

Town of Monroe Planning Board Workshop/Regular Meeting

MINUTES

— 07/20/2021

Town of Monroe Planning Board Workshop/Regular Meeting (Tuesday, July 20, 2021)

Generated by Norinne McSweeney

Members present

Chairperson - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Members Absent:

Lisa McQuade, Anthony Vaccaro, Jason Czerwinski

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 **DG Management** (0172-2019) SBL # 1-1-96 Schunnemunk Road

John Queenan - Lanc & Tully

last appeared in June revised subdivision plans, completed the traffic assessment report, revised landscape plan, updated the visual cross-section profiles, completed SWPPP, submitted revised architectural plans and building footprints layouts hoping to get started on negative declaration

Mr. Arnott - comments

cleanup on bulk table - some lots include steep slopes which have not be accounted for tree inventory plan needs to be updated to include any trees being removed during construction

landscaping plan any difference in number of trees would have to be mitigated applicant submitted SWPPP with revised grading and drainage plan.

Technical comments on SWPPP:

only one study point for pre & post development watershed,

utilized the runoff reduction utilizing 18 proposed roadside trees applicant needs to address how trees catching water with curb proposed

invert elevations of outlet controls

unclear how rain garden will be controlled, should indicate if under drain is utilized

grading plan update to include top & bottom of wall elevations for proposed retaining wall

in coordination with Town hydro geologist well testing proposed for August

update needed on Town Road pavement detail to include 12-inches of item # 4 subbase material

meet with John Scherne proposed water quality swells along back of curbs, sand filter no objection - drainage districted to be created for improvements

updated street lighting plan with light at end of cul-de-sac

traffic analysis submitted - does not indicate change in road level at Schunnemunk and proposed Village road

outside agency approvals: OCDP, Village of Monroe, OCDOH, NYSDEC, OCSD # 1

SEQRA should wait for the following SWPPP further revised, traffic study accepted by board, well testing completed and accepted by hydro geologist

no objection to negative declaration for next meeting

Mr. Arnott briefly reviewed the arch review memo from his office:

garages need to be labeled as "Garage"

basement space in each unit is currently unlabeled or labeled unfinished basement - needs to be labeled as "Open basement - Not Habitable Space, applies to units 1,2,3,6,8 and 9.

some units room labeled "Baby" if this is a bedroom it needs to be labeled as such

Handrails in all units need to be indicated

Ms. Torre -

Spoke with Mr. Queenan on bulk table cleanup

change name on architectural plans to DG Realty

color samples, material samples for review

discussed open space on lot 1 who is going to hold the conservation easement the town board or and agency acceptable to the town board

Mr. Queenan road in village approved, map is filed, and bond has been posted

believe the developer has pulled the permits to start construction

roads match from village to town for entrance into development

discussion on the road into the project if Village doesn't complete its project in regards to dedication, options,

Chairwoman Franson:

does the proposed road for this subdivision taper or take into consideration the design that's shown on their approved plans

Mr. Queenan I took the engineers plans and blended them into ours and made the roads match grades

discussion on the road into the project if Village doesn't complete its project in regards to dedication, options, contingency/agreement for access to project, something built into our approval

Ms. Torre a few meetings ago started review on part II not sure if you want to continue with that tonight or not

Chairwoman Franson - cross section dwellings going to be visible above the tree line, unless landscaping plan provides enough screening, that is why I would like to have comments from Karen Arent to review

Chairwoman Franson:

focus of next meeting should be on SEQRA

traffic impact

Mr. Arnott relatively a minor report, 15 residential units going in on a dead-end cul-de-sac

Mr. Arnott you asked that I reach out to Monroe Woodbury schools regarding the cul-de-sac, normally they would not go up into a cul-de-sac unless special needs

no sidewalks - on Schunnemunk

Action, Discussion: 2.2 **Meadow Hill** (0169-2018) # SBL # 37-1-1 Lakes Road

James Rugnetta Pietrzak & Pfau

located Northwestern side of Lakes Road, 13 acre subdivided into a 6 lot subdivision,

remaining portion will be conservation easement, owned by other lots

own well and septic, currently coordinating with the town hydro geologist for well testing on lots 1 & 3

seeking preliminary approval so we can submit to OCDOH for soil testing

Chairwoman Franson I had spoken with Planning Board Chairman in Chester regarding site next to or behind this site the Pietrzak & Pfau are also representing and there might be a potential future trail connection through the other project and might somehow accommodate on this one.

Mr. Rugnetta that is something I can look into

Mr. Arnott - RR -1 Zoning District

plans not updated since last before the board dated 8/21/19

tree survey plan 8/21/19 with letter from North Country Ecological

Letters from USDOI Fish and Wildlife, NYS OPRHP, NYDEC

Dave Tompkins reviewing the plans for wetland after site visit

this is a cluster the lot sizes are reduced but some of the dimensions can't be reduced per the code namely lot width and lot coverage which are proposed to be reduced in the bulk table so that needs to be addressed

lot line delineation on subdivision plat (Drawings 1 & 3) line type and weight revised to emphasize lot lines vs easement lines

Note # 15 should also note requirement for Town of Monroe Planning Board approval amount of disturbance noted on plans, if the disturbance is greater than an acre a SWPPP will need to be prepared

proposed grading should be clearly indicated on Drawing # 4

sanitary disposal systems designs will be reviewed and approved by OCDOH, Lot #3 SDS absorption area plus several locations of silt fence are depicted through existing stone wall fences, are they being removed

rain gardens proposed to treat rooftop runoffs

projected located on County Highway # 5 requires review and approval from ODCPW regarding driveways and site distance

25 foot scenic buffer is depicted along Lakes Road, board needs to discuss mechanism for recording of the restriction and enforcement provisions

ODCPW preliminary comments

GML 239 referral once lots confirmed

OCDOH review and approval is required

Chairwoman Franson for cluster subdivision house relocation notes need to be added

Ms. Torre:

purposes of SEQRA lead agency declared no objections

need new EAF for 6 lot cluster subdivision the one on file is original for 8 lot subdivision

Board needs to complete SEQRA before any type of approval,

soil testing preliminary approval

new referral to OCDP GML with complete set of plans

well testing & SWPPP will have to be part of the SEQRA determination

bulk table actual requirements for RR1 so it's clear as to what you are trying to reduce under the cluster regulations

Chairwoman Franson addressed Mr. Arnott you mentioned they can't go below a certain size

for the cluster some of the dimensions

Mr. Arnott yes lot width and lot coverage cannot be reduced

Ms. Torre the minimum lot area can be reduced by of 50% of what is required for conventional, no ability to waive lot coverage or lot width so variances would be needed

Ms. Torre note 15 no further subdivision, cluster regulations require a note that says no further subdivision of clusters lots is permitted

note # 14 modify to address scenic buffer requirements of maintenance obligations

tree plan needs to be revised Member Manson had asked for tree 22, 24 and 26 to be preserved, needs to show the limits of disturbance, needs referral to Monroe Conservation Committee

other requirements under 57-84 tree law map notes

conservation easement has to be held by town board or someone they accept

I also spoke with the Town of Chester Planning Board Chairman about whether there could be abutting open space with the adjacent Town of Chester subdivision

Chairwoman Franson do we need a drainage district or some kind of maintenance agreement

Mr. Arnott if rain gardens proposed then a maintenance agreement for each lot not a drainage district

depending on OCDPW comments might need to send to Karen Arent as far as the buffer screening

Member Shea why houses close to road with lot sizes they could be back further create a better potential for screening

Mr. Rugnetta did a tree survey and it is pretty high dense and since all those trees are going to be preserved the houses will be decently screened from the road - but we can look into moving them back

Member Manson - preserve more trees might be part of why can't move back, I wasn't clear looking at plans in regards to limits of disturbance that was proposed

Member Manson question to our consultants I was reading the Town of Monroe Chapter 56 about wetland and I am trying to understand relationship between wetlands and town code 56. Does what the Army Corps of Engineer provides as wetlands does that always correspond to the Town of Monroe and our requirements or could be different borders of the wetlands or wetland buffers based on the town code and should we be seeing that on the plans?

Mr. Arnott I think that is a question for Dave Tompkins, I am not a wetlands expert. The core has standard requirements hydrology soils and groundwater depth so that's what classifies Army Corps wetlands, the town I think would be pretty close to that.

Ms. Torre there are some times where they will need some type of permit under the local wetlands law so that is something Mr. Tompkins should discuss.

Chairwoman Franson - reviewed wetland requirements Army Corps looks at, the town

regulating within a certain distance of buffer, and various definitions.

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

David Niemoitko - Niemoitko Architects

back after a few months of doing further research and design development on the site after the last meeting we did some research into tying into the sewer system that will not be happening, the Moodna Basin impact needs to be resolved

needed to revamp our design until we can tie into the Moodna basin in the future

revised plans into septic and wells for the 3 houses

Walton Terrace is a pre-existing non-conforming lot and it will not accommodate a septic and well because of the distance of the associated neighbors

lots along 1 & 2 tested and perked the site able to show septic design and location that meets the code with surrounding neighbors along with the wells

we ask the board to consider this a temporary solution until they can tie into the existing sewer developer is willing to put in the sewer system all the way up to the tie-in so that the houses would be conditioned or bound to tie into the sewer when it is allowed

as we got the approval from OCDPW for the shared driveway off Lakes Road, all the hydrology studies have been done on the line, we are asking the board to consider this and allow the process to continue based on that promise

Chairwoman Franson: we will start with the consultant comments and then I have some questions with regard to that path as far as what's allowable and what has been shown on the map

Mr. Arnott - mostly some clean up items that carryover from the last iteration of the plans to the current

biggest one being bulk table RR1 zone has different requirements whether or not you have water and sewer versus well and septic or a combination thereof

when a septic is proposed the minimum lot area is one acre and currently subdividing 1.12 acre parcel into a half acre plus or minus so each lot would require lot area variances for each lot at a minimum, if not for lot width

would have to go to the ZBA for a minimum of a lot area variance

Ms. Torre

SEQRA declared lead agency

notice of intent has been circulated

recirculate to ZBA

lot area variance, also lot width and side yards don't meet the separate standards that apply when you have septic and well

lot width minimum is 125 and side yards 30 feet one side 65 feet for both, not sure if you could revise the plans to avoid that at least the side yard

it is no longer lot line change sheets on C1 list of plans, C2 refers to lot line change, area table and zoning table on C2 & C3 they refer to that and also include lot 61 which is no longer part of this

lake side parcel is shown separately it is part of lot 60 so that should be clarified in the zoning C3 refers to 3 homes now 2 needs to be changed

Lakes Road is a scenic road so the scenic buffer note needs to be included

regarding trees what's going to be removed and the limited disturbance, then the one-to-one replacement

the threshold issues is the variance that would be required in order to have this layout move forward

Chairwoman Franson in the SR15 Zone standards if you don't have central sewer or can't connect to central sewer it is a one acre parcel requirement, unless you get a variance. I am not sure if you were aware of the variances required.

Mr. Niemotko the whole premise for the design was to connect to the central sewer district. We have an approved sewer system by Moodna and their consultant engineer, it can be installed according to their approvals. We are not asking for the septic system to be permanent we're asking for temporary.

Mr. Arnott the town has no control over when that sewer capacity will be available it could be 50 years.

discussion regarding sewer vs septic and lot size needs to be met

Chairwoman Franson as a Planning Board we don't have the discretion to unless it's explicit in the zoning to waive the standards for the bulk table only the ZBA has it, if in fact this isn't self created then you have the rationale in front of the ZBA. This is something coming from an outside agency, we were on a path with regard to your property.

discussion regarding smaller lot and what to do with it. Unclear as to the status of the lot, as the 2 are developable and the smaller one is not. Possible option to combine it with other lots and then split off once sewer available. Leave it off all together. If left on then a note added that at the time of approval that the smaller lot is not approved as a buildable lot. Easier to take it off unless in some way creating a non-compliance with another provision. We should look into the other provisions to make sure there isn't something else like an automatic merger. Some codes have automatic merger provisions if it's on the same ownership name and you have an undersized lot automatically deem merged.

This situation has been created by the county with the letter back to September 2020 and not

something that the town or this board imposed any kind of additional requirement on. That is something you could also present to the ZBA as far as why you think you meet the area variance standard.

Chairwoman Franson in the rear yard there is a lot of grading going on behind the dwellings, why is that necessary?

Mr. Niemotko if you notice the driveway outside each garage has a big area that is a requirement of approval by Orange County DPW for a turnaround, we had to do more grading around the back

Member Manson line of disturbance by old gravel driveway bends sharply towards that old gravel driveway rather than following where there's a proposed silk fence on that diagram and it would allow more preservation on scenic buffer if the line of disturbance was there.

Mr. Niemotko had to do with the sight distance needed for the driveway to obtain approval from OCDPW

Member Manson need to see what trees are being removed and mitigation to be done under the tree preservation code

open conversation with applicant, consultants and Chairwoman Franson in regards to the impact of the letter from OCDPW in regards to the sewer hookup and what it means for this project and other projects throughout the town. There seems to be no answer as to when the Moodna Basin would be reopened to sewer connections.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby authorize Ms. Torre the Planning Board attorney to refer this project to the ZBA upon receiving acknowledgement of current plans from applicant.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade, Anthony Vaccaro, Jason Czerwinski

3. Minutes

Action, Discussion: 3.1 **April 8, 2021** Minutes

no quorum

Action, Discussion: 3.2 **April 20, 2021** Minutes

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the April 20, 2021 minutes.

Motion by John Allegro, second by Pat Shea.

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade, Anthony Vaccaro, Jason Czerwinski

Action, Discussion: 3.3 **May 13, 2021** Minutes

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the May 13, 2021 minutes.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade, Anthony Vaccaro, Jason Czerwinski

Action, Discussion: 3.4 **May 18, 2021** Minutes

no quorum

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 tonight's meeting.

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

Final Resolution: Motion Carries

Yea: Chairperson - Bonnie Franson, Jeff Manson, John Allegro, Pat Shea

Absent: Lisa McQuade, Anthony Vaccaro, Jason Czerwinski