

Town of Monroe Planning Board Workshop Meeting MINUTES

— 11/12/2020

Town of Monroe Planning Board Workshop Meeting (Thursday, November 12, 2020)

Generated by Norinne McSweeney

Zoom Meeting

Members present

Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Members Absent:

Lisa McQuade

Consultants:

Ashley Torre, Esq.

Shawn Arnott, PE

1. Welcome

Procedural: 1.1 Roll Call

Procedural: 1.2 Pledge of Allegiance

2. New Projects

Action, Discussion: 2.1 Golden Delite Bakery (0189-2020) SBL # 2-1-5.13 31 Larkin Dr

John Queenan - Lanc & Tully

Mr. Queenan overview of application:

new to the project within the last week or so

project located at 31 Larkin Drive

LI Zoning District

5.4 acres in size

violation issued by building department for the landscape

we are here to remedy a site plan violation for a landscaping company that moved into the facility

under the LI Zoning this is a Special exception use

there is a chart at the bottom of the plan that lists the uses in the building, their square footage and zoning conformance

Lanc & Tully currently working on updating the site plan getting all of what is on the site existing today hopefully ready for next submission

We are before you for an amended site plan and special exception permit for the landscaping

for storage and landscaping materials on the site, as well as to remedy any of the building department violations

Ms. Torre Comments:

main building has been there awhile with the bakery that is approved, but the landscaping business requires a Special Permit for the landscaping warehouse, there is also some other warehouse storage uses that have been added, there's an office as well, original bakery office not a different type of office,

this is a site plan amendment to add the additional uses, currently the only approved thing is the bakery,

a couple of structures - sheds and containers that need approval

there is a shed close to Larkin that's an odd shape I am told has approval, but the remaining 2 structures need approval, also on the right side of the property 3 structures need approval

Mr. Arnott there is one shed in the front yard that was not permitted that would not be allowed currently, so it will need to be moved to the rear or the side

these containers are defined as trailers which can only be used temporarily for a maximum of up to three years with site plan approval

Zoning compliance seems accurate

clarify the chart below shows warehouse for both plumbers' storage as well as building material storage as portion of the interior of the building, that storage is not defined at permitted or special exception use

there is a septic system on the site however there is sewer available in Larkin Drive - not sure if applicant wanted to address that

there is no Parking calculation or parking spaces delineated on the site

couple of things shown on survey that are not depicted or labeled no real symbols

there is a right-of-way with an existing driveway that comes off Larkin Dr not sure if being used for access to the site

then there is an additional gravel drive connected to the asphalt drive that traverses the entire site all the way to the back don't know what it is used for

Mr. Queenan believes the gravel driveway is within an existing easement that provides access to the rear parcel under Mendlowitz . Will confirm when we do updated survey map.

Mr. Arnott continues:

there is a 135ft wide right-of-way shown but it is unclear where the southwest boundary is lastly a note from a Tech workshop on May 11, 2018 that the site received water from the Village of Kiryas Joel but, there is a private well shown on here - need clarified

Chairwoman Franson just as a reminder our minimum lot area is determined after subtracting out certain constraints we should be seeing net lot area

Ms. Torre substantive comments:

tech review March of 2019 a few items

SBL on bulk table is incorrect

net lot area

make sure everything is labeled - there was some garbage enclosure or cans that are shown but not labeled,

possible a stream in the rear of the property

questioning the connecting to OC SD # 1

applicant indicates that water is from on site well, tech review were told not active and property was getting water from Village of Kiryas Joel- need clarified

as far as SEQRA need dimensions of new structures to determine if Type II action and uses in each building, if storage trailer is temporary needs to be changed to a different type of structure if the intent is to keep more than 3 years

any new or unapproved structures would be subject to architectural review

general special use permits are going to apply to the landscaping storage

provide narrative showing how you fit within criteria of 57-12

requires a public hearing

referred to OCPD

Chairwoman Franson I am going to be frank this place looks like a dump, it is an eyesore on Larkin Drive in part due to the multiple tenants in the building and the sheds

show site improvements

need to show parking spaces delineated

instead of multiple sheds is it possible to get one larger structure to house equipment

create a better site plan for this property

Mr. Queenan when I was brought on board the owner indicated to me he wants to work with the board to get this cleaned up

