additional spaces, identified on plans, reserved for parking to meet the town codes parking requirement.

Details of proposed sewer connection has been provided, application to OCDPW Sewer was submitted today.

Regarding landscaping we provided pictures from various angles on the site which shows the school will not be viewable from nearby residences. The project involves cutting approximately 11 trees, the school would locate replacement trees in any location selected by the board.

Any site disturbances would be minimal and would not cause significant adverse impacts of disturbance is well below an acre, even counting for the reserved area for parking.

The applicant has also sought to address certain issues that although appear outside of your board's jurisdiction, we are willing to address them.

The school is proposed to have a sprinkler system. The landings and ramps have been revised to accommodate adequate size for ADA compliance.

Tonight we are hoping to discuss the changes in the submission in regards tot the boards last set of comments.

Hoping to discuss this evening advancing of the project to set a public hearing and getting through the SEQRA process.

Chairwoman Franson did you discuss the submission that were sent in today, no one has had a chance to review them. as we are just receiving them we are not going to look at them tonight.

Mr. Mann no the submission done today was just an updated version of floor plans, some minor changes internal touch-ups, plus we added the 4 sides elevations of the building. The only changes to the outside of the building is adding a ramp to the first floor and a ramp to the basement, and a second means of egress to the second floor.

We did an as built of the building, in the internal layout we're showing a location for a sprinkler system. There will be a 4000 gal tank for sprinkler on the site no additional water will be needed for the sprinkler system, this system provides 30 minutes of water to the building. The other item submitted today was the revised application with correct name Congregation Habones listed.

Mr. Arnott: reviewed his comments

reviewed the 4 waivers applicant is seeking as follows:

granted for Board of Regents Charter

maintaining frontage on a major collector road

school shall meet standards published in manual of Planning Standards for school buildings

installation of additional plantings for screening from neighbors, pictures provided label with

locations where the pictures were taken from, plus some of the view from the closet neighbor

on Allison Dr

Chairwoman Franson in the narrative you need to address on and off leaf conditions, types of trees, are there deciduous trees or evergreens, will this be visible especially where removing vegetation, where adding the cul-de-sac, the parking and any play areas, what is visible

continuation of Mr. Arnott's comments:

after discussion with Building Inspector the existing and the proposed driveway modifications will need to meet the requirements of the NYS Fire Code

based on the length of existing driveway it will have to meet the current code 26 feet with a cul-de-sac diameter that meets appendix d of the fire code, current driveway width is 18 feet

Chairman Franson:

need to check out further to make sure there is enough emergency access, do the emergency vehicles need to be able to access completely around the building or just to the property, need to look at that part of the code more closely

Mr. Arnott:

MHE office did an ADA review of the architectural with the floor plan some notes on that: ramp to lower level on rear didn't meet distance requirements 1:12 slope based on the elevations that were provided, keep in mind 5 foot square areas can't change elevations, they have to be flat

unclear how ADA access to the third level the actual second floor is achieved

Mr. Mann there is an exemption if the floor is less than 3,000 square feet and you have the same uses on the floor below. I don't remember the section in the code, you're exempt from having ADA access again. We have ADA access for the first 2 floors and then we will use the exemption for the 3rd floor.

Mr. Arnott appears sprinklers will be required and Mr. Mann already spoke on those you mentioned you already applied for the DPW permit for the sewer - send copy to office topography line near cul-de-sac better indication of what teardrop line is representing provide details for the proposed driveway construction and other site improvements applicant indicated 13 required parking spaces, they have provided 5 with an additional 8 as future spaces if required. The Planning Board can reduce the number pursuant to Section 57-47(F), bond will be required for 3 years

bulk table missing maximum number of stories 2.5

applicant should provide backup indicating the existing well can serve the additional water use applicant shows 11 trees being cleared, should comply with tree preservation code 57-84.

identify any additional lighting if proposed

update note on plan in regards to the tree clearing dates

Mr. Mann in regards to the water, based on the requirements the school is a day school is 10 gallons per day per student, the maximum proposed is 120-125 students, the maximum occupancy of the building based on Mr. Till calculation is 206 per building code with using all

rooms including lunchroom at the same time. So the calculation was done for a worst case scenario of 2060 gallons per day, the OCDOH requirement for residential well is 5 gallons per minute making it 2400 gallons. If the board wants we can do a four hour well test just to check.

Chairwoman Franson has questions on the septic system in regards to permit capacity going from residential to special use. Applicant looking to occupy building ASAP, but the sewer connection hasn't been completed.

Discussion in regards to the occupancy 125 is proposed, but can hold up to 200. It needs to be clear as to what your proposal is and what the maximum capacity is, because of what gets triggered

Mr. Richmond there are 2 issues you have raised the one is for immediate use and we'd be willing to commit to keep the student body of about 125 which is below the threshold triggering it. If going forward and the special use permit issuance we would have to speak to the client regarding a student cap or if not avail themselves the maximum capacity.

Mr. Mann when we submitted we proposed 125 I haven't changed anything

Ms. Torre I believe it was actually 110. So that was a comment I had, to make sure whatever the narrative says is accurate, whenever the Board has special permit applications they require a project narrative that the narrative defines the scope of the activities.

Mr. Mann everything in the narrative is still active it's 110 students with the staff 125.

Ms. Torre just make it clear because then the staff drives the parking, make sure it is all clear because anything exceeding the narrative would be outside the scope.

Mr. Mann Only reason the 206 was mentioned was based on building code it's the maximum allowed and that is what Mr. Torro used in calculation for the water calculation. He did water calculation on worst case scenario. There is no proposal to have this amount of children.

Mr. Richmond we received a letter from the Building Inspector today which indicated among other things that there are no issues with the septic system

Mr. Arnott for a single family home no issues

Mr. Richmond just noting that there is no issue with the septic system at the site

Chairwoman Franson regardless the septic system is going to be used differently so somehow that has to be evaluated in some way, but it may not trigger anything from a permit perspective. As a reminder, the SEQRA is going to be based on whatever number is in the narrative also drives SEQRA so you need to verify with your client that the special use permit is going to be limited, the other consideration is that if you think long term that if your going to have more students that may require different sewer lines connections be able to accommodate without having to redo.

Mr. Arnott the plan will have to comply with the tree preservation code

Mr. Richmond yes like I said in opening remarks one-to-one replacement. We are willing to put up as many as necessary wherever the Planning Board thinks they are necessary.

Chairwoman Franson it would be a combination if there is potential visibility from neighbors, plus in SEQRA we can ask for screening, the tree law is something different. We would have

the Conservation Commission walk the site and make their recommendations as far as where the best planting would be and what kind of planting

Mr. Arnott the applicant did add a note regarding the tree clearing because of the Indiana bat requirement, he says unless this clearing will not happen during the period of March 31st to October 31 unless a survey is conducted for potential habitat on site, needs to be revised to make sure that an incidental take permit is received by the DEC.

Mr. Richmond we are not going for a incidental take permit, this applicant does not foresee cutting trees during the summer or spring, it will only cut trees down when an incidental state permit is not required. Can we go back and discuss the trees the amount to be removed and replaced if we could come to some kind of an agreement. We are trying to work with the board and solicit your advice.

Chairwoman Franson we need to know the total number of trees.

Ms. Torre there are actually 14, there are the 12 you have mentioned and then 2 by the 5 parking spaces were not marked. So that is what the tree plan is supposed to do. You are supposed to have a chart listing the trees being removed, identifying them by type, size and all that information and they're supposed to be replaced however many you remove. There is the option to do a fee instead, but it sounds like the board would want the trees to be replaced. They also want the Monroe Conservation Committee to weigh in on it as far as what types of trees and where they would be most appropriate for the site.

Chairwoman Franson it's comparable for what we did for another project Mr. Mann is involved with (Raywood Drive) and the Monroe Conservation Commission goes out and they recommend how the trees could best be placed from both a habitat perspective and a visual perspective.

Mr. Richmond can the referral to the Conservation Commission be made tonight so we can get them out there.

Chairwoman Franson we need to have the total number of trees and a proposal of what you envision doing so they can respond to that and make recommendations.

Mr. Richmond again we are open to working with the board have a discussion with the Conservation Committee, but if we can get them out there and have a discussion, we are amenable to working with them and where to locate the trees.

Chairwoman Franson we will get a plan set to the Conservation Commission and get a site visit set up. Get plans to Karen Arent the Planning Board's landscape architect to review.

Mr. Arnott lighting isn't being proposed.

Mr. Mann as the building won't be used at night no lighting is proposed at this time. There is existing lighting up the driveway and on the building. If anything changes we will provide that. Chairwoman if there is lighting required from the code then it is required. Just concerned because in the winter it will be dusk when leaving. Just review the code please.

Mr. Arnott for SEQRA the Board previously circulates for Lead Agency and should confirm with Ashley if there are any additional steps. One more thing, in driving by the property this evening there is a fence up that is not on the plans. I am assuming it's a new addition.

Chairman Franson please remind them not to be do any work on the property while we are

under SEQRA.

Mr. Mann we will add the fence to the plan with details.

Ms. Torre as far as SEQRA you declared your intent to be lead agency and you authorized circulation of notice of intent upon received of revised EAF. We got that with the last submission and circulation was done on August 9th. so you can't assume lead agency status tonight, but you would be able to at your next meeting assuming no objections that would be when the 30 days for involved agencies to object has passed.

Last time we spoke about the food prep area it's still identified on floor plan -- a note has been added saying there is no food preparation but if there is still a room identified as food prep. on the floor plan elaborate in the narrative to make it clear what is happening there, needs to be added making it clear that is shown as a staging area.

Mr. Richmond so just to be clear the SEQRA notice of intent was circulated on August 9th

Ms. Torre yes. We just got the revised EAF with the last submission.

Mr. Richmond so at the next board meeting the board can make a determination of significance.

Ms. Torre that is a question for the board, I don't know if there is anything else they want from you in order to be able to make the determination. For example the water information we discussed tonight that has to be submitted, the well testing or if there will be a well test required, but whatever is needed to make the determination of significance would have to be submitted before that time.

Mr. Richmond can we have a discussion about what would be required to make a determination of significance.

Chairman Franson I can't imagine by the next meeting issuing a negative declaration.

Mr. Richmond are there particular issues

Chairman Franson we are still evaluating. We haven't heard back from the other agencies who we sent the notice of intent, there is information we want to know from the fire district regarding accessibility and serving to the site, need to get the water cleared up, want to make sure the sewer isn't an issue. Me as one member would not be prepared to make a determination of significance.

Mr. Richmond that is what I am saying can we identify it. I am not sure the fire district's necessarily a SEQRA issue but you want to refer it to the fire inspector.

Chairwoman Franson to the fire district who ultimately is going to access the site in the event of an emergency. If they were to review the plans in regards to the location of the parking and the size of the cul-de-sac for the turn around and there are issues, for me that is part of SEQRA.

Mr. Richmond so have the plans been submitted to them as of yet.

Chairwoman Franson this is a new submission set of plans.

Ms. Torre the fire district is an interested agency so it was submitted to them.

Ms. Torre if you could let us go through and I can give the rest of my comments to the board and then the Board can discuss what other issues they think there are for SEQRA then we will

know what else they're looking for, but I think to try and box them in right now is .

Mr. Richmond I'm not trying to box anyone in I just think it would be helpful to everyone here.

Ms. Torre of course it would be that is what we are kind of doing right now as we are going through comments and seeing what issues there are and then what is going to be needed. So if we can just continue doing that and if there are specific questions we can talk about them.

The water information in regards tot the well has to be submitted, then there is the sewer. The county has made some comments about out-of-district users and sewer capacity. You are in Orange County Sewer District #1 but the county has made similar comments for projects in the district so I have reached out to them to see why those comments came up.

Chairwoman Franson did yo u understand the comment about the Orange County Sewer District

Mr. Richmond no I didn't but I didn't want to interrupt.

Ms. Torre If there is something you have a question about you can definitely raise it then, we talked about this at the last meeting, the county has said in Monroe there's a under the MOODNA Basin sewer agreement out of district users, meaning properties that are outside of Orange County Sewer District # 1 cannot have projects approved unless they address the sewer capacity issue. You are in district, but we have recently received comments on in-district uses also referring to the issue. I wanted to make sure you were aware and I have reached out to ask why but this is something I am putting on your radar as a potential SEQRA issue..

You spoke a little about the fencing, the board has architectural review over any new structure, so the fencing outside play area, some signage on the plan and the dumpster enclosure. The board will have to review that as well.

spoke about the trees there are specific map notes for the tree preservation law - I could provide the language

as far as the waivers I know you asked about the landscaping and screening are you actually seeking waivers from those or are you saying the existing landscaping complies.

Mr. Richmond we think the existing landscaping complies, again we are willing to work with the board and the conservation committee.

Chairwoman Franson we need to make sure that this is the full extent of the improvements, which we don't know, for example extending the driveway to 26 ft might mean additional paving, that might require additional grading, so to get where we might need additional landscaping we need to know the full extent of the improvements, and that speaks to the fire code question. As an example by Daniel, to be able to accommodate those proposed parking spaces, you are actually land banking the uphill spaces as opposed to the downhill spaces, so to be able to accommodate those spaces you're grading into a tree line and I don't know if the neighboring Daniel property has screening on their property or not.

Also, down by the clearing limits, this is also the Daniel property, SBL 7-3-4, you're showing clearing limits along the one property line , we need to understand what you are potentially opening up there as far as views and whether in fact that clearing limit should be shifted a bit. The other thing is you're showing clearing limits from a tree perspective, but there is also

going to be disturbance to put the entire sewer line in. I don't know if the limits of disturbance actually consider what the width of the land in all likelihood to be graded and disturbed to install the sewer line?. If could verify that, and also that the disturbance includes all the grading in and around the cul-de-sac and the parking lots. Normally you show the limits of disturbance and calculate that, the plans show graded topo lines but not the limits of disturbance and calculation of what that area is, so that's why I'm asking for that to be clarified.

Ms. Torre if you are asking for the landscaping waivers be clear, or if you have enough already and meet the Code then that needs to be clarified.

Mr. Mann so you want us to verify, it may be that we meet the code anyway, we didn't evaluate if we meet the Code or not, what we pointed out is we believe we have enough screening.

Ms. Torre the way the special use permit standards work is you have to meet all of them or ask for a waiver. If there is a specific standard that applies to the waiver, you need to be clear if you are asking for the waiver or if you meet the standards, it's one or the other. The Planning Board will need to consider whatever waivers you need so I want everyone to be on the same page there.

Chairwoman Franson do we have to waive it, and if we don't waive it does that trigger a variance situation?

Ms. Torre read the waiver standard in the code – any waiver may be exercised in the event any such requirements are found not to be requisite in the interest of the public health, safety or general welfare or inappropriate to a particular special use permit.

Chairwoman Franson on that basis we would decide whether to waive or not and whether we can waive or not and whether that in any way triggers a variance.

Ms. Torre we did speak about the project narrative, just to make sure whatever you are asking for is in there because that defines the scope and the parking and all that.

Mr. Richmond regarding the narrative the only question I think was for confirmation of the student population, to confirm with our client that he understands that this would potentially be a cap on a special use permit.

Ms. Torre yes whatever number of students and staff, as staff defines the parking. and elaborate on what is going on in the room called food preparation, that it is not preparing, just plating food on disposable dishes, whatever is going on there.

Member Vaccaro the widening of the driveway is next to the exiting pavement, do we know the condition of that existing driveway? And if you widen the driveway is that going to match the existing construction of the driveway or is it going to be new specs?

Mr. Mann it will be additional paving there is probably a need for maintenance on the existing,

that will be done at the same time.

Member Vaccaro if that condition is not suitable for the bus traffic? Is the pavement there sufficient to support the proposed development?

Mr. Mann usually the compaction under any driveway is the same. It is not a roadway that we'd have roadway loading requirements. If there is a need to maintain that, usually those type of properties have yearly inspections by the building inspector and when he sees any health and safety issues he requires them to be fixed.

Member Vaccaro is the existing pavement the way it is shown flaring out near the building, and is the island existing or proposed?

Mr. Mann the turnaround is a new proposal. The island is actually an island there but it will need to be removed.

Chairwoman Franson is the bus template that is shown the largest bus? If you are saying the largest bus can go on that a different template needs to be used.

Mr. Arnott there's no template on the cul-de-sac but I didn't bring that issue up because the cul-de-sac potentially needs to be widened to meet fire code.

Chairwoman Franson there needs to be a sheet that actually shows the turning radius of the bus. The turning diagram provided does not show it on the cul-de-sac.

Member Vaccaro it would be helpful to label existing pavement versus proposed on the plans. Another thing, the pavers going to the side of the building are they existing or proposed?

Mr. Mann there is an existing walkway to the building.

Member Vaccaro is the site signage existing site or proposed and is there any detail available?

Mr. Mann signage is proposed.

Chairwoman Franson put a detail for signage.

Member Vaccaro Is LP for light post? A legend would be nice to see.

Chairwoman Franson We need a comprehensive legend on the plan.

Member Vaccaro asked about the banked parking and Mr. Arnott explained how the banked parking would work.

Member McQuade made a comment regarding the lighting being important. became inaudible while speaking

Mr. Mann will check existing lighting and whether it is sufficient.

Chairwoman Franson my comments:

moving forward in SEQRA we have to discuss well testing, we are basing it on 100 or so students, you need to verify by the next meeting whether you are considering more than that from a SEQRA perspective,

Mr. Mann as far as well testing do you need someone to witness this.

Chairwoman Franson asks Mr. Arnott to contact Frank Getchell from Weston and Sampson who has been doing the well testing reviews. Send him digital copies and ask for a memo on what the testing protocol should be. Regarding the well on the map if it is permanent fixture it shouldn't be shaded, it should stand out.

Mr. Richmond instead of going back and forth with the hydro geologist isn't this a standard 4 hour test on the well?

Chairwoman Franson I would rather confirm with Mr. Getchell that the 4 hour test it acceptable. I would rather not do the 4 hour test and then find out something else is needed.

Mr. Arnott will confer with him and get back to us as to what is required. Either it is a simply four-hour test and he can let us know, with whatever water quality tests are needed. Mr. Arnott mentions potentially drawdown tests on other wells. Applicant needs to clarify the total number of gallons per day intended to be used.

Mr. Arnott will coordinate a meeting with the applicant and the fire district.

Chairwoman Franson asked if there is an example school nearby that is around the same capacity that we could check out as far as typical parking, typical coming and going.

Mr. Mann it's different than the other three main schools that are here, and the Glenwood school that are affiliated with larger congregations. This is more like a private and trying to keep a smaller school, nothing really in this area, maybe in Rockland County I can do some research. It is a much smaller capacity, something like an exclusive private school, people want to be in small private school. This is a smaller congregation with specific needs or requirements of the religious practices of this congregation.

Chairwoman Franson more comments:

2 1/2 stories, zoning code has changed, need to verify what constitutes 2 1/2 stories, could be a pre-existing condition which would need to be noted on the bulk table.

Mr. Arnott it, could also affect if bottom floor could be habitable.

Chairwoman Franson I don't know if we changed the story definition but need to check it.

A big concern is only having one access in to the school, typically schools have two accesses, one to get in and out and one for emergency ingress and egress.

In terms of waivers that are being asked for but I don't think there has been an evaluation from the perspective of what are in those, for example the waiver from NYS Department of Education standards for public and private schools, this requires even private schools to be subject to certain standards, Your asking for a waiver, but have you actually looked at the standards to see if the waiver is required?

I would like more narrative as to how you looked at the standards and why you think a standard or a waiver would be appropriate. I don't feel like the waiver for standards for schools has been addressed.

Mr. Mann stated that Mr. Till did look into this. It is a very in-depth procedure, I will have Mr. Till come to the next meeting and explain everything.

Chairwoman Franson we are not asking you to get a special person to prepare it. It is more

looking at the standards themselves, for example does it say you need to have one bathroom for every 50 students, etc. you are asking for a waiver from standards that have not been evaluated.

Mr. Richmond we'll certainly look into this, but again this is a religious educational school entitles all the benefits under New York State law, the board should be focusing on the public health safety and welfare issues because that 's essentially its jurisdiction. I think if the state has already declared that the state building code is what's regulated which regulates private schools and we're conforming to the state building code I would submit that you know there shouldn't be much discussion beyond that.

Chairwoman Franson I don't know based on those standards if there are any higher safety health and welfare standards that are unique to schools themselves, that is why I think a better evaluation instead of just asking for the waiver. An example of why it doesn't apply or the standards are stringent in the building code.

Mr. Richmond the state has already made that determination that the state building code is what applies to private schools such as this.

Ms. Torre the Town's special use permit criteria that does require the applicant to adhere to those standards so that is why the question is whether there are things you do comply then you say which of those standards you meet, or if why there are not required or why it's not necessary on the public health welfare safety or that the building code is more stringent.

Chairwoman Franson there has been no evaluation or discussion on the standards themselves so I would like more of that before I waive it.

Mr. Richmond but again I think it's really a legal issue, the state has determined that the state building code is what applies to private schools not this manual of standards.

Chairwoman Franson but that is our special use permit standard.

Mr. Richmond that standard may respectfully go beyond what a board is allowed to do with respect to a religious and educational use

Ms. Torre this board can't override the code it has to apply the code as it's written.

Mr. Mann In my conversation with Mr. Till he has a better understanding and will be able to explain it better, I will ask him to the next meeting

Chairwoman Franson either in person or a memo that explains the standards to us so we can if needed weigh them to evaluate the waiver requested. It's important for us to understand what we are waiving.

Mr. Richmond you can evaluate it but I think ultimately it is a legal issue. New York State has determined that the state building code is what applies to private schools and religious schools and that's sufficient for the public health safety and welfare.

Ms. Torre In your memorandum or your letter you state that the manual is only intended to apply for public school buildings, but again the Town of Monroe code says it's to apply to private schools. Is there additional cases that you were referring to when you just spoke now or are you just relying on what is in the letter?.

Chairwoman Franson the policies that the Town of Monroe wanted private schools to adhere

to the same standards that a public school would be and that the public school standards were established by New York State department of education and so that was the intent so if there is a waiver again I think we need more of a discussion of the waiver as opposed to what has been provided.

Mr. Richmond I would refer you to footnote 4 of the same letter I think that's the case in that property which talks about limitations on boards with respect to determinations that have already been made by the state as a policy statewide.

Chairwoman Franson: review

we've circulated for lead agency

we're going to reach out to Karen Arent regarding landscaping and Monroe Conservation Commission

we're going to reach out to Frank Getchell regarding water testing for change of use

we will continue to review the plans

we have to wait to hear from any of the agencies through the circulation process

coordinate with the conservation commission

schedule a site walk with Karen Conservation Commission and any planning board members

Mr. Mann is going to send over application that was submitted to OCSD # 1 to Mr. Arnott

meeting with the Fire District and Mr. Arnott

limits of disturbance on the plans

check into the 2 1/2 stories

architectural review for the dumpsters fences and whatever other modifications to the building

look into fire code with regard to any other changes needed for access that affect site plan

show the largest bus can circulate through the cul-de-sac

I am raising the issue I am not a big fan of only one access into a school

narrative for all waivers and need for them – can be a revised narrative

confirm maximum number of students and staff

check visibility - site distance

clarify in the narrative landscaping special use permit criteria number 7 & 8 whether meet them or asking for waiver

provide angles on the site plan of where the pictures were taken from

check the lighting from a code perspective that mandated certain lighting

we received a determination letter from the Building Inspector with regard to frontage on a road we are going to discuss it at Tuesday's meeting because if we want to appeal it we can't hold off until the next meeting. He determined that the school has frontage on major collector based on Cromwell Hill.

Chairwoman Franson we received the letter today and I'm questioning the determination so I want the board to be able to discuss it at Tuesday's meeting. It talks about the school having frontage on a major collector road the intent was not just to have frontage on a major collector and then get access from another road the intent was actually to get access from the major

collector so that traffic would be directed in that way. It comes to what frontage is. So my concern is both this site and establishing some kind of determination about frontage in general.

Mr. Richmond but at the June meeting the determination of the board was to refer this to the building inspector. The building inspector made a determination.

Chairwoman Franson we can appeal it.

Ms. Torre any determination by the building inspector could be appealed by an individual person agreed party an official or a board of the town under town law. But the question here is precedent and whether frontage was meant to mean access.

Chairwoman Franson specifically we're asking that because we don't have a definition of frontage that's the issue. There's other sections of the zoning that come into play and we want to have the opportunity to look at Ben's determination to see if he is looking more globally at the concept of frontage rather than more specifically related to this particular collector road. This sets a precedent with respect to what frontage means not just for thus but future applications and we only have a certain amount of time to appeal so we want to give you notice that we will discuss it on Tuesday.

Mr. Richmond when do you think we can schedule a public hearing?

Chairwoman Franson we are consulting with other agencies we circulated for notice of intent when we get that information and the plans need are updated and revised to a point where it's reasonable to hold the public hearing we don't have to make a SEQRA determination before then.

Mr. Richmond SEQRA determination contemplates negative declaration made as early in the process as possible but I am just asking when the public hearing is because I think the applications complete and we are fine tuning it.

Chairwoman Franson I don't think we are ready to make that determination this evening there's too much outstanding.

Ms. Torre until the board hears from these other agencies. The next meeting will be 30 days since lead agency circulation if there is anything else needed to address SEQRA it can be discussed at that time obviously things like well testing is going to be needed to address SEQRA The Board needs sufficient information on SEQRA issues to be able to make a determination of significance.

Chairwoman Franson the reason I asked about a representative project in schools I want to make sure I understand the traffic in particular. It's a school coming off a cul-de-sac with one access I don't know what the traffic load is going to be. That's why I was asking if there is a comparable we can look at from a traffic perspective.

Mr. Mann if you look at the bigger schools the girls school by itself usually doesn't have a lot of traffic other than bussing in and out. If you go to any of the girls schools such as Glenwood you will not see many cars parked maybe up to 5. Kids are bused in and the teachers are not driving come on the bus or carpool in.

Chairwoman Franson asked about number of busses and routing since busses may not

always be filled up 100% capacity.

Mr. Mann if special use permit says 4 busses then that is what we will provide.

Chairwoman Franson I don't think our cul-de-sacs were designed for busses so we are introducing something that was not designed for. Need to evaluate sight distance and turning radius for intersection of Allison Drive and Cromwell Hill in both directions. Normally you don't have busses coming in and out of the road normally they stop at the base.

Action Discussion: 2.2 **Target** (0190-2021) SBL # 2-1-38 128 Bailey Farm Road

Mr. Van Hise - Kimberly Horne representing Target Corporation

last meeting there were a few items discussed we were asked to provide a more detailed landscaping plan

identified where plants are proposed and a plant list that includes the type the species and size

we were asked to confirm 2 things last time one was would the storage containers impact employee parking and the answer is no

will they be pulling stock during the night concerned for lighting - per Target used in daylight hours only

asked if using loading dock for the trailer was an option - per Target that is not

new comments tonight regarding additional screening on the other side on access point 2 on our plans - we have no objection to that. I note that the portion is grade separated pretty significantly the entrance from the parking and there is an existing retaining wall there but we have no objection to providing additional landscaping

would like to get an understanding of what the next step in the process is as this is the time of year that Target needs those storage containers as they head back to school and the holiday season

Mr. Arnott:

parking 15 spaces will be eliminated looked back into the previous project regarding parking in Harriman Business Park there was an excess of 94 spaces so if those 15 spaces are utilized there would still be 79 overflow

screening for access 1

forward landscape to Karen Arent haven't heard back

won't be any overnight access storage container - add note to site plan

Chairwoman Franson do we have any detail that shows the kind of storage container

Mr. Arnott that was brought up the last time with architectural review by the board

Mr. Van Hise I will provide pictures. The would be identical to the one that is currently there

just adding 2 more. Same size and color.
Chairwoman Franson do they have stickers on them.
Mr. Van Hise only sticker is for the leasing company.

Mr. Arnott how does the loading and unloading get handled? Do trucks pull up to the trailers or the merchandise come out from the store?

Mr. Van Hise the merchandise is being brought out to the trailers from in the store. The seasonal stuff get moved out to the trailers as the new season comes in. Summer going out school coming in example.

Ms. Torre draw up resolution September meeting

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

Joel Mann - Brach & Mann

we are here for a 90 day extension

maintenance agreement needs to be signed

Mr. Arnott all the engineering issues have been dealt with

Mr. Mann water agreement some revision to be made we have submitted it to the Village of Kiryas Joel to review

is it necessary for this approval to have a signed copy of the water agreement

Ms. Torre the water agreement is to ensure that the subdivision is going to have water and that is something this board need to ensure

Mr. Mann we have the will to serve letter we have the water agreement in place that says clearly that they can have water whatever they need to pay it's the language that the Town Attorney added a line to the agreement that is making a little bit of an issue. The way the agreement is drafted it could be modified.

Ms. Torre what has been done is added the town so that it could be modified but the town has to approve any modifications and they would not unreasonably withhold that provided that the applicant is still able to get water from the Village of Kiryas Joel. So technically if it's only between the village and the town really it's called a third party beneficiary of this agreement because they're relying on this water coming from the village to serve this subdivision so they could turn around tomorrow and say we're getting rid of this agreement and then you have a subdivision approved and there's not water for it so that is where that came from.

Ms. Torre under the town law it is a 90-day extension so we normally set it to the nearest Planning Board meeting so that would be October 19 2021 meeting the 90 day extension will expire on November 10t 2021.

BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion that we extend the approval of the Bias Property Raywood Drive 3 lot subdivision to October 19 2021.

Motion by Chairperson - Bonnie Franson second by Lisa McQuade.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro Lisa McQuade Chairperson - Bonnie Franson Jason Czerwinski Pat Shea

Absent: Jeff Manson John Allegro

Action Discussion: 2.4 **Yoel Shtosel** - Arch (0194-2021) SBL # 1-1-87 501 Rt 208

Joel Mann - Brach & Mann

last meeting we had a very productive discussion about how to amend the application and update the view of the building and to make it more accurate to the original approval.

Discussed the options for the colors and how to incorporate the existing features from the building into the design. We provided new plans and new renderings.

planning on removing the words the doctors that you trust

showing a new design to under the ramp - pressure treated wood painted same as front siding

changing color of siding

screening around the AC

light fixtures are showing

white corner trims existing now

actual color of the roof

Mr. Arnott Comments:

East Elevation Notes:

originally approved application A/C condenser was to be moved to another side of the building the applicant has now provided architectural screening of the unit instead

Chairwoman Franson back to the a/c condenser if that remains in this location it needs to be secured by a proper concrete pad. What you are showing is tight against a condenser and normally you don't do that as it needs airflow. If it can't be moved to the back then it needs to properly screened as well. They should be screened in the back as well but at least they would all be together.

the signs have been moved from the top portion of facade to the recessed part

applicant is reminded that a square footage analysis of the sign compared to square footage of the building is required under Town Code section 57-56

added wall sconce lighting to the south portion of the east elevation the north side is unclear whether sconces are proposed

the sign "The Doctor's you Trust" has been removed
White trim has been added to the elevation

Ms. Torre add the actual materials to the design book
Chairwoman Franson the design book needs to show the specifics materials
Ms. Torre the materials and the colors
Mr. Mann we can add that and a color chart
Chairwoman Franson what are the materials of the signs themselves some kind of vinyl plastic
Mr. Mann I will get the details on that as well.

Chairwoman Franson was there any landscaping proposed
Mr. Mann no just the one planters box in the beginning

open discussion in regards to landscaping
Chairwoman Franson I would like to see some landscaping at the base something hardy and low maintenance maybe a nice shrub for all year coverage

South Elevation:

they are proposing a wooden "skirt" to hide the structural existing wooden ramp - Mr. Mann it will be pressure treated wood painted the same color of the siding
looks like wooden railing is proposed to stay
removed proposed planters
confirm proposed material for the treads of the ramp
the railings coming towards the driveway were eliminated - Mr. Mann only needed if more than an 8% pitch will verify
Chairwoman Franson not a fan of the skirt think the applicant was trying to make do with something that was added that wasn't supposed to be
Mr. Mann if you look at the character of the building by itself it is not a modern building it's an existing building that we made look better it is a major improvement on the building not talking about the existence of the building. Asking the board to consider the new version of the ramp with leaving the wooden ramp and railing and painting to match the building.
Chairwoman Franson I am a no vote I prefer the metal railing the wooden skirt I feel is being patched on to what was already constructed and how do you propose to keep the wood from not rotting.
Mr. Mann it is a pressure treated wood and shouldn't have any issues
Chairwoman Franson what was originally proposed was modern and attractive and the railing was a big architectural feature
Member Czerwinski also not in favor of the wooden ramp what was originally proposed on the lower level was stone block with some bushes and the 501 looks really nice screams

professional building that is not what is there now the metal railing tied into the professional look

Member Shea I agree with the other members in regards to the metal railings versus the wood and it is more professional with the metal railings.

Member Vaccaro agree that the metal railing is a sharper and cleaner look

Member McQuade the skirting should be a different material so it holds up better I did like the railings going to the side doors

Chairwoman Franson does anyone have any opinions in regards to the white versus the original charcoal. I prefer the prior

Member Czerwinski maybe some shrubs in front of the skirt also you could make the white more appealing with colored flowers and shrubs brown more professional cleaner look

Member Shea like original

Open discussion with board Mr. Mann and Mr. Arnott about ideas of how to improve the ramp and the "skirt"

Mr. Mann so I understand need to do something with the skirt and change the railing to metal blend in the skirt with some metal or cultured stone will see if white siding still makes sense or we will change that.

Mr. Arnott the lights proposed to be facing the parking lot they were added and are currently existing they are not shielded and can't get less than 4000 Kelvin.

Chairwoman Franson I am not ok with these lights

Mr. Mann what is the recommendation on the limit

Mr. Arnott typically recommend not more than 3500 Kelvin

Chairwoman Franson should be 3000 Kelvin and they should be shielded fixture should be down lit

Mr. Arnott there were no elevations on the back side of the building

Chairwoman Franson what are they doing on the back?

Mr. Mann white

Chairwoman Franson make it dark less maintenance

Member Shea mention alternative for railing Trex railings

3. Minutes

Action Action (Consent): 3.1 April 18 2021

held over

Action Action (Consent): 3.2 May 18 2021

held over

Action Action (Consent): 3.3 June 10 2021

held over

Action Discussion: 3.4 June 15 2021

held over

4. Adjournment

Action Discussion: 4.1 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: Anthony Vaccaro Lisa McQuade Chairperson - Bonnie Franson Jason Czerwinski Pat Shea

Absent: Jeff Manson John Allegro

"Town of Monroe Planning Board Workshop Meeting (Thursday, August 12, 2021)Generated by Norinne McSweeney Members presentAnthony Vaccaro, Lisa McQuade, Chairperson - Bonnie Franson, Jason Czerwinski, Pat Shea Members Absent:Jeff MansonJohn Allegro 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 A. Kestenbaum (0188-2020) SBL # 7-3-13 20 Allison DriveDan Richmond - Zarin & SteinmetzJoel Mann - Brach & MannWe are here of behalf of Congregation Habones which is proposing a religious school at 20 Allison Drive. I believe the board is aware the school is in a desperate situation and currently lacks facilities for its students.We have worked on the comments received at the June board meeting and we have submitted a revised site plan, paved cul-de-sac is shown providing sufficient root turn around movements for the buses and adequate are for circulation of buses, vans and cars. Adequate room for buses to stack 4 buses on site, parking adjusted for 5 parking spaces which are more than sufficient, some staff will be on buses or carpooling.The applicant is requesting that the board modify the parking requirement, which would result in an over parked project, although we are proposing an area for 8 additional spaces, identified on plans, reserved for parking to meet the town codes parking requirement.Details of proposed sewer connection has been provided, application to OCDPW Sewer was submitted today.Regarding landscaping we provided pictures from various angles on the site which shows the school will not be viewable from nearby residences. The project involves cutting approximately 11 trees, the school would locate replacement trees in any location selected by the board.Any site disturbances would be minimal and would not cause significant adverse impacts of disturbance is well below an acre, even counting for the reserved area for parking.The applicant has also sought to address certain issues that although appear outside of your board's jurisdiction, we are willing to address them.The school is proposed to have a sprinkler system. The landings and ramps have been revised to accommodate adequate size for ADA compliance.Tonight we are hoping to discuss the changes in the submission in regards tot the boards last set of comments.Hoping to discuss this evening advancing of the project to set a public hearing and

getting through the SEQRA process. Chairwoman Franson did you discuss the submission that were sent in today, no one has had a chance to review them. as we are just receiving them we are not going to look at them tonight. Mr. Mann no the submission done today was just an updated version of floor plans, some minor changes internal touch-ups, plus we added the 4 sides elevations of the building. The only changes to the outside of the building is adding a ramp to the first floor and a ramp to the basement, and a second means of egress to the second floor. We did an as built of the building, in the internal layout we're showing a location for a sprinkler system. There will be a 4000 gal tank for sprinkler on the site no additional water will be needed for the sprinkler system, this system provides 30 minutes of water to the building. The other item submitted today was the revised application with correct name Congregation Habones listed. Mr. Arnott: reviewed his comments reviewed the 4 waivers applicant is seeking as follows: granted for Board of Regents Charter maintaining frontage on a major collector road school shall meet standards published in manual of Planning Standards for school buildings installation of additional plantings for screening from neighbors, pictures provided label with locations where the pictures were taken from, plus some of the view from the closet neighbor on Allison Dr. Chairwoman Franson in the narrative you need to address on and off leaf conditions, types of trees, are there deciduous trees or evergreens, will this be visible especially where removing vegetation, where adding the cul-de-sac, the parking and any play areas, what is visible continuation of Mr. Arnott's comments: after discussion with Building Inspector the existing and the proposed driveway modifications will need to meet the requirements of the NYS Fire Code based on the length of existing driveway it will have to meet the current code 26 feet with a cul-de-sac diameter that meets appendix d of the fire code, current driveway width is 18 feet. Chairman Franson: need to check out further to make sure there is enough emergency access, do the emergency vehicles need to be able to access completely around the building or just to the property, need to look at that part of the code more closely. Mr. Arnott: MHE office did an ADA review of the architectural with the floor plan some notes on that: ramp to lower level on rear didn't meet distance requirements 1:12 slope based on the elevations that were provided, keep in mind 5 foot square areas can't change elevations, they have to be flat. unclear how ADA access to the third level the actual second floor is achieved. Mr. Mann there is an exemption if the floor is less than 3,000 square feet and you have the same uses on the floor below. I don't remember the section in the code, you're exempt from having ADA access again. We have ADA access for the first 2 floors and then we will use the exemption for the 3rd floor. Mr. Arnott appears sprinklers will be required and Mr. Mann already spoke on those you mentioned you already applied for the DPW permit for the sewer - send copy to office topography line near cul-de-sac better indication of what teardrop line is representing provide details for the proposed driveway construction and other site improvements applicant indicated 13 required parking spaces, they have provided 5 with an additional 8 as future spaces if required. The Planning Board can reduce the number pursuant to Section 57-47(F), bond will be required for 3 years bulk table missing maximum number of stories 2.5 applicant should provide backup indicating the existing well can serve the additional water use applicant shows 11 trees being cleared, should comply with tree

preservation code 57-84. identify any additional lighting if proposed update note on plan in regards to the tree clearing dates Mr. Mann in regards to the water, based on the requirements the school is a day school is 10 gallons per day per student, the maximum proposed is 120-125 students, the maximum occupancy of the building based on Mr. Till calculation is 206 per building code with using all rooms including lunchroom at the same time. So the calculation was done for a worst case scenario of 2060 gallons per day, the OCDOH requirement for residential well is 5 gallons per minute making it 2400 gallons. If the board wants we can do a four hour well test just to check. Chairwoman Franson has questions on the septic system in regards to permit capacity going from residential to special use. Applicant looking to occupy building ASAP, but the sewer connection hasn't been completed. Discussion in regards to the occupancy 125 is proposed, but can hold up to 200. It needs to be clear as to what your proposal is and what the maximum capacity is, because of what gets triggered Mr. Richmond there are 2 issues you have raised the one is for immediate use and we'd be willing to commit to keep the student body of about 125 which is below the threshold triggering it. If going forward and the special use permit issuance we would have to speak to the client regarding a student cap or if not avail themselves the maximum capacity. Mr. Mann when we submitted we proposed 125 I haven't changed anything Ms. Torre I believe it was actually 110. So that was a comment I had, to make sure whatever the narrative says is accurate, whenever the Board has special permit applications they require a project narrative that the narrative defines the scope of the activities. Mr. Mann everything in the narrative is still active it's 110 students with the staff 125. Ms. Torre just make it clear because then the staff drives the parking, make sure it is all clear because anything exceeding the narrative would be outside the scope. Mr. Mann Only reason the 206 was mentioned was based on building code it's the maximum allowed and that is what Mr. Torro used in calculation for the water calculation. He did water calculation on worst case scenario. There is no proposal to have this amount of children. Mr. Richmond we received a letter from the Building Inspector today which indicated among other things that there are no issues with the septic system Mr. Arnott for a single family home no issues Mr. Richmond just noting that there is no issue with the septic system at the site Chairwoman Franson regardless the septic system is going to be used differently so somehow that has to be evaluated in some way, but it may not trigger anything from a permit perspective. As a reminder, the SEQRA is going to be based on whatever number is in the narrative also drives SEQRA so you need to verify with your client that the special use permit is going to be limited, the other consideration is that if you think long term that if your going to have more students that may require different sewer lines connections be able to accommodate without having to redo. Mr. Arnott the plan will have to comply with the tree preservation code Mr. Richmond yes like I said in opening remarks one-to-one replacement. We are willing to put up as many as necessary wherever the Planning Board thinks they are necessary. Chairwoman Franson it would be a combination if there is potential visibility from neighbors, plus in SEQRA we can ask for screening, the tree law is something different. We would have the Conservation Commission walk the site and make their recommendations as far as where the best planting would be and what kind of planting Mr.

Arnett the applicant did add a note regarding the tree clearing because of the Indiana bat requirement, he says unless this clearing will not happen during the period of March 31st to October 31 unless a survey is conducted for potential habitat on site, needs to be revised to make sure that an incidental take permit is received by the DEC. Mr. Richmond we are not going for a incidental take permit, this applicant does not foresee cutting trees during the summer or spring, it will only cut trees down when an incidental state permit is not required. Can we go back and discuss the trees the amount to be removed and replaced if we could come to some kind of an agreement. We are trying to work with the board and solicit your advice. Chairwoman Franson we need to know the total number of trees. Ms. Torre there are actually 14, there are the 12 you have mentioned and then 2 by the 5 parking spaces were not marked. So that is what the tree plan is supposed to do. You are supposed to have a chart listing the trees being removed, identifying them by type, size and all that information and they're supposed to be replaced however many you remove. There is the option to do a fee instead, but it sounds like the board would want the trees to be replaced. They also want the Monroe Conservation Committee to weigh in on it as far as what types of trees and where they would be most appropriate for the site. Chairwoman Franson it's comparable for what we did for another project Mr. Mann is involved with (Raywood Drive) and the Monroe Conservation Commission goes out and they recommend how the trees could best be placed from both a habitat perspective and a visual perspective. Mr. Richmond can the referral to the Conservation Commission be made tonight so we can get them out there. Chairwoman Franson we need to have the total number of trees and a proposal of what you envision doing so they can respond to that and make recommendations. Mr. Richmond again we are open to working with the board have a discussion with the Conservation Committee, but if we can get them out there and have a discussion, we are amenable to working with them and where to locate the trees. Chairwoman Franson we will get a plan set to the Conservation Commission and get a site visit set up. Get plans to Karen Arent the Planning Board's landscape architect to review. Mr. Arnett lighting isn't being proposed. Mr. Mann as the building won't be used at night no lighting is proposed at this time. There is existing lighting up the driveway and on the building. If anything changes we will provide that. Chairwoman if there is lighting required from the code then it is required. Just concerned because in the winter it will be dusk when leaving. Just review the code please. Mr. Arnett for SEQRA the Board previously circulates for Lead Agency and should confirm with Ashley if there are any additional steps. One more thing, in driving by the property this evening there is a fence up that is not on the plans. I am assuming it's a new addition. Chairman Franson please remind them not to be do any work on the property while we are under SEQRA. Mr. Mann we will add the fence to the plan with details. Ms. Torre as far as SEQRA you declared your intent to be lead agency and you authorized circulation of notice of intent upon received of revised EAF. We got that with the last submission and circulation was done on August 9th. so you can't assume lead agency status tonight, but you would be able to at your next meeting assuming no objections that would be when the 30 days for involved agencies to object has passed. Last time we spoke about the food prep area it's still identified on floor plan -- a note has been added saying there

is no food preparation but if there is still a room identified as food prep. on the floor plan elaborate in the narrative to make it clear what is happening there, needs to be added making it clear that is shown as a staging area. Mr. Richmond so just to be clear the SEQRA notice of intent was circulated on August 9th Ms. Torre yes. We just got the revised EAF with the last submission. Mr. Richmond so at the next board meeting the board can make a determination of significance. Ms. Torre that is a question for the board, I don't know if there is anything else they want from you in order to be able to make the determination. For example the water information we discussed tonight that has to be submitted, the well testing or if there will be a well test required, but whatever is needed to make the determination of significance would have to be submitted before that time. Mr. Richmond can we have a discussion about what would be required to make a determination of significance. Chairman Franson I can't imagine by the next meeting issuing a negative declaration. Mr. Richmond are there particular issues Chairman Franson we are still evaluating. We haven't heard back from the other agencies who we sent the notice of intent, there is information we want to know from the fire district regarding accessibility and serving to the site, need to get the water cleared up, want to make sure the sewer isn't an issue. Me as one member would not be prepared to make a determination of significance. Mr. Richmond that is what I am saying can we identify it. I am not sure the fire district's necessarily a SEQRA issue but you want to refer it to the fire inspector. Chairwoman Franson to the fire district who ultimately is going to access the site in the event of an emergency. If they were to review the plans in regards to the location of the parking and the size of the cul-de-sac for the turn around and there are issues, for me that is part of SEQRA. Mr. Richmond so have the plans been submitted to them as of yet. Chairwoman Franson this is a new submission set of plans. Ms. Torre the fire district is an interested agency so it was submitted to them. Ms. Torre if you could let us go through and I can give the rest of my comments to the board and then the Board can discuss what other issues they think there are for SEQRA then we will know what else they're looking for, but I think to try and box them in right now is . Mr. Richmond I'm not trying to box anyone in I just think it would be helpful to everyone here. Ms. Torre of course it would be that is what we are kind of doing right now as we are going through comments and seeing what issues there are and then what is going to be needed. So if we can just continue doing that and if there are specific questions we can talk about them. The water information in regards tot the well has to be submitted, then there is the sewer. The county has made some comments about out-of-district users and sewer capacity. You are in Orange County Sewer District #1 but the county has made similar comments for projects in the district so I have reached out to them to see why those comments came up. Chairwoman Franson did yo u understand the comment about the Orange County Sewer District Mr. Richmond no I didn't but I didn't want to interrupt. Ms. Torre If there is something you have a question about you can definitely raise it then, we talked about this at the last meeting, the county has said in Monroe there's a under the MOODNA Basin sewer agreement out of district users, meaning properties that are outside of Orange County Sewer District # 1 cannot have projects approved unless they address the sewer capacity issue. You are in district, but we have recently received

comments on in-district uses also referring to the issue. I wanted to make sure you were aware and I have reached out to ask why but this is something I am putting on your radar as a potential SEQRA issue..You spoke a little about the fencing, the board has architectural review over any new structure, so the fencing outside play area, some signage on the plan and the dumpster enclosure. The board will have to review that as well.spoke about the trees there are specific map notes for the tree preservation law - I could provide the languageas far as the waivers I know you asked about the landscaping and screening are you actually seeking waivers from those or are you saying the existing landscaping complies.Mr. Richmond we think the existing landscaping complies, again we are willing to work with the board and the conservation committee.Chairwoman Franson we need to make sure that this is the full extent of the improvements, which we don't know, for example extending the driveway to 26 ft might mean additional paving, that might require additional grading, so to get where we might need additional landscaping we need to know the full extent of the improvements, and that speaks to the fire code question. As an example by Daniel, to be able to accommodate those proposed parking spaces, you are actually land banking the uphill spaces as opposed to the downhill spaces, so to be able to accommodate those spaces you're grading into a tree line and I don't know if the neighboring Daniel property has screening on their property or not.Also, down by the clearing limits, this is also the Daniel property, SBL 7-3-4, you're showing clearing limits along the one property line , we need to understand what you are potentially opening up there as far as views and whether in fact that clearing limit should be shifted a bit. The other thing is you're showing clearing limits from a tree perspective, but there is also going to be disturbance to put the entire sewer line in. I don't know if the limits of disturbance actually consider what the width of the land in all likelihood to be graded and disturbed to install the sewer line?. If could verify that, and also that the disturbance includes all the grading in and around the cul-de-sac and the parking lots. Normally you show the limits of disturbance and calculate that, the plans show graded topo lines but not the limits of disturbance and calculation of what that area is, so that's why I'm asking for that to be clarified.Ms. Torre if you are asking for the landscaping waivers be clear, or if you have enough already and meet the Code then that needs to be clarified.Mr. Mann so you want us to verify, it may be that we meet the code anyway, we didn't evaluate if we meet the Code or not, what we pointed out is we believe we have enough screening.Ms. Torre the way the special use permit standards work is you have to meet all of them or ask for a waiver. If there is a specific standard that applies to the waiver, you need to be clear if you are asking for the waiver or if you meet the standards, it's one or the other. The Planning Board will need to consider whatever waivers you need so I want everyone to be on the same page there.Chairwoman Franson do we have to waive it, and if we don't waive it does that trigger a variance situation?Ms. Torre read the waiver standard in the code – any waiver may be exercised in the event any such requirements are found not to be requisite in the interest of the public health, safety or general welfare or inappropriate to a particular special use permit.Chairwoman Franson on that basis we would decide whether to waive or not and whether we can waive or not and whether that in any way triggers a variance.Ms. Torre we did

speaking about the project narrative, just to make sure whatever you are asking for is in there because that defines the scope and the parking and all that. Mr. Richmond regarding the narrative the only question I think was for confirmation of the student population, to confirm with our client that he understands that this would potentially be a cap on a special use permit. Ms. Torre yes whatever number of students and staff, as staff defines the parking. and elaborate on what is going on in the room called food preparation, that it is not preparing, just plating food on disposable dishes, whatever is going on there. Member Vaccaro the widening of the driveway is next to the existing pavement, do we know the condition of that existing driveway? And if you widen the driveway is that going to match the existing construction of the driveway or is it going to be new specs? Mr. Mann it will be additional paving there is probably a need for maintenance on the existing, that will be done at the same time. Member Vaccaro if that condition is not suitable for the bus traffic? Is the pavement there sufficient to support the proposed development? Mr. Mann usually the compaction under any driveway is the same. It is not a roadway that we'd have roadway loading requirements. If there is a need to maintain that, usually those type of properties have yearly inspections by the building inspector and when he sees any health and safety issues he requires them to be fixed. Member Vaccaro is the existing pavement the way it is shown flaring out near the building, and is the island existing or proposed? Mr. Mann the turnaround is a new proposal. The island is actually an island there but it will need to be removed. Chairwoman Franson is the bus template that is shown the largest bus? If you are saying the largest bus can go on that a different template needs to be used. Mr. Arnott there's no template on the cul-de-sac but I didn't bring that issue up because the cul-de-sac potentially needs to be widened to meet fire code. Chairwoman Franson there needs to be a sheet that actually shows the turning radius of the bus. The turning diagram provided does not show it on the cul-de-sac. Member Vaccaro it would be helpful to label existing pavement versus proposed on the plans. Another thing, the pavers going to the side of the building are they existing or proposed? Mr. Mann there is an existing walkway to the building. Member Vaccaro is the site signage existing site or proposed and is there any detail available? Mr. Mann signage is proposed. Chairwoman Franson put a detail for signage. Member Vaccaro Is LP for light post? A legend would be nice to see. Chairwoman Franson We need a comprehensive legend on the plan. Member Vaccaro asked about the banked parking and Mr. Arnott explained how the banked parking would work. Member McQuade made a comment regarding the lighting being important. became inaudible while speaking Mr. Mann will check existing lighting and whether it is sufficient. Chairwoman Franson my comments: moving forward in SEQRA we have to discuss well testing, we are basing it on 100 or so students, you need to verify by the next meeting whether you are considering more than that from a SEQRA perspective, Mr. Mann as far as well testing do you need someone to witness this. Chairwoman Franson asks Mr. Arnott to contact Frank Getchell from Weston and Sampson who has been doing the well testing reviews. Send him digital copies and ask for a memo on what the testing protocol should be. Regarding the well on the map if it is permanent fixture it shouldn't be shaded, it should stand out. Mr. Richmond instead of going back and forth with the hydro geologist isn't this a standard 4 hour test on the well? Chairwoman

Franson I would rather confirm with Mr. Getchell that the 4 hour test is acceptable. I would rather not do the 4 hour test and then find out something else is needed. Mr. Arnott will confer with him and get back to us as to what is required. Either it is a simply four-hour test and he can let us know, with whatever water quality tests are needed. Mr. Arnott mentions potentially drawdown tests on other wells. Applicant needs to clarify the total number of gallons per day intended to be used. Mr. Arnott will coordinate a meeting with the applicant and the fire district. Chairwoman Franson asked if there is an example school nearby that is around the same capacity that we could check out as far as typical parking, typical coming and going. Mr. Mann it's different than the other three main schools that are here, and the Glenwood school that are affiliated with larger congregations. This is more like a private and trying to keep a smaller school, nothing really in this area, maybe in Rockland County I can do some research. It is a much smaller capacity, something like an exclusive private school, people want to be in small private school. This is a smaller congregation with specific needs or requirements of the religious practices of this congregation. Chairwoman Franson more comments: 2 1/2 stories, zoning code has changed, need to verify what constitutes 2 1/2 stories, could be a pre-existing condition which would need to be noted on the bulk table. Mr. Arnott it, could also affect if bottom floor could be habitable. Chairwoman Franson I don't know if we changed the story definition but need to check it. A big concern is only having one access in to the school, typically schools have two accesses, one to get in and out and one for emergency ingress and egress. In terms of waivers that are being asked for but I don't think there has been an evaluation from the perspective of what are in those, for example the waiver from NYS Department of Education standards for public and private schools, this requires even private schools to be subject to certain standards, You're asking for a waiver, but have you actually looked at the standards to see if the waiver is required? I would like more narrative as to how you looked at the standards and why you think a standard or a waiver would be appropriate. I don't feel like the waiver for standards for schools has been addressed. Mr. Mann stated that Mr. Till did look into this. It is a very in-depth procedure, I will have Mr. Till come to the next meeting and explain everything. Chairwoman Franson we are not asking you to get a special person to prepare it. It is more looking at the standards themselves, for example does it say you need to have one bathroom for every 50 students, etc. you are asking for a waiver from standards that have not been evaluated. Mr. Richmond we'll certainly look into this, but again this is a religious educational school entitles all the benefits under New York State law, the board should be focusing on the public health safety and welfare issues because that's essentially its jurisdiction. I think if the state has already declared that the state building code is what's regulated which regulates private schools and we're conforming to the state building code I would submit that you know there shouldn't be much discussion beyond that. Chairwoman Franson I don't know based on those standards if there are any higher safety health and welfare standards that are unique to schools themselves, that is why I think a better evaluation instead of just asking for the waiver. An example of why it doesn't apply or the standards are stringent in the building code. Mr. Richmond the state has already made that determination that the state building code is what applies to private schools such as this. Ms.

Torre the Town's special use permit criteria that does require the applicant to adhere to those standards so that is why the question is whether there are things you do comply then you say which of those standards you meet, or if why there are not required or why it's not necessary on the public health welfare safety or that the building code is more stringent. Chairwoman Franson there has been no evaluation or discussion on the standards themselves so I would like more of that before I waive it. Mr. Richmond but again I think it's really a legal issue, the state has determined that the state building code is what applies to private schools not this manual of standards. Chairwoman Franson but that is our special use permit standard. Mr. Richmond that standard may respectfully go beyond what a board is allowed to do with respect to a religious and educational use. Ms. Torre this board can't override the code it has to apply the code as it's written. Mr. Mann In my conversation with Mr. Till he has a better understanding and will be able to explain it better, I will ask him to the next meeting. Chairwoman Franson either in person or a memo that explains the standards to us so we can if needed weigh them to evaluate the waiver requested. It's important for us to understand what we are waiving. Mr. Richmond you can evaluate it but I think ultimately it is a legal issue. New York State has determined that the state building code is what applies to private schools and religious schools and that's sufficient for the public health safety and welfare. Ms. Torre In your memorandum or your letter you state that the manual is only intended to apply for public school buildings, but again the Town of Monroe code says it's to apply to private schools. Is there additional cases that you were referring to when you just spoke now or are you just relying on what is in the letter? Chairwoman Franson the policies that the Town of Monroe wanted private schools to adhere to the same standards that a public school would be and that the public school standards were established by New York State department of education and so that was the intent, so if there is a waiver, again I think we need more of a discussion of the waiver as opposed to what has been provided. Mr. Richmond I would refer you to footnote 4 of the same letter I think that's the case in that property which talks about limitations on boards with respect to determinations that have already been made by the state as a policy statewide. Chairwoman Franson: review we've circulated for lead agency we're going to reach out to Karen Arent regarding landscaping and Monroe Conservation Commission we're going to reach out to Frank Getchell regarding water testing for change of use we will continue to review the plans we have to wait to hear from any of the agencies through the circulation process coordinate with the conservation commissions schedule a site walk with Karen, Conservation Commission and any planning board members. Mr. Mann is going to send over application that was submitted to OCSD # 1 to Mr. Arnott meeting with the Fire District and Mr. Arnott limits of disturbance on the plans check into the 2 1/2 stories architectural review for the dumpsters, fences and whatever other modifications to the building look into fire code with regard to any other changes needed for access that affect site plans show the largest bus can circulate through the cul-de-sac I am raising the issue, I am not a big fan of only one access into a school narrative for all waivers and need for them – can be a revised narrative confirm maximum number of students and staff check visibility - site distance clarify in the narrative landscaping special use permit criteria

number 7 & 8 whether meet them or asking for waiver provide angles on the site plan of where the pictures were taken from check the lighting from a code perspective that mandated certain lighting we received a determination letter from the Building Inspector with regard to frontage on a road we are going to discuss it at Tuesday's meeting because if we want to appeal it we can't hold off until the next meeting. He determined that the school has frontage on major collector based on Cromwell Hill. Chairwoman Franson we received the letter today and I'm questioning the determination so I want the board to be able to discuss it at Tuesday's meeting. It talks about the school having frontage on a major collector road the intent was not just to have frontage on a major collector and then get access from another road the intent was actually to get access from the major collector so that traffic would be directed in that way. It comes to what frontage is. So my concern is both this site and establishing some kind of determination about frontage in general. Mr. Richmond but at the June meeting the determination of the board was to refer this to the building inspector. The building inspector made a determination. Chairwoman Franson we can appeal it. Ms. Torre any determination by the building inspector could be appealed by an individual person agreed party an official or a board of the town under town law. But the question here is precedent and whether frontage was meant to mean access. Chairwoman Franson specifically we're asking that because we don't have a definition of frontage that's the issue. There's other sections of the zoning that come into play and we want to have the opportunity to look at Ben's determination to see if he is looking more globally at the concept of frontage rather than more specifically related to this particular collector road. This sets a precedent with respect to what frontage means not just for this but future applications and we only have a certain amount of time to appeal so we want to give you notice that we will discuss it on Tuesday. Mr. Richmond when do you think we can schedule a public hearing? Chairwoman Franson we are consulting with other agencies we circulated for notice of intent when we get that information and the plans need are updated and revised to a point where it's reasonable to hold the public hearing we don't have to make a SEQRA determination before then. Mr. Richmond SEQRA determination contemplates negative declaration made as early in the process as possible but I am just asking when the public hearing is because I think the applications complete and we are fine tuning it. Chairwoman Franson I don't think we are ready to make that determination this evening there's too much outstanding. Ms. Torre until the board hears from these other agencies. The next meeting will be 30 days since lead agency circulation if there is anything else needed to address SEQRA it can be discussed at that time obviously things like well testing is going to be needed to address SEQRA The Board needs sufficient information on SEQRA issues to be able to make a determination of significance. Chairwoman Franson the reason I asked about a representative project in schools I want to make sure I understand the traffic in particular. It's a school coming off a cul-de-sac with one access I don't know what the traffic load is going to be. That's why I was asking if there is a comparable we can look at from a traffic perspective. Mr. Mann if you look at the bigger schools the girls school by itself usually doesn't have a lot of traffic other than bussing in and out. If you go to any of the girls schools such as Glenwood you will not see many cars parked maybe up to 5. Kids are bused in and the

teachers are not driving come on the bus or carpool in. Chairwoman Franson asked about number of busses and routing since busses may not always be filled up 100% capacity. Mr. Mann if special use permit says 4 busses then that is what we will provide. Chairwoman Franson I don't think our cul-de-sacs were designed for busses so we are introducing something that was not designed for. Need to evaluate sight distance and turning radius for intersection of Allison Drive and Cromwell Hill in both directions. Normally you don't have busses coming in and out of the road normally they stop at the base. Action Discussion: 2.2 Target (0190-2021) SBL # 2-1-38 128 Bailey Farm Road Mr. Van Hise - Kimberly Horne representing Target Corporation last meeting there were a few items discussed we were asked to provide a more detailed landscaping plan identified where plants are proposed and a plant list that includes the type the species and size we were asked to confirm 2 things last time one was would the storage containers impact employee parking and the answer is now will they be pulling stock during the night concerned for lighting - per Target used in daylight hours only asked if using loading dock for the trailer was an option - per Target that is not new comments tonight regarding additional screening on the other side on access point 2 on our plans - we have no objection to that. I note that the portion is grade separated pretty significantly the entrance from the parking and there is an existing retaining wall there but we have no objection to providing additional landscaping would like to get an understanding of what the next step in the process is as this is the time of year that Target needs those storage containers as they head back to school and the holiday season Mr. Arnott: parking 15 spaces will be eliminated looked back into the previous project regarding parking in Harriman Business Park there was an excess of 94 spaces so if those 15 spaces are utilized there would still be 79 overflows screening for access 1 forward landscape to Karen Arent haven't heard back won't be any overnight access storage container - add note to site plan Chairwoman Franson do we have any detail that shows the kind of storage container Mr. Arnott that was brought up the last time with architectural review by the board Mr. Van Hise I will provide pictures. The would be identical to the one that is currently there just adding 2 more. Same size and color. Chairwoman Franson do they have stickers on them. Mr. Van Hise only sticker is for the leasing company. Mr. Arnott how does the loading and unloading get handled? Do trucks pull up to the trailers or the merchandise come out from the store? Mr. Van Hise the merchandise is being brought out to the trailers from in the store. The seasonal stuff get moved out to the trailers as the new season comes in. Summer going out school coming in example. Ms. Torre draw up resolution September meeting Action Discussion: 2.3 Raywood Drive (0176-2019) SBL# 43-1-11 Raywood Drive Joel Mann - Brach & Mann we are here for a 90 day extension maintenance agreement needs to be signed Mr. Arnott all the engineering issues have been dealt with Mr. Mann water agreement some revision to be made we have submitted it to the Village of Kiryas Joel to review is it necessary for this approval to have a signed copy of the water agreement Ms. Torre the water agreement is to ensure that the subdivision is going to have water and that is something this board need to ensure Mr. Mann we have the will to serve letter we have the water agreement in place that says clearly that they can have water whatever they need to pay it's the language that the Town Attorney

added a line to the agreement that is making a little bit of an issue. The way the agreement is drafted it could be modified. Ms. Torre what has been done is added the town so that it could be modified but the town has to approve any modifications and they would not unreasonably withhold that provided that the applicant is still able to get water from the Village of Kiryas Joel. So technically if it's only between the village and the town really it's called a third party beneficiary of this agreement because they're relying on this water coming from the village to serve this subdivision so they could turn around tomorrow and say we're getting rid of this agreement and then you have a subdivision approved and there's not water for it so that is where that came from. Ms. Torre under the town law it is a 90-day extension so we normally set it to the nearest Planning Board meeting so that would be October 19 2021 meeting the 90 day extension will expire on November 10 2021. BE IT RESOLVED that the Planning Board of the Town of Monroe hereby makes a motion that we extend the approval of the Bias Property Raywood Drive 3 lot subdivision to October 19 2021. Motion by Chairperson - Bonnie Franson second by Lisa McQuade. Final Resolution: Motion Carries. Yea: Anthony Vaccaro Lisa McQuade Chairperson - Bonnie Franson Jason Czerwinski Pat Shea Absent: Jeff Manson John Allegro Action Discussion: 2.4 Yoel Shtosel - Arch (0194-2021) SBL # 1-1-87 501 Rt 208 Joel Mann - Brach & Mann last meeting we had a very productive discussion about how to amend the application and update the view of the building and to make it more accurate to the original approval. Discussed the options for the colors and how to incorporate the existing features from the building into the design. We provided new plans and new renderings. planning on removing the words the doctors that you trust showing a new design to under the ramp - pressure treated wood painted same as front siding changing color of siding screening around the AC light fixtures are showing white corner trims existing now actual color of the roof Mr. Arnott Comments: East Elevation Notes: originally approved application A/C condenser was to be moved to another side of the building the applicant has now provided architectural screening of the unit instead Chairwoman Franson back to the a/c condenser if that remains in this location it needs to be secured by a proper concrete pad. What you are showing is tight against a condenser and normally you don't do that as it needs airflow. If it can't be moved to the back then it needs to be properly screened as well. They should be screened in the back as well but at least they would all be together. the signs have been moved from the top portion of facade to the recessed part applicant is reminded that a square footage analysis of the sign compared to square footage of the building is required under Town Code section 57-56 added wall sconce lighting to the south portion of the east elevation the north side is unclear whether sconces are proposed the sign ""The Doctor's you Trust"" has been removed White trim has been added to the elevation Ms. Torre add the actual materials to the design book Chairwoman Franson the design book needs to show the specifics materials Ms. Torre the materials and the colors Mr. Mann we can add that and a color chart Chairwoman Franson what are the materials of the signs themselves some kind of vinyl plastic Mr. Mann I will get the details on that as well. Chairwoman Franson was there any landscaping proposed Mr. Mann no just the one planters box in the beginning open discussion in regards to landscaping Chairwoman Franson I would like to see some landscaping at the

base something hardy and low maintenance maybe a nice shrub for all year coverage South Elevation: they are proposing a wooden "skirt" to hide the structural existing wooden ramp - Mr. Mann it will be pressure treated wood painted the same color of the siding looks like wooden railing is proposed to stay removed proposed planters confirm proposed material for the treads of the ramp the railings coming towards the driveway were eliminated - Mr. Mann only needed if more than an 8% pitch will verify Chairwoman Franson not a fan of the skirt think the applicant was trying to make do with something that was added that wasn't supposed to be Mr. Mann if you look at the character of the building by itself it is not a modern building it's an existing building that we made look better it is a major improvement on the building not talking about the existence of the building. Asking the board to consider the new version of the ramp with leaving the wooden ramp and railing and painting to match the building. Chairwoman Franson I am a no vote I prefer the metal railing the wooden skirt I feel is being patched on to what was already constructed and how do you propose to keep the wood from not rotting. Mr. Mann it is a pressure treated wood and shouldn't have any issues Chairwoman Franson what was originally proposed was modern and attractive and the railing was a big architectural feature Member Czerwinski also not in favor of the wooden ramp what was originally proposed on the lower level was stone block with some bushes and the 501 looks really nice screams professional building that is not what is there now the metal railing tied into the professional look Member Shea I agree with the other members in regards to the metal railings versus the wood and it is more professional with the metal railings. Member Vaccaro agree that the metal railing is a sharper and cleaner look Member McQuade the skirting should be a different material so it holds up better I did like the railings going to the side doors Chairwoman Franson does anyone have any opinions in regards to the white versus the original charcoal. I prefer the prior Member Czerwinski maybe some shrubs in front of the skirt also you could make the white more appealing with colored flowers and shrubs brown more professional cleaner look Member Shea like original Open discussion with board Mr. Mann and Mr. Arnott about ideas of how to improve the ramp and the "skirt" Mr. Mann so I understand need to do something with the skirt and change the railing to metal blend in the skirt with some metal or cultured stone will see if white siding still makes sense or we will change that. Mr. Arnott the lights proposed to be facing the parking lot they were added and are currently existing they are not shielded and can't get less than 4000 Kelvin. Chairwoman Franson I am not ok with these lights Mr. Mann what is the recommendation on the limit Mr. Arnott typically recommend not more than 3500 Kelvin Chairwoman Franson should be 3000 Kelvin and they should be shielded fixture should be down lit Mr. Arnott there were no elevations on the back side of the building Chairwoman Franson what are they doing on the back? Mr. Mann white Chairwoman Franson make it dark less maintenance Member Shea mention alternative for railing Trex railings 3. Minutes Action Action (Consent): 3.1 April 18 2021 held over Action Action (Consent): 3.2 May 18 2021 held over Action Action (Consent): 3.3 June 10 2021 held over Action Discussion: 3.4 June 15 2021 held over 4. Adjournment Action Discussion: 4.1 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
CarriesYea: Anthony Vaccaro Lisa McQuade Chairperson - Bonnie Franson Jason
Czerwinski Pat SheaAbsent: Jeff Manson John Allegro "8/31/2021 01:21 PM :: Saved by
Norinne McSweeney:8/31/2021 03:35 PM :: Saved by Norinne McSweeney:8/31/2021 04:12
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Saved by Norinne McSweeney:9/14/2021 11:07 AM :: Saved by Norinne
McSweeney:10/8/2021 01:11 PM :: Saved by Norinne McSweeney:10/12/2021 08:20 AM ::
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Saved by Norinne McSweeney2021-12-08 00:00:00Town of Monroe Planning Board
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