

Town of Monroe Planning Board Workshop Meeting MINUTES

— 09/12/2024

Town of Monroe Planning Board Workshop Meeting (Thursday, September 12, 2024)

Generated by Norinne McSweeney

Draft

Members Present:

Jeff Manson, Pat Shea, Dylan Penn

Members Absent:

Bonnie Franson, Robert Garstak, Lou Rivera

Planning Board Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Action, Discussion: 1.1 Roll Call

Procedural: 1.2 Point out Fire Exits

Procedural: 1.3 Pledge of Allegiance

2. New Projects

Action, Discussion: 2.1 **Target** (0229-2024) SBL # 2-1-38 128 Bailey Farm Road, Monroe, NY

Applicant Representative:

Casey Lieberman - Kimley-Horn

Ms. Lieberman reviewed why before the board:

- this submission is for facade improvements at the existing store in addition to new proposed signage
- all sides of the building there's going to be new paint coats on it. It's going to match the current aesthetic of the store.
- the existing bullseye is going to be replaced with a new bullseye, just a plain white 13in bullseye where currently there's an existing 13in red bullseye with Target letters beneath it. There will be no Target letters below the new bullseye.
- the existing CVS sign is being relocated and that is because there is being a drive up wall sign proposed. The drive up wall sign is going to be directly across from where the existing drive up parking spaces are it's meant to be directional so when a customer pulls into the parking lot they know exactly where to drive to where the spaces are helps with the vehicular

flow.

- there is an order pickup sign being proposed right above the entrance again it's directional. If you're doing order pickup, which is a different program than drive up, you're actually going into the store to get your order, but with drive up the employees are bringing it out of the store to your car.
- lastly in terms of other facade improvements there's going to be red ephus proposed behind that white bullseye and this is being done nationwide just to match the aesthetic of all the stores and the new paint coats.

Mr. Arnott comments:

- did evaluate the code for the maximum signage requirement. All buildings are allowed 2 feet per foot of width of facade this is 450 ft long 157 ft long and will be well below the maximum allowable
- they are relocating one sign the CVS Pharmacy sign, I believe the applicant said the drive up sign is directional right to the existing spots that are on the site for pickup. They are not looking to expand the existing spots that are used for drive-up at this time.
- there's no site plan changes at all it's just architectural review
- will have to be referred to the County Planning for the GML 239 review

Ms. Torre comments:

- for purposes of SEQRA it would be a Type II action
- it does require referral to OCDP for GML
- there's an exemption for site plans for signage that meets the code, but this there's no exemption for pure Architectural Review for these facade changes, unfortunately somethings slipped through that exemption agreement.
- the entity disclosure that needs to be signed by a representative of the owner Corporation as opposed to the engineer
- you also need an owner's endorsement from the corporation allowing the engineer to make the application on their behalf
- I had read somewhere that it sounded like you were painting to match the existing colors, but it looks like it's changing to more gray?

Ms. Lieberman - overall their goal is just to make the whole thing look presentable and match all together. The existing side of the building is actually tan, so they are going to repaint, it'll be another color. It's a it's a complete refresh of the entire outside. The colors are on the paperwork provided at submission.

Ms. Torre - if you could just review, I know it's on your narrative, but if there's anything on the plan that indicates it's being painted to match the existing colors.

- the signs are going to be internally illuminated, there is that section of the sign regulations you have to comply with, that they are non-glaring lights
- there is no requirement for a public hearing for this application but it does require GML review with OCDP
- you can't take action until you get a response or until 30 days passes

Deputy Chairman Manson - I went with these plans both to our existing Target here in Monroe and the Target in Spring Valley, who is using the new color set and signage. My first question is in all the documentation like install red EIF's paneling, what is EIF's?

Ms. Lieberman - I don't actually know what it stands for, but it's an insulated paneling on the building it's a matte look and it's cleaner looking.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to classify this as a Type II action under SEQRA.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None

3. Returning Projects

Action, Discussion: 3.1 **Bitto, Ilona** (0226-2024) SBL # 22-2-1.2 122 Ludlam Road, Monroe, NY

Applicant Representative

Robert Kocik-Designer

Mr. Kocik -

- review of the project
- started with the Planning Board for an accessory apartment of 335 square feet which is smaller than the 450 square feet minimum
- referred to the ZBA for a variance for a smaller accessory apartment
- there was a public hearing held at the ZBA level some residents from Rye Hill Road area came out they were concerned about depreciation of their homes if there were to be too many accessory apartments or possible rentals
- received variance from the ZBA in August 2024
- applicant is much involved with taking care of the property including the swamp and the wildlife
- taking care of the house keeping it with the character of the neighborhood

- received the comments from MHE and Ms. Torre dated 8/29
- I have incorporated the 2 lists into cover sheet of how things would be taken care of and complied with goes through all the points
- meeting bulk requirements with the exception of the square footage which has been granted
- using the apartment for family to stay
- they are first time homeowners mainly for the family to be staying and possible in future rental

Mr. Arnott comments:

- a number of items that should be added as notes to the plans to meet the permit requirements for an accessory apartment
- addition items the applicant should look into to confirm is:
 - sufficient parking there are 4 parking spaces required 2 for main house and 2 for accessory apartment
 - onsite well and septic confirm adequate to serve the dwelling with the new unit and the septic is large enough to serve the dwelling

Ms. Torre comments:

- my comments are incorporated into Mr. Arnott's
- all from the Code 57-47 (a)
- floor plan needs to be sealed by a registered architect or PE
- C/O or adequate proof that the single family home has been in existence for at least 10 years
- Mr. Arnott spoke on the parking spaces
- again certification from an licensed engineer adequate water and sewage disposal facilities
- needs an owners affidavit - there is a new form that needs to be completed
- as far as SEQRA you previously classified this type II so there is no environmental review required
- does not require referral to Orange County for GML or public hearing
- the applicant should submit a final submission with all these items address and I can prepare a resolution for the next appearance

Mr. Kocik - it's point for point what I have done with the cover sheet

Ms. Torre - you haven't given the wastewater and water certifications from an engineer and I haven't seen the stamped plans, or the parking being addressed

Mr. Kocik - the inspection installation by a licensed septic person was submitted

Ms. Torre - your original submission you had given the original installation information, but there needs to be a certification that there's adequate, since you're increasing the usage of

water and sewage there needs to be a certification saying that system's capable of handling the increased in usage.

Mr. Kocik - the number of bedrooms has not changed, it was already a bedroom.

Mr. Arnott - you'll just need a letter to that effect signed and sealed by an engineer as required by the code

Mr. Kocik - the Zoning I did do a full site plan showing the parking area and the square footage and the code on that is 18 feet by 8.5 per parking space and it's very ample for that and then plus there's a double garage

Mr. Arnott - actually 18 x 9 per space

Ms. Torre - was this something new because we didn't see any new plans since your original submission

Mr. Kocik - it went to Zoning Board

Ms. Torre - so it needs to get submitted to this board

Mr. Arnott - I'd suggest in your next submission if there's any changes that need to be addressed from our comments resubmit the plans in their entirety to address all the comments.

Mr. Kocik - okay certainly we'll do that. The accessory apartment is going to take largely the same space as an addition from 2000 on the house and there is a C/O for that addition the house was built in 1934 and as of 1938 certificate of occupancies were required so it predates that and we've gone to the former owner and he doesn't have a C/O for that only the new addition.

Ms. Torre - so if you could submit that C/O that you do have for the addition and then I believe you previously submitted the property tax assessment card which would indicate that it's been there.

Deputy Chairman Manson - when was that addition completed?

Mr. Kocik - the addition was 2000 and we have the C/O for that I got that from the Building Department.

Mr. Arnott - I think that would be enough.

Deputy Chairman Manson - to advance forward we need the our consultants comments addressed and the updated plan submitted to us and we can start to work towards a resolution. Ms. Torre - if you could remind me are there any requirements of what has to be fulfilled legally to have the accessory apartment anything that we had an issue with there.

Ms. Torre - just the items that need to be submitted.

Deputy Chairman Manson - Beyond that and the variance it meets all the general qualifications.

Mr. Kocik - I think in the cover sheet I've covered what you've required, the only outstanding one is in the design build. I put crews together and get people as I need be and with this one I did the drawings as I often do, I've been building for 35 years, so for the plans needing to be signed and sealed I can get one of my guys to do that if it's necessary.

Ms. Torre - it is necessary under the code and it's not something that this board can wave, it is something that's required.

Mr. Kocik - I will do whatever is required, but the reference from the same section that was given as A2B requiring a registered architect to have drawn the plants, is strictly a zoning and mapping thing that does not say that the plants have to be stamped so that kind of threw me off there a little bit.

Ms. Torre - I think it might have been perhaps that the site was just an error it might have been the next section.

Mr. Kocik - in the accessory apartment section there is stated no requirement for sign and sealed plans. Typically when I build it's 1,500 square feet and less that don't have to be stamped.

Ms. Torre - I will check that and I'll let Ms. McSweeney know about that requirement.

Action, Discussion: 3.2 **Home Depot** (0227-2024) SBL # 2-1-31.2 254 Larkin Drive Monroe, NY

Applicant Representative:

Casey Lieberman Kimley-Horn

Ms. Lieberman reviewed application:

- previously we were here for outdoor storage at the existing Home Depot
- last time there were comments that we received that we addressed and sent back out and I'm not sure if

Mr. Arnott comments:

- the Genesis of this application is to alleviate some notice of violations from the Building Inspector
- using the fire lane in front of the building and in the rear, spoke to the Building Inspector, he said especially in the back there's not even room enough to get a car through with all the goods that are stored in the back let alone a fire truck.
- so that's what this application is trying to drive at is have reserved areas for storage of goods versus and reserving space in order to meet the fire code
- I spoke with the Building Inspector and reviewed the application he did agree that he's okay with everything as proposed the locations as well as what's being left for the fire lane however the number of parking spaces is being reduced and the existing number of spaces does not meet code so I believe unless there's an existing variance that allows them to go to the reduced number of spaces the application will actually have to be referred to the ZBA
- some other technical items the applicant is looking to (inaudible) and ADA parking spots in order to achieve the minimum required.
- the applicant has shown limits of where they'll mill and repave however there's no grades to confirm what they will replace will meet the minimum required grades so I ask that those grades.
- ask that the grades be added and the applicant confirm that the accessible route to the

building meets ADA between the parking spots and the building.

- Symbol F on the site plan identifies a display of tractors, mowers, and seasonal equipment and I said that potentially could impact the fire lane, however the Building Inspector did not take any exception to that location and I specifically pointed that out to him. So comment number six is a moot point.

- number seven I had a question on whether or not it conflicted with the fire access in order to potentially help the applicant

- I asked if there was an existing cross easement or cross parking easement agreement between Home Depot and the others in the plaza that could potentially help you with your parking calculation I'd suggest you look there

- then number nine is the same thing as six and seven that Mr. Maldonado didn't take any exception to the location of the storage and display areas except that it looks like there's going to be fencing around the Corrals in the rear if yes you'll need a fencing detail

Ms. Torre comments:

- so it does require referral to Orange County Planning Department under GML

- it would be an unlisted action under SEQRA

- I do agree with Mr. Arnott that a variance is needed for the parking - so normally you would do a coordinated review but if you wanted under these circumstances to do uncoordinated that way the applicant can proceed before the ZBA without having to wait for this board to complete SEQRA

- applicant had previously requested a parking reduction pursuant to the code but that's only able to be granted for 25% and reducing from the required 918 spaces to 577 would be a 37.1% waiver so the Planning Board doesn't have authority to waive that

- as far as tonight goes you can refer the application to the County under GML

- classify the application as unlisted action under SEQRA

- and if you agree with doing an uncoordinated review could also refer the applicant to the ZBA for a variance for the parking

Deputy Chairman Manson - if we refer the applicant to the ZBA and they're able to demonstrate that there is a cross easement on parking that would eliminate that necessity for the variance

Ms. Torre - not sure if it would eliminate necessity or if it would be a consideration that the ZBA would consider for granting it.

Mr. Arnott - I guess it could be potentially, if the other stores are already exceeding the minimum required and because they would share them potentially that would eliminate the need for it, but we'd have to see if that exists first.

Deputy Chairman Manson - my question is the store was originally approved with the 611 parking spaces, I assume that was because of a change in code over the years since the original development, we're not sure that's the reason.

Ms. Torre - that would make sense, but haven't done the review to see for sure.

Member Penn - I don't have the site plan in front of me but I just remember some of the parking area they wanted to take up was for a U-Haul and other equipment so the reduction from 611 to 577 is that just to address the violations or does that include,

Mr. Arnott - that includes all the storage areas as well as they're losing some parking to meet the minimum handicap parking requirement.

Member Shea - no questions just an observation a lot of those parking spaces are taken up by people that are squatting with RVs and stuff like that.

Deputy Chairman Manson - we'd like to have Ms. McSweeney also refer this over to OCPD for GML review

- I do agree that a referral to the ZBA for the variance could take place.

- it makes sense for expediency that we declare this an unlisted action and that we go with uncoordinated review that way the ZBA can get started on this without us finishing our SEQRA need a motion on that would you like to make that.

Ms. Lieberman - just wanted to make a point about the parking study that was included, I guess this would be more for the ZBA at this point, but we had a parking study completed that proves that there's never more than 129 parked cars in the parking lot and we'd be asking for 577 parking spaces. We also looked through aerial data from 2001 to 2024 that shows the same data.

Ms. Torre - that is definitely something to submit and to make that case to the ZBA this board just doesn't have the authority to waive that to that extent.

Ms. Lieberman - okay understood then just a question in regards to those ADA spaces we understand the need for it to meet all ADA requirements, but we have notes on here right now that indicate that it needs to all be verified in the field by the contractor that's at all at 2% that being said we don't have a survey of that specific area right now is that something that's able to be waived as long as we have it verified in the fields.

Mr. Arnott - so I could talk to the Building Inspector about that but typically if you don't meet the grades it could extend the section of pavement to be replaced which wouldn't match the site plan that would be my only concern. If the board want a note on the plans to potentially have that as a verification at time of building permit that could be something you could consider but my opinion that's the point site plan review scope of all the improvements.

Deputy Chairman Manson - I tend to agree with that if there's going to be some regrading we need to get that taken care of prior to our approval. We will ask that that be done as part of future submissions.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve a referral over to the ZBA.

Motion by Jeff Manson, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to declare this project an unlisted action under SEQRA and do uncoordinated review so that ZBA can proceed without us finishing our SEQRA review.

Motion by Pat Shea, second by Dylan Penn.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain:None

Action, Discussion: 3.3 **Walmart** (0218-2023) SBL # 2-163-31.1 288 Larkin Dr, Monroe NY
no applicant for Walmart here this evening

4. Additional Matters to Discuss

Tree Preservation Law

Held over until Tuesday's Meeting

5. Minutes

Action, Discussion: 5.1 June 13, 2024

held over no quorum

6. Adjournment

Action, Discussion: 6.1 Adjourn Meeting

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn the meeting.

Motion by Pat Shea, second by Dylan Penn.

Final Resolution: Motion Carries

Yea: Jeff Manson, Pat Shea, Dylan Penn

Nay: None

Abstain: None