Chairwoman Franson mentioned needed a floor plan as to what business is where - who is occupying what part of the building

Member Manson the portion of the building that the bakery is using is that a production facility or is a portion of that retail - this should be in the narrative

are there delivery trucks, are customers coming and going for any of the businesses

Member Vaccaro did the planning board members get a copy of this plan, is this the plan that was approved and what is the date,

Mr. Arnott not sure if a previously approved plan

Chairwoman Franson maybe we can locate some back papers on this site, possible copy of

resolution as well, look into history

Member Shea - agree its a dump and needs a lot of work - landscaper should do some landscaping

Action, Discussion: 2.2 **Ahron Kestenbaum** (0188-2020) SBL # 7-3-13 20 Allison Drive

Jay Myrow - Attorney

Mr. Myrow - overview

existing structure at 20 Allison Dr

RR1 Zone

A place of Worship is a specially permitted use in the zone

so we are here seeking a Special use permit and site plan approval

this is going to be a multi-functional religious activity meeting place

there will be adults and youth groups that will come in periodically

youth groups for religious training and education

there will be prayer groups

adults will also come for prayer groups

groups for discourse

there may be social events all relating to religious activities on site

that is primarily what the intended use of the facility will be

the code requires that either the owner or tenant occupied - there will be a full time tenant occupying the premises at all time by lease

other factors noted in narrative all of the people coming and going will be coming by public transportation, my understanding no parking on site

Chairwoman Franson - is it a single family residence at this time

Mr. Myrow yes I believe it is, it's a 7000 square foot building the deed referenced in application is 2019, the 2nd floor would be used for the tenants residence, the entire floor but I will clarify that

the second floor might be used for some office space but the tenants resident would be upstairs and the majority of the first floor would be used for religious activities

Mr. Arnott - comments

project is a Special Use Group 9 in the bulk table for RR1 Zone

Place of Worship is that Special Use is regulated under section 57-13 (q)

there are a number of items that will have to be addressed all but one of them can be waived by the discretion of the Planning Board

the one that can't be waived is meeting the NYS uniform code - building code

one of the requirements for the Special Use is that the access must be gained from a major collector road as defined in the Town of Monroe Comprehensive plan - I don't see Allison

Drive as one of those roads, that would likely be something the Planning Board would have to waive

bulk table appeared correct but the maximum number of stories is missing - that is one of the regulated dimensions in the bulk table

the EAF short form was submitted and it identifies a septic system on site, but I don't see where that is, need an as built so it can be evaluated

Ms. Torre - Comments:

As mentioned it is a Special Use Permit the standards are under 57-13 (q)

need a narrative going through those various provisions and stating either how the proposal complies or if a waiver is being requested, to explain why

the town code allows for a waiver of provisions it's in your discretion if they place a substantial burden on the religious exercise of a person, religious assembly or institution

landscaping needs to be addressed as no landscaping has been proposed

no parking is proposed - they are saying everyone is coming from Public Transportation - not sure if that is plausible - in your code there are sections for allowing shadow parking so there needs to be a calculation as far as how much parking would even be required so that you can see what you've been asked to waive

parking calculation is either based on fixed seats or square footage then any waiver or shadow parking you would want to seek

under SEQRA it would be an unlisted action

don't believe it is within 500 ft of any trigger to be referred to the OCPD
requires Public Hearing because of a Special use permit

Member Allegro - Mr. Myrow at the beginning you mentioned 3 or 4 different types of activities taking place at this residence would each of these activities constitute the need for a special use permit

Mr. Myrow the need for a special use permit is that it is being used as a place of worship, the activities that I described do fit within the definition of a place of worship and any place of worship needs a special use permit per Town code

