

Town of Monroe Planning Board Workshop Meeting MINUTES

— 08/13/2020

Town of Monroe Planning Board Workshop Meeting (Thursday, August 13, 2020)

Generated by Norinne McSweeney

Members present

Anthony Vaccaro, Lisa McQuade, Chairwoman - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Members Absent:

Jason Czerwinski

Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Pledge of Allegiance

Procedural: 1.3 Fire Escapes

2. Returning Projects

Action, Discussion: 2.1 **Yoel Shtosel** 502 Rt 208 (0183-2020) SBL # 1-1-87

Joel Mann - Project Representative

John Loch - PE

Ricky Brull

Mr. Mann reviewed the project
submitted new renderings
took off circle
raised parapet
updated site plan submitted
finalized latest comments from the Engineer

Mr. Arnott see attached
all comments addressed and noted on the plans
signs square footage meets town code

Ms. Torre no comments at this time

sent a proposed resolution

Chairwoman Franson carry over until Tuesday meeting

Member Manson page 6 of documents from C Stern that there is back lighting on the sign - what is actually going to be lit up

Ms. Brull the red facade

Member Manson - post light out in the parking lot - shining on adjacent property

open discussion regarding the parking lot lighting and the building lighting

Action, Discussion: 2.2 **DG Management** (0172-2019) SBL # 1-1-96

John Queenan - Lanc & Tully Project Engineer

Mr. Queenan last off discussed conventional vs clustering and open space, clustering an issue with open space

submitted conventional plan with 15 lots maximum yield existing conditions and the grading utility plan

there was a second plan set that I submitted the cluster plan - a sketch cluster plan just to show what we envisioned for the subdivision layout

I have tonight the drone footage and updated aerials to review

Reviewed drone footage, discussed conventional and cluster plan, vegetation, adding and or preserving trees

looking for more open space

rework cluster plan to obtain more open space

Ms. Torre commented that she has the easement and it is dated 1978, previously discussed whether that land could really have any conservation value

Chairwoman Franson asked Ms. Torre where are we in terms of process actually determination so f open space, and we do we go from here

Ms. Torre the board adopted a resolution that directed the applicant to pursue the cluster plan as opposed to the conventional plan, there was never a discussion before regarding the O&R easement and how it might affect the ability to meet that 50% open space requirement. The board has to make a decision whether that area could count and you would have to be able to say that it has conservation value, that is has some type of historic or agricultural some kind of scenic or natural resource value. This is hard to do with O&R ability to clear area, if you pursue cluster they would need to have open space elsewhere that doesn't include the easement area or the board could go back to the conventional plan. That would require a new resolution to modify your prior determination of using the cluster plan.

Chairwoman Franson does any of this trigger variances

Ms Torre that is another option for the applicant to seek and area variance from the 50% requirement

Mr. Arnott asking Mr. Queenan do you think there is an ability to provide some kind of easement buffer a conservation easement buffer along the rear of cluster lots eight, nine, ten & eleven that would preserve the vegetation that is there bringing you closer to the 50% requirement

Mr. Queenan the property as a whole is 9.5 acres, covered by easement 3.96 acres leaving us 5.5 acres unencumbered applied the 50% open space to the 9.5 we would have to provide 4.75 acres only leaves .79 acres, so we would need the variance from the Zoning Board

Chairwoman Franson reviewed the code 57-21.7 Cluster Development

open discussion regarding easement, cluster vs conventional plan, open space

Mr. Queenan can we go through what maybe the board is looking to accomplish with terms of conservation. Exactly what you are looking for maybe we can accommodate it in a conventional layout or something in between

Chairwoman Franson basically a ridge top that had trees and was clear-cut taking away the value, my preference and objective would be to ensure that vegetation is added back to the site for purposes of providing any kind of scenic buffer and scenic view

Mr. Arnott could there be some kind of intermediate ground, since the cluster does provide less impervious surface because of the road, there was additional buffer along all those sides that we previously talked about that are not encumbered by the utility easements

open discussion regarding easement, cluster vs conventional plan and open space continued between the board members, consultants and the applicant

Action, Discussion: 2.3 **Bevaqua Subdivision** (0163-2018) SBL # 24-2-33

John Loch Engineer

Mr. Loch oversize lot, wants to make 2 lots, separate access points one from current subdivision and one from Harriman Heights Road, in character with the neighborhood wetlands in the center of the parcel, there are easements constructed around them, compliant with zoning

issues that are being addressed are delineation of the wetlands and some soil testing

Mr. Arnott want to piggyback on what Mr. Loch said that the existing lot gets its road frontage from Harriman Heights Road and Talbot with access off of Talbot. Once the lot line change is done the existing lot would only have access and frontage off Talbot and that does not meet the required frontage and would make this a Flag Lot disallowed by the zoning code so that is a major issue.

Other comments last board meeting the applicant was asked to provide the degrading drainage, limited disturbance and tree survey and other aspects of the required subdivision plans

Harriman Heights road is a scenic road and would have to comply with the provision of the scenic road corridor , bigger aspect is being able to provide the buffer along the road which is equal to half the required front yard,

there is an existing conservation easement running through the center, it is kind of an odd shape, there is also a drainage easement towards the front of the existing driveway beneficiaries should be noted on the plan

Chairwoman Franson we need to know the history of how this lot was created. Why was the conservation easement created? Need old subdivision paperwork.

Mr. Loch the subdivision is Orchard Hills Farm

Ms. Torre I did some research I found the subdivision map, it doesn't seem to be a cluster to me, I would need to see the resolution of approval to see what if any conditions might be on there. I did notice that the lot was supposed to get its water from Harriman not sure if there is any type of agreement on that

Chairwoman Franson Mr. Arnott did you still have comments

Mr Arnott yes I had a few more comments:

on the sewer it appears the existing lot is within the county's sewer district based on the tax records, wondering if any coordination was done to see if county would allow a septic even though it is already in the sewer district or does it require connection to the sewer district house relocation notes should be added to the plans

previously recommended a larger separation of the proposed well from the existing highway would like to see if any other wells or septic in the vicinity of these

local determination from OCDP form last meeting

Would have to go back to OCDPW for further review as noted in their memo

Ms. Torre comments:

already mentioned Harriman Heights is a scenic road so the buffer needs to be added lot 2 the one being created looks like it has parking in the front yard and that is not allowed so that has to be relocated

need additional information about the prior subdivision

a tree plan needs to be submitted under the zoning code showing the existing trees, their type, all located in section 57.84 of the code

erosion and sediment control plans and notes required

Chairwoman Franson: is the plans showing net acreage after steep slope and wetlands etc

Ms. Torre you will need the size of the house and the number of bedrooms in relation to the house relocation standard notes

you'll need to go through with all subdivisions whether to require waive public improvements, address recreation fees,

for purposes of SEQRA it is an unlisted action would need to decide if coordinated or uncoordinated review

portion of the property might be in the RPO district needs to be shown on the map

Chairwoman Franson looking out our code minimum lot area section 57-20 it also states that steep slopes equal or greater than 30% are not to be included - confirm nothing greater than 30%, also land encumbered by easements or other restrictions including utility easements preventing use of such land for construction of buildings uses under development - so we need a determination whether that conservation easement constitutes something that has to be subtracted out Action, Discussion: 2.4 **Eagleview Estates** (0168-2018) SBL# 18-4-60, 61

David Niemotko Architect

Mr. Niemotko did a review:

back before you as the variances were not approved at the ZBA regarding the permeable pavers not counted toward lot coverage, so we are back before you with an amended application of the site plan

we would like to keep the lot that exists off Walton Terrace separate from this application it's a pre-existing non conforming lot and it can be dealt with directly from the building department regarding house and driveway

SBL # 18-4-60 the one off Lakes Road we'd like to subdivide that into 2 lots with access coming off of Lakes Road

we provided 2 sketches one showing 2 separate driveways one for each lot, and then we showed one with a shared drive going up to the middle of the property line to access the 2 new homes

couldn't find anything in the zoning code to disqualify a shared driveway, this is the favored one as it increases the site distance along Lakes Road also believe less of an impact on the properties

we are looking for feedback in order to continue

Chairwoman Franson: questions the shape of the pre-existing lot pictured on the plans - needs to be adjusted

Ms. Torre - addressed Mr. Niemotko in regard to the pre-existing lot and speaking with the Building Inspector - there is a provision in the Town's code for developing an existing non-conforming lots, but I believe it only applies if you don't own adjacent property with the idea being that you could modify the lots to make it conforming

Mr. Niemotko no we haven't spoken to the Building Inspector yet.

Ms. Torre the section of the Zoning Code is 57-39a could be developed with a single family home if it's separately owned and not adjacent to any lot in the same ownership

Chairman Franson: the question on shared driveways I don't know that we restrict shared driveways.

Ms. Torre: They are actually permitted because it's a scenic road, section 57-21.4f sub 2 you can require shared entrances of adjoining driveways to minimize the number of curb cuts along the scenic road

Mr. Arnott: lot 60 is in the Watershed overlay district and therefore the maximum lot coverage is 15 not 25

the grading will need to be shown

OCDPW regarding curb cut

site distance needs to be added

Ms. Torre will have to redetermine SEQRA, new EAF,
Watershed Overlay District

can increase lot coverage with adequate stormwater controls subject to Town's engineers input

lot 61 looks like proposed parking in front yard

open discussion on driveways

Ms. Torre just to review:

Previously the subdivision was before you the public hearing was held and closed and the applicant waived the 62 day time frame for making a determination, but this is really completely different plan, so I just want to have David confirm that the prior application's withdrawn and this is an amended application, but we're really starting the process all over again, a new SEQRA determination, maybe a new EAF if any changes 3. **Minutes**

Action, Discussion: 3.1 Planning Board Minutes January 21, 2020

defer to August 18 Action, Discussion: 3.2 Planning Board Minutes February 13, 2020

no quorum Action, Discussion: 3.3 Planning Board Minutes March 30, 2020

not available 4. **Adjournment**

Action: 4.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby adjourn at 9:58pm.

Motion by Chairwoman - Bonnie Franson, second by Anthony Vaccaro.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Lisa McQuade, Chairwoman - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea