

MONROE TOWN BOARD SPECIAL MEETING MINUTES

— 06/13/2022

MONROE TOWN BOARD SPECIAL MEETING AGENDA (Monday, June 13, 2022)

Generated by Barbara Singer

Members present

Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

1. Call to Order

Discussion, Information, Procedural: 1.1 Pledge to the Flag

Information: 1.2 Moment of Silence for Michael Murphy, Planning Board Chairman

To hear Supervisor Cardone speak regarding the Moment of Silence for Michael Murphy, Planning Board Chairman, please go on line to Board Docs Video Clip #1.2, 0:0:28.

2. Motion to Open Town Board Meeting

Action (Resolution): 2.1 Motion to Open Town Board Meeting of June 13, 2022.

2022-#335

BE IT RESOLVED that the Town Board of the Town of Monroe Made a Motion to Open the Town Board Meeting of June 13, 2022 at 7:00 pm.

Motion by Supervisor -Tony Cardone, second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

3. Community Announcements

Information: 3.1 Food Truck Festival

To hear Councilman Scancarello regarding the Food Truck Festival, please go on-line to Board Doc's Video Clip #3.1, 0:2:25.

4. Motions From the Floor

Action (Resolution), Information: 4.1 Cash Transfers

To hear Supervisor Cardone speak regarding the cash transfer, please go on line to Board Docs Video Clip #4.1, 0:4:21.

2022-#336

BE IT RESOLVED, that the Town Board of the Town of Monroe made a Motion approving abstract #061322.

DATE OF AUDIT: June 13, 2022 #061322

DATE GL NO. DESCRIPTION Account Transf to Transf from

NYCLASS Investment A Fund A000-0240 200,000.00

Consolidated Savings A Fund A000-0201 200,000.00

NYCLASS Investment B Fund B000-0240 400,000.00

Consolidated Savings B Fund B000-0201 400,000.00

NYCLASS Investment DA Fund DA00-0240 200,000.00

Consolidated Savings DA Fund DA00-0201 200,000.00

NYCLASS Investment DB Fund DB00-0240 200,000.00

Consolidated Savings DB Fund DB00-0201 200,000.00

NYCLASS Highway Equipment H010-0240 250,000.00

Consolidated Savings Hwy Equip H010-0201 250,000.00

NYCLASS Investment Fund Swr Dist 8 SS08-0240 175,000.00

Consolidated Savings Swr Dist 8 SS08-0201 175,000.00

NYCLASS Investment Fund Swr Dist 9 SS08-0240 75,000.00

Consolidated Savings Swr Dist 9 SS08-0201 75,000.00

NYCLASS Investment Fund Wtr Dist 1 SW01-0240 75,000.00

Consolidated Savings Wtr Dist 1 SW01-0201 75,000.00

NYCLASS Investment Fund Wtr Dist 2 SW02-0240 70,000.00

Consolidated Savings Wtr Dist 2 SW02-0201 70,000.00

NYCLASS Investment Fund Wtr Dist 8 SW08-0240 200,000.00

Consolidated Savings Wtr Dist 8 SW08-0201 200,000.00

NYCLASS Investmnt Fund Wtr Dist 12 SW12-0240 150,000.00

Consolidated Savings Wtr Dist 12 SW12-0201 150,000.00

NYCLASS Investmnt Fund Wtr Dist 14 SW14-0240 50,000.00

Consolidated Savings Wtr Dist 14 SW14-0201 50,000.00

2,045,000.00 2,045,000.00

***Average Mo. Daily Yield

Mar-22 NYCLASS 0.1160

M&T 0.0200 (0.0960)

Apr-22 NYCLASS 0.2626

M&T 0.0200 (0.2426)

May-22 NYCLASS 0.4921

M&T 0.0200 (0.4721)

Motion by Supervisor -Tony Cardone, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

5. Old Business

Action (Resolution), Discussion, Information: 5.1 Rye Hill Preserve

To hear Jeff Buss, attorney for Rye Hill Preserves and Board Members regarding Rye Hill Preserve, please go on line to Board Docs video clip 5.1, 0:6:10.

2022-#337

BE IT RESOLVED, that the Town Board of the Town of Monroe made the following Resolution by Supervisor Cardone and Seconded by Councilman Scancarello.

RESOLUTION REFERRING CONSERVATION CLUSTER ZONE APPLICATION TO TOWN PLANNING BOARD FOR A REPORT AND RECOMMENDATIONS

WHEREAS, Sun Brook Partners, LLC ("Applicant") seeks construct a development within a Conservation Cluster Residential ("CCR") floating zone to be known as "Rye Hill Preserve" ("the Project") which is proposed to include apartments, senior apartments, multifamily townhomes, and two club houses, as well as associated roadways, parking, utility, and drainage infrastructure to support the development; and

WHEREAS, the Project site includes seven (7) tax parcels: 31-1-1.11, 31-1-1.12, 31-1-2.4, 31-1-18.31, 31-1-29, 31-1-62 and 31-1-63 on 245.48 acres ("the Project Site"); and

WHEREAS, the Project would include development on two sites known as "Shea Meadows" to the west along Rye Hill Road which is proposed to have 191 single-family townhome units and "Eagle Ridge" to the east along Orange Turnpike, which is proposed to have a mix of 300 apartment units; and

WHEREAS, Town Code §57-94 provides a process whereby applicants may apply to develop such projects and petition the Town Board to apply the CCR zoning to the proposed development site if the criteria set forth in Town Code § 57-94 is satisfied; and

WHEREAS, Town Code § 57-94(B) sets forth certain submissions that are required in order to pursue a development under the CCR zoning; and

WHEREAS, the Applicant has submitted a petition for the CCR zone ("Petition") to be applied to the Project Site along with a Master Development Plan ("MDP"); and

WHEREAS, the Applicant's Petition also includes requests for the Town to consider an increase in the building height requirements in Town Code § 57-94 as well as a modification of certain parking restrictions set forth in Town Code § 57-49(B)(4) and (5); and

WHEREAS, part of the CCR approval process requires the Town Board to determine whether the Project is viable for a project it wishes to consider for the CCR floating zone and, if so, to

refer the application to the Planning Board for review and a report to be submitted by the Planning Board, including the Planning Board's review of the criteria in Town Code § 57-94 and recommendation of whether the Town Board should authorize the CCR zone and whether the MDP should be approved, approve with modifications or denied; and

WHEREAS, the Planning Board is also encouraged to provide recommendations for how the MDP could be improved in order to incorporate the best practices of sustainable land development; and

WHEREAS, following the receipt of the Planning Board's report, the Town Board undertake further review to determine whether to approve the CCR petition, disapprove the CCR petition or approve the CCR petition with conditions;

WHEREAS, in conducting any such further review, the Town Board would schedule and notice a public hearing prior to such determination at which all interested persons would be afforded an opportunity to be heard; and

WHEREAS, the enactment of the CCR Zoning provisions by the Town in 2020 included a Final Generic Environmental Impact Statement that reviewed a test case on the parcels that are the subject of the instant CCR application that was substantially similar to the proposed Project; and

WHEREAS, the Town desires to initially refer the Petition for review and recommendation of the Town Planning Board regarding the proposed MDP and the proposed application of the CCR floating zone to the Project Site; and

NOW THEREFORE BE IT RESOLVED that:

Section 1. The above "WHEREAS" clauses are incorporated herein as if set forth in full.

Section 2. The Town Board hereby determines that the application for a proposed development under the CCR provisions as submitted by the Applicant is a viable project that the Town Board desires to consider for the CCR floating zone as set forth in Town Code § 57-94(B)(5), except that for the purposes of the referral and review by the Planning Board, the Town Board, at this time, declines to consider the proposed amendments in the Petition concerning modification of the building height requirements in Town Code § 57-94(C)(16)(h) and the proposed amendments to parking restrictions set forth in Town Law § 57-49(B)(4) and (5) (collectively, the "Additional Amendments") and only refers the remaining portion of such Petition to the Planning Board for review, without prejudice to the Applicant to pursue further discussion of Additional Amendments with the Planning Board or to file a future petition or other appropriate application for such Additional Amendments.

Section 3. The Town Board hereby determines that all required documents have been received and are complete except as otherwise noted below. The Town Board determines that further, more detailed submissions or submissions that are not available currently, may be provided to the Planning Board during its review, including but not limited to the following items:

1. More detailed conceptual elevations. Town Code § 57-94(B)(2)(h).
2. Finalization of a Trip Generation Assessment Report/Traffic Study which applicant indicates shall be completed at the end of July.
3. Consistency between the Townhouses A and the MDP and site plans.
4. More detailed landscaping plan
5. Supplementation of visual impact cross-sections with sight line out to Orange Turnpike approximately 300 Feet north of Prestwick Drive and out to Hawxhurst Drive and through proposed Apartment B. If such cross sections show significant visibility, a rendering shall be provided.
6. Supplementation of information concerning allocation of age-restricted units across the Project.
7. Supplementation of information concerning the active recreation space inside the conservation area.
8. Plan modifications to reduce/eliminate impacts if any potential shining of headlights into any home on Rye Hill Road.
9. Review and discussion of townhouse buildings proposed for more than six (6) units, including the proposed eight-unit structure on Road B.
10. Confirmation that plans will included looped water mains and no dead-ended lines.
11. Review and discussion of rear loaded garages, alley access for emergency services and length of structures.
12. Review and discussion of any supplemental SEQRA required as a result of deviations between the proposed plan and the SEQRA Test Case that was the subject of the Environmental Impact Statement prepared in conjunction with the CCR local law adoption.

Section 4. The Town Board determines that the prior FGEIS that included the test case on the Project parcels required certain thresholds to be met and hereby requires that such thresholds be met prior to completion of the Planning Board's recommendation and report to the Town Board:

1. The phasing plan is revised to indicate construction commencing before August 2025;
2. The applicant modifies the project to meet the 40-foot height requirement (or completes any necessary supplemental SEQRA review);
3. Provision of an updated response from the NY Natural Heritage Program, and assessment of impacts to any identified species other than Northern Long-Eared Bat;

4. A map note is added to the MDP indicating that there will be no tree cutting from April 1 through October 31;
5. Minimizing disturbance as much as possible, particularly around all of the proposed stormwater ponds, the emergency access on Shea Meadows and Road E on Eagle Ridge between the two apartment buildings;
6. Utilization of native trees, shrubs and plants in planting plan to be submitted;
7. Use of pervious pavement measures (including grasscrete, grass pavers, pervious asphalt and/or gravel for low-use paved areas as practicable – for example the emergency access road behind Apartment B;
8. Installation of four way stop control at Reynolds and Rye Hill Road;
9. Provision of a signalization warrant analysis at the intersection of Orange Turnpike and Reynolds Road;

Section 5. The Town Clerk is hereby directed to refer this matter to the Town Planning Board along with a copy of this Resolution, requesting that the Town Planning Board prior a report and recommendation to the Town Board pursuant to Town Code § 57-94(B)(5).

Section 6. The Town Supervisor and any other officer or employee as directed by the Town Supervisor is hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.

Section 7. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Yea Nay Abstain Absent

Anthony Cardone, Supervisor [X] [] [] []

Michael McGinn, Councilperson [X] [] [] []

Mary Bingham, Councilperson [] [X] [] []

Sal Scancarello, Councilperson [X] [] [] []

Dorey Houle, Councilperson [X] [] [] []

The Resolution was thereupon duly adopted.

Motion by Supervisor -Tony Cardone, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Sal Scancarello, Dorey Houle

Nay: Mary Bingham

6. Public Comment

Information: 6.1 Rules for Public Comment

Discussion, Information: 6.2 Public Comment

The following residents spoke regarding Rye Hill Preserve. To hear their comments and the Town Board members responses, please go on line to Board Docs video clip # 5.1, 0:28:48.

- Maureen Richardson
- Matt Ladka
- Carol Hawxhurst
- Greg Chiapperino
- Liam Wisehart
- Christine Durso

7. Possible motion to adjourn to Executive and or/ Attorney Client Session

Action (Resolution), Information: 7.1 Enter into Executive Session

2022-#338

BE IT RESOLVED, that the Town Board of the Town of Monroe Made a Motion to enter into an Executive Session to discuss litigation.

Motion by Supervisor -Tony Cardone, second by Sal Scancarello.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

8. Return to Regular Meeting

Action (Resolution), Information: 8.1 Return to Regular Meeting

2022-#339

BE IT RESOLVED, that the Town Board of the Town of Monroe approves to return to regular session.

Motion by Supervisor -Tony Cardone, second by Mary Bingham.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle

9. Adjournment

Action (Resolution): 9.1 Adjournment of Meeting

2022-#340

BE IT RESOLVED, that the Town Board of the Town of Monroe adjourns the meeting of June 13, 2022 at 8:48pm.

Motion by Supervisor -Tony Cardone, second by Dorey Houle.

Final Resolution: Motion Carries

Aye: Supervisor -Tony Cardone, Mike McGinn, Mary Bingham, Sal Scancarello, Dorey Houle