Member Czerwinski where is the nearest bus station to this property

Mr. Myrow I will ask the question, I was figuring it as a drop off site not a whole bunch of pedestrian traffic along the road

Member Manson the first thing I noticed looking at the site plan if it comes down to need for parking the requirement for place of worship is that it can't be in the front 57-13 (q) (9)

Chairwoman Franson mentioned the access from a major collector road, mentioned possible flag lot,

Mr. Myrow spoke stating it would be used M-F 8-4 that it is not a specific congregation, you could almost consider it a community center with religious meetings and education going on,

youth groups would come in, no enrollment, it would be scheduled events, understanding all activities are indoor

Chairwoman Franson need to verify if buses can go in the cul-de-sac thought all buses remained out and you went to the bus, how many buses at a time, where will they drop off, size of buses

Mr. Myrow wasn't picturing large buses more of the smaller vehicles

Chairwoman Franson need to have clarification as to whether a community center, a gathering place, or a place of worship

Mr. Myrow it is not a community center I said that in connection with it not be a specific congregation coming to worship

Discussion on ages of those attending, is it more an assembly place versus a place of worship, does it have adequate fire systems,

Special permit standards require it to be conforming with the uniform code

Ms. Torre asked again if this use is currently being done as it has not yet been approved

Mr. Myrow to the best of his knowledge it is not

look for subdivision map as far as the use (Tetz & Morrele)

Chairwoman Franson additional work to be done:

clarifying the use

utility capabilities

access to the property

traffic

Transportation drop off Allison Drive

Ages of attendees

Parking

Programs 3. **Returning Projects**

Action, Discussion: 3.1 **DG Management** (0172-2019) SBL # 1-1-96

John Queenan - Lanc & Tully

Chairwoman Franson DG Management here before us for a letter that was prepared on the majority of the board's behalf to the ZBA to state the boards position on the variances that the applicant is seeking.

The board reviewed the drafted letter and made a motion to approve. BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby make a motion to forward the letter that's been written with regard to DG Management and the referral of the subdivision application to

the ZBA for variances.

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

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade

Action, Discussion: 3.2 Monroe Commons (0182-2019) SBL # 2-1-10 Ninninger Road

Town of Monroe Consultants in attendance for the Scoping Process:

Aaron Werner - AKRF

Karen Arent - Arent Landscaping

Dave Tompkins - CHA

Franck Getchell - W&S

Elaine - AKRF

Applicants Representatives:

Caleb Pawelski - Pietrzak & Pfau

Jay Myrow - Attorney

Barry T - Architect

Jon Dahlgren - Tim Miller Associates

Chairwoman Franson reviewed the purpose of this evening is to review the draft scoping document

Ms. Torre - the board declared lead agency

the applicant submitted a Scope in August

in the interim the board held a Public Scoping session in September and allowed for public comments on the scope as well as written comments

the consultant team AKRF has been putting together a new draft scope based on all the comments from all the consultants, planning board members, and any other comments received

tonight we are prepared to go over the revised draft to hear any additional comments of concerns from the planning board members, consultants and applicant with the plan to be to adopt a final scope at the next meeting on November 17, 2020

Chairwoman Franson lets start with the planning board members does anybody have any additional comments, questions or concerns since reviewing the latest scoping document
Member Allegro question on page 33 Construction impacts somewhere in this section should be something regarding the school buses on Nininger Road for the High school and Middle School that run approx. 1 hr apart could cause disruption of kids getting to school on time
Mr. Werner I believe the bus traffic is reviewed/mentioned in the traffic study section of the

report, we will make sure it is called out. The point of the construction impact is to take information from the traffic study and incorporate it into the construction schedule, using existing conditions and what's anticipated in the construction phase

Member Manson just going back to previous items that were discussed with the applicant about location other buildings in the county similar in size to this project to help get an idea of the extent of this project and what impacts were going to be like, also architectural look at the building, what the anticipated interior layout would be like

Member Vaccaro can we mention something in the water supply about conservation measures, control measures on faucets and infrastructure, irrigation systems

Mr. Werner point out section 2.4 on page 10 something we can expand on. Right now project description green and sustainable technologies proposed for the mixed-use building parking and landscape area. If this is too general we can get more information.

