

**VILLAGE OF MONROE PLANNING BOARD
SPECIAL MEETING
MARCH 24, 2014
MINUTES**

PRESENT: Chairman Parise, Members Cocks, Syrianos, Karlich, Convers, Graziano, Engineer O'Rourke, Attorney Levinson

Town of Monroe Planning Board Chairperson Bingham, Members Schwartz and Abrignani, Secretary Troiano

Chairman Parise opened the meeting at 7:00 p.m. with the Pledge of Allegiance to the flag. An announcement was made regarding the location of fire exits. Chairman Parise introduced the members present for the Village and Town Planning Boards and commented that the last time both boards met together with the applicant was in April 2011.

1. Smith Farm – Site Plan – (203-1-1.1, 1.2)

Present: Jim Sweeney, Esq.; Mark Siemers, Pietrzak & Pfau

Attorney Sweeney stated the project began in the late 1990's with a proposal to annex the Town part of the project into the Village, which for various reasons did not happen. The initial application was submitted in 2001 for a subdivision/site plan divided between both the Village and the Town. Engineer Siemers stated Pietrzak and Pfau became the engineers of record on this project approximately two years ago. The entire parcel is 79.2 acres located off Gilbert Street across from the Shop Rite Plaza. 9.4 acres are located within the Village and 59.5 acres are located within the Town. Both the Village and Town are zoned URM with the exception of 10 acres in the Town zoned as RR1. The project proposes 181 housing units of which 36 are age restricted 3 bedroom duplex units, and 18 unrestricted 3 bedroom units, all of which will be 2100 sq. ft. There are 64 patio homes, which are longer, narrower single family homes. The patio homes will all be 4 bedrooms and 2300 sq. ft. There will also be 63 single family homes with 4 bedrooms and 2400 sq. ft. All units will be two stories and have their own driveway and every unit has a two car garage. There will be an additional 97 parking spaces throughout the property for overflow parking. There are two access roads entering off of Gilbert Street. The roads will all be private and the roads have been designed in accordance with Village specifications for surface only, not width. Roads will be 24' wide even though the Town requires 30' wide and the Village 35' wide. There will be an activities center and a pool on the Village side, and walking trails throughout the entire property with gazebos located throughout. The top portion of the site will be a large community green multi-purpose area. A 25' wide access road will connect to Owen Drive. The property will be serviced by central water and sewer. The lower part of the development can be serviced by existing water however the pressure is greatly reduced going up the hill therefore a proposed new water tank with an access drive to the water

tank is proposed at the rear of the open area. Each unit will be offered on its own fee simple parcel. Everything outside of the lines of each parcel will be considered common area and will be maintained and operated by a homeowners association. This includes the private roadways as well. Chairman Parise asked who owned the property now. Attorney Sweeney responded it's still owned by the same LLC, BMG Monroe LLC which is made up of the Maio family as well as a few other partners.

Engineer Siemers discussed the revised plan set submitted. Since their inception in the project they have been focusing on obtaining the remaining NYS DOT approvals which have involved the large drainage pipe which will run down Gilbert St., along 17M and outlets to an existing swale along 17M. It has also involved a realignment of the 17M/Gilbert St. intersection as well as revisions to the 17M/208 intersection. Approximately one year's time was lost trying to run the Gilbert Street pipe along a private easement on the other side of Route 17M until a property owner backed out and the whole process had to start over again. Engineer Siemers also met with Village and Town consultants to decide what plans would be filed with Orange County and what plans would be filed with Village and Town clerks, as well as discussion on construction phasing plans. It was agreed that all plans were to be converted to Pietrzak and Pfau title blocks and a full set was submitted to both Boards a few weeks ago. The plans that gained OC Dept. of Health approval for realty subdivision would be filed with the County, and the entire plan sets would be filed with both the Village and Town clerks. Drawing indexes were provided on the cover sheet of the plans to alleviate confusion. Copies of the drawing indexes are attached below. The sheets listed in the Realty Subdivision Index will be pulled out of the final plans and filed with the County. The indexes provide a cross reference to the remainder of the sheets for the plan which are filed with the Town and the Village. An overall phasing plan has also been included in the revised plan set showing each individual phase broken out as well as a construction phasing plan which show 5 acre disturbance limit for each phase of construction within each phase. The profiles on this plan set has combined the utility profiles into the road profiles which will make it easier for review and construction. There are now 7 sheets of offsite road improvements including Gilbert Street, 17M, and 208. NYS DOT has given a verbal acceptance for the plans and has asked the applicant to prepare the highway work permits. There will be a large 60" pipe that runs down the shoulder of Gilbert Street and now will run down the shoulder of 17M and then under 17M through a culvert and out letting to an existing swale. The existing swale doesn't have the capacity to carry the storm water that would be coming out of the pipe, therefore the area by the culvert will be regarded to widen out the swale and increase the capacity of the swale to carry the storm water down to two existing 60" culverts that run under the heritage trail and out to the Orange & Rockland lakes. There will be two detention ponds located at the entrances to the property with a pipe between the entrances and down Gilbert Street to 17M. The Crystal Run 1.5" force main will run parallel to the pipe directly to the property line and be capped at the property line. DOT also asked that the curb return at the intersection of Gilbert Street and 17M meets the DOT specifications for tractor trailers. To do this realignment Smith Farm has obtained a portion of the Chase Bank property, and in order to get the piece of property Smith Farm has to apply to the Village Planning Board to construct 8 additional parking spaces as they are losing some

of their parking with the realignment. This should be submitted to the Village Planning Board for the April agenda. Engineer Siemers discussed the 208/17M intersection. A traffic light was required to be installed per the initial findings. A left turn lane is proposed to be installed by taking some area from the existing grass island as opposed to taking from the shoulder on the right side, as there is a steep slope which would create a disturbance. Mazer Consulting has been hired to revise the signal boxes in the road for the new intersection configuration. Gilbert Street improvements include a proposed 8" water main that connects to an existing water main and runs along Gilbert Street along 17M. All of Gilbert Street will be repaved, resurfaced and restriped. Smith Farm was originally to be the sole applicant responsible for the installation of any future traffic light at Route 17M and Gilbert Street. The applicant's traffic consultant is to conduct a warrant analysis at the end of each 50 unit phase. There is no C.O. to be issued to the 51st, 101st and 151st units until the warrant analysis is completed. Any traffic signal would be required to be installed at the intersection meeting any warrant for the installation. NYS DOT commented on the submission for the traffic light and stated they decline to offer approvals contingent upon future events, therefore DOT will not issue approval for the traffic light until it is ready to be put in and drawings and traffic studies are submitted. Engineer Siemers commented that there are now two other large projects involved near the intersection which will impact the traffic studies and need for a light and suggested perhaps establishing a contribution share for each project contributing their fair share towards the light. Attorney Sweeney stated that similar to the Rye Hill Road corridor, a fund could be set up for proportionate funding for the traffic signal. Chairman Parise asked if any contact has been made to the YMCA or Crystal Run regarding the light. Attorney Sweeney has not contacted anyone yet but wanted to bring this to the Board's attention as the wording in the Findings statement will need to be amended to match the requirements of DOT as well as the changing area. Member Cocks stated that the last traffic study done was in 2006 and felt that the area has changed quite a bit since then and that a new traffic study is warranted. Engineer Siemers discussed project phasing. The findings statement states that each phase is to consist of 50 proposed units. Chairman Parise asked if the health department was still requiring 50 sewer permits at a time. Attorney Sweeney felt that they were still requiring that and that was what forced the 50 units at a time in the findings statement. Member Cocks asked if Orange and Rockland was notified about the phasing. Engineer Siemers has a meeting scheduled with Orange and Rockland, but that O&R typically don't want to come in until after approval. Myrna Kemnitz asked if there was prior approval from the sewer district. Engineer Siemers and Attorney Sweeney both responded that all sewer approvals have been received. Engineer Siemers explained that the phasing is for 50 units at a time, not 50 lots, so with duplexes it will be per C.O. Phase 1 contains 50 units. Phase 2 has been adjusted to have 64 units as a portion of the original Phase 2 was supposed to be constructed during Phase 4. This would leave a portion of the area in Phase 2 unconstructed for a period of time, and it makes more sense to disturb contiguous area then leave part unfinished. This would increase the number of units in Phase 2; however the traffic warrant would still be triggered at 51st and 101st C.O. Phase 3 would remain a 50 unit phase and Phase 4 would be 17 units. Engineer Siemers has been having discussions with the Village Water Department and Brian Smith. The Village Water Dept. is

proposing to connect a 12" main on Owen Drive and bringing it up the emergency access road and up to the proposed water tower location. The proposed improved water tower tank is 200,000 gallons and the Village is proposing to put a 2 million gallon tank on the property. The tank will be the same height but the diameter would be larger to provide the Village with more water storage capacity. Engineer Siemers stated the estimate amount of water in gallons per day for this development would be 68,700. Chairperson Bingham asked during which phase the water tank would be built. Engineer Siemers responded during phase 3. Don Weeks commented that he gave the applicant an easement a long time ago to allow the pipes to go through his property but he still has not received anything in writing regarding that. Chairman Parise stated this was something between Mr. Weeks and the applicant, and remembers Mr. Weeks mentioning this at the last joint meeting held three years ago. Mr. Weeks asked who would be responsible for maintaining the buffer zone. Attorney Sweeney stated that would fall under the Homeowner's Association. Mr. Weeks fears that there will be no enforcement with the buffer zone and people will abuse it and store garbage. Attorney Sweeney commented that provisions can be added to the Homeowners Association agreement regarding maintenance and enforcement of the buffer zone. Engineer Siemers stated that the roads and common areas will remain private therefore a Homeowner's Association will be necessary. In addition the Homeowners Association as well as deed restrictions will govern the details of the over 55 portion of the project. An attorney has been hired for preparation of the homeowner's association documents and when completed they will be submitted to the Town and Village for review and approval. Member Cocks asked if the development is private how the garbage would be handled, would it be private or municipal. Engineer Siemers stated the findings statement noted it would be municipal garbage. Member Cocks asked for a lighting plan. Engineer Siemers stated the lighting plan is included in the landscaping plan. Member Cocks stated the lighting is not adequate and should be its own separate plan, not included with the landscaping. Planner Dotson commented that due to the extent of the landscaping and two different code requirements that perhaps a landscape architect should be retained by the Planning Boards to review the plans. Engineer Siemers stated that since the roads will be private the bus stop locations will be up to the Monroe Woodbury School District and a letter will be prepared to Dawn Russell, Director of Transportation at Monroe Woodbury for her guidance. Chairman Parise stated that when the site plan is almost ready for approval that the Village Planning Board will contact the school district. Engineer Siemers stated a sidewalk will be installed on one side of Gilbert Street from the property line to Route 17M. Engineer Siemers asked if renderings of the proposed houses from the original findings statement were adequate and acceptable to have the site plan refer to these drawings in the form of a note. Planner Dotson felt that referencing photos in an old document was not a good practice as details could be lost and homes could be inconsistent and recommended photos to be a part of the site plan. Attorney Levinson confirmed with Engineer Siemers and Attorney Sweeney that this project can be built without Crystal Run Healthcare. Chairman Parise stated that this was a very informative presentation; however there are still many outstanding issues to be completed on this project. In addition to site issues there are also simple things that have not been addressed, for example entry signage; mailboxes, are they individual or group; lighting and landscaping details; and now the

new Chase Bank application. Chairman Parise added that Shop Rite should be contacted regarding construction issues and traffic during construction as well. Planner Dotson commented that she has voiced inconsistencies in the plan since 2010 which have still not been addressed. Chairman Parise commented that the Village has had a history of problems with phasing proposals which have never worked well. Too often an applicant would destroy an entire lot and then the lots sits destroyed for years until the homes are sold. The economy and the large amount of competition in the area for sale of homes will contribute to the length of time it will take to complete a project of this size and the project could conceivably sit idle for years. Village Gate is a perfect example of a lot being decimated and sitting for many years until completed. The Village does not want to see dirt and trees down and land destroyed for years with slow or no construction. Attorney Sweeney commented that details and terms can be worked into the restoration bond. Member Cocks questioned if the utilities would be done completely or by phase only. Engineer Siemers stated phase only. Member Cocks questioned if parkland fees are being paid or waived, because there is not enough recreation shown for a development of this size. Chairman Parise stated nothing has been waived. Chairperson Bingham commented that the Town Board had recently adopted new road specifications and suggests the applicant meet these new specifications. Attorney Levinson stated that although there is documentation that the plans were sent to Orange County Planning for 239 review, there is no record of them ever responding. Engineer O'Rourke commented that the applicant has been working with Brian Smith regarding the water; the applicant has been instructed to obtain the list of approved Street names from the Village Clerk; traffic needs to be addressed as well as specific traffic light and improvements coordination; and if the applicant has to conform with the new Town road specifications the entire project will change. Chairman Parise stated that the extension with the Village expires in May and with the Town in June. Member Abrignani confirmed that there will be no clear cutting of trees until the project is finished. Chairman Parise agreed with Member Abrignani. Chairman Parise thanked Engineer Siemers for his presentation and stated that much more work needs to be done and requested that the Boards be kept informed of the status.

ADJOURNMENT

On a motion made by Member Cocks and seconded by Member Syrianos it was unanimously **Resolved that there being no further business, the Meeting be adjourned.** The meeting was adjourned at 8:50 p.m.