

**MONROE PLANNING BOARD AGENDA**

**TUESDAY, JUNE 7, 2011**

The following will be discussed at a planning board workshop meeting to be held at the Monroe Senior Center, 101 Mine Road, Monroe, New York 10950 at 7:30 p.m.

1. Scenic Views
2. Discussion of status and readiness for scheduling of all pending matters

**TOWN OF MONROE PLANNING BOARD  
WORKSHOP MEETING JUNE 7, 2011**

The planning board of the town of Monroe held a workshop meeting at the Monroe Senior Center, located at 101 Mine Road, Monroe, New York. Present at the meeting were Chairwoman Bingham, Members Etzel, Cappola, Schwartz, Abrignani and O'Connell. Member Finnerty was absent. Consultants present were Engineer Murphy and Attorney Donnelly.

**Scenic Views**

Chairwoman Bingham explained that Matt Ryan from Orange County Planning Department is going to assist us in giving advice on Scenic Views. One criteria is forest cover. The two areas the planning board has zoned in on are Walton Lake and Round Island Lake. The areas are the lake as well as opposite shorelines and Hillside.

**Matt Ryan from Orange County Planning Department** gave a presentation on Scenic Views. He explained that there has been advances in data. Chairwoman explained that the two places are a vista.

1. Define what to preserve. Scenic vista. - Planner Dotson in her draft suggested from Round Lake - views from North end of Lakes Road progressing south. Walton Lake – up on Mine Road. Mr. Ryan commented that the Appalachian Trail is a historic and cultural resource. It is considered a scenic vista.

Attorney Donnelly commented that some town board members do not want to put much overhead on the average applicant. He questioned if Mr. Ryan could identify the areas to create a map that would be seen from the streets. People need to know where the view sheds are. Mr. Ryan passed around a photo location map of Goshen as an idea. He suggested having photographs documenting the areas. Attorney Donnelly commented that Tuxedo Park identified areas likely to be seen from the road if disturbed and that area was where the planning board had to impose mitigation measures. This was done by a planner. Mr. Ryan says sometimes this is done on larger subdivisions. This is known as a view shed analysis. It is not done very often.

Chairwoman Bingham showed photographs of Walton Lake and Round Lake taken in May, 2011.

Member Etzel asked about restrictions without taking away a person's right to build. Chairwoman Bingham indicated building height, color of building, etc. Mr. Ryan said that is another chapter in researching this. He would defer this to Ms. Dotson. Attorney Donnelly commented that the approach taken from Tuxedo Park was if identified areas where development viewed from roadway, you would have to provide a line of sight drawing. Planning Board given options such as balloon test, photo mark up, etc. They discuss how to mitigate it.

**TOWN OF MONROE PLANNING BOARD  
WORKSHOP MEETING JUNE 7, 2011**

Mr. Ryan looked at ridge line protection and bulk regulations. He will look at scenic gateway.

**Statement of Readiness for pending applications**

**Vintage Vista Subdivision – Seven Springs Road- Tax Map 1-2-2 and 1-2-9**

Requesting Conditional Final Approval –Engineer Murphy submitted his comment letter dated June 7, 2011 (see attached). He stressed the importance of our receiving reports from the inspection engineer as the roads were being constructed. He will be at our regular meeting on June 14 to discuss outstanding issues with applicant.

**Arndt Lot Line Change – Cromwell Hill Road – Tax Map 15-2-12&13**

Applicant will have to go back to Zoning Board of Appeals for a variance.

**Ekstein Subdivision – Bakertown Road – Tax Map 1-3-9**

Leggette, Brashears & Graham (LBG) needs to do more well testing. Tom Cusack from LBG will be at the regular meeting to discuss.

**Shea Meadows Suidivision – Rye Hill Road – Tax Map 31-1-1.1**

Applicant requesting extension of Conditional Final Approval

**Administrative**

If a planning board member requires information from a consultant, the request must go through the Chairperson.

The naming of the roads are made by the Town Board.

A motion was made by Member Etzel to adjourn the meeting, seconded by Member O'Connell. The motion was granted 5/0.

June 7, 2011

Ms. Mary Bingham  
Chairman, Town of Monroe Planning Board  
11 Stage Road  
Monroe, New York 10950

**Re: Vintage Vista Subdivision  
Final Approval Request – Interim Update Memo  
Seven Springs Road, Monroe, New York  
Tax Map Reference: 1-2-2 & 1-2-9**

**Task: 0074**

**Area: 10.6 acres**

Dear Ms. Bingham:

Subsequent to our May 24<sup>th</sup> 2011 review memorandum of the Vintage Vista Subdivision request for Final Subdivision Approval we received a more detailed submittal document on the same matter from the project engineer under a cover letter dated May 17, 2011, which was received by our office on May 26<sup>th</sup>, just prior to the Memorial Day holiday weekend.

Given the short turn around time and not wanting to rush this important matter, I am providing just a cursory review of the documents submitted and hope to have a more detailed review of the plans and other documents to the Board prior to your June 14<sup>th</sup> meeting.

There are six major categories of engineering/planning/legal documentation that are necessary at this time to evaluate the project readiness for final approval, these include:

1. **Satisfaction of the Conditions of Preliminary Approval** – on this matter the applicant has submitted written responses to the conditions listed in the Preliminary Approval. Some of these items will require determinations to be made by the Planning Board. One item of significance is that the applicant is no longer proposing to form a Home Owners Association (HOA) which was part of two of the conditions of preliminary approval.

Henningson, Durham & Richardson Architecture and Engineering P.C.  
in association with HDR Engineering, Inc.

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Eastgate Corporate Park  
7 Coates Drive, Suite 2  
Goshen, NY 10924

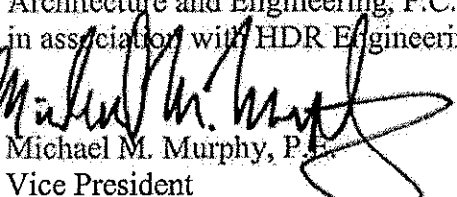
Phone: (845) 294-2789  
Fax: (845) 294-5893  
www.hdrinc.com

- The Board will need to review these conditions and determine if they concur with the Applicant's position that the HOA is no longer required.
2. **Satisfaction of Comments Contained in Outstanding Review Letters** – on this matter the applicant has presented a point by point response to the review comments along with modifications to the plan. HDR will conduct a detailed review of the plans and responses to determine if these three dozen items have been resolved.
  3. **Outside Agency Approvals** – on this matter the applicant has submitted stamped approved plans from the involved agencies along with letters of approval, however there is no mention of the specifications documents.
  4. **Easement Descriptions & Offers of Dedication** - on this matter the applicant has submitted a series of metes and bounds descriptions for the easements and right-of-ways, HDR will conduct a review of these descriptions and compare them with the subdivision plat for accuracy. On the matter of the Subdivision Plat, there are no indications of monuments found in the field which were used to resolve the site boundaries and there are no indications of where monuments are to be set along the right-of-ways. The plat needs to be revised to show these features.
  5. **As-Built Documentation & Bonding Requirements** – on this matter the applicant has offered no information at all.
  6. **Documentation of Maintenance Plan for the Stormwater Facilities** – on this matter the applicant has offered no information at all.

As stated in our letter of May 24<sup>th</sup>, we strongly urge that the applicant make a single comprehensive, well organized submittal request for final approval, documenting satisfaction of all of the conditions of preliminary approval, outside agency approvals and matters to be addressed for final approval.

With the agreement of the Planning Board, HDR will continue to review the details of the plans and other documents submitted by the applicant on May 17<sup>th</sup>, however as noted above a number of the previously requested documents have not been submitted.

I trust that this letter helps to clarify the documents that need to be prepared for Final Approval of the project. If you have any questions, please do not hesitate to contact me at (845) 294-2789.

Sincerely,  
Henningson, Durham & Richardson  
Architecture and Engineering, P.C.  
in association with HDR Engineering, Inc  
  
Michael M. Murphy, P.E.  
Vice President

CC: Planning Board Members Pat Malanaphy, Planning Board Secretary Applicant
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HDR

## **MONROE PLANNING BOARD AGENDA**

**TUESDAY, JUNE 14, 2011**

The following will be discussed at the regular meeting of the Town of Monroe Planning Board to be held at the Monroe Senior Center, 101 Mine Road, Monroe, New York 10950 at 7:30 p.m.

### **Regular Meeting**

1. Eckstein Subdivision – Bakertown Road – Tax Map 1-3-9 further discussion
2. Arndt Lot Line Change – Cromwell Hill Road – Tax Map 15-2-12&13 further discussion
3. Shea Subdivision – Rye Hill Road – Tax Map 31-1-1.1 -request extension of Conditional Final Approval
4. Vintage Vista – Seven Spring Road – Tax Map 1-2-2 and 1-2-9 request Conditional