Chairwoman Franson would like more details regarding water usage either in this section or water resource section. The applicant can describe water saving features. The water supply system and the system capacity and any future additional connections. All covered

Applicant comments:

Mr. Myrow thanked everyone for all the work put into this document

Mr. Dahlgren 2 questions in regards to revised scope. Page 15 regarding surface water testing - why was this added? How this advances the evaluation on this site? Could someone from the board explain.

Chairwoman Franson: Mr. Tompkins or Mr. Getchell can explain, I would say it had to do with stormwater and whether the pond will be affected by runoff, the other was the wetland itself, don't know if some of the turbidity was just naturally occurring and from the wetland perspective it has implications for the quality of the wetland.

Mr. Tompkins during site walk noticed turbidity from the west upgradient sources, so the purpose is twofold one is to document the quality of the wetland and the water in there now, two is also to establish a baseline so that impacts could be assessed against that.

Open conversation regarding surface water testing, storm water and wetland.

Mr. Dahlgren one more question regarding the alternatives. A new alternative was added 19.4 the terrain adaptable parking alternative. Just wanted to get clarification on specifically how we can provide this alternative. The current plan does have some tiered parking in that it's different levels.

open discussion regarding parking, landscaping

Chairwoman Franson brought up the trees in re: large diameter trees to consider their quality. Mr. Werner under 7.1 for the vegetation wildlife section we added in to comply with the Town code.

Ms. Torre the Town code has a section on Landmark trees

Member Manson question regarding overall application not in relation to the scope. The applicant has petitioned the Town Board to consider revising the bulk table in the HI zone to change the height maximum from 40 ft to 50 ft. What has been proposed to the Planning Board is a four-story plus basement 400,000 square foot building is that assuming the change will be granted or without it the building will have to be reduced or is what proposed based on the 40ft and then if granted we would have a potentially larger building.

Chairwoman Franson right now the proposed project is with the assumption they would get the change in height.

Chairwoman Franson Ms. Torre the next steps are to revise the comments brought up tonight into the scope and then adopt at our next meeting on the 17th.

Ms. Torre yes I believe AKRF could make the few revisions that were discussed tonight, propose some changes, and then we could review that on November 17th any final changes, language revisions could be accomplished and then adopted on November 17, 2020.

Mr. Werner let me review what I have to make changes to:

construction add a little more language in the construction traffic about bus conflicts

a little more language describing water supply the best management practices, best water conserving measures proposed up front and in the water section

wells add to determine if potential for other developments to utilize wells

landmark trees added to vegetation and wildlife re: tree inventory

Member Vaccaro brought up energy conservation and solar roof panels, reduce the carbon footprint

Mr. Werner energy chapter does again make a statement, but we don't know what yet as it hasn't been presented by the applicant. Action, Discussion: 3.3 **Meadow Hill** (0169-2018) SBL # 37-1-1 Lakes Road

Chairwoman Franson in terms of the wetland Pietrzak & Pfau has been asking for someone from the Town to go out and have a look at the wetland delineation and validate the delineation boundary and look at the wetlands on the site. To go forward since we have Dave Tompkins from CHA working with us, thought that we could have him advise us as far as the acceptability of the wetland delineation. We don't have a regular consultant that we work with for wetlands, so we can try Mr. Tompkins and his firm out and see how it works out. BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to appoint David Tompkins of CHA to act as the wetlands and ecologist consultant on the Meadow Hill project and then to further enter into a retainer with the firm to do future wetland reviews on behalf of the Planning Board.

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

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade

4. Adjournment

Action: 4.1 Adjourn Meeting

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

Motion by Pat Shea, second by Jason Czerwinski.

Final Resolution: Motion Carries

Yea: Anthony Vaccaro, Chairperson - Bonnie Franson, Jason Czerwinski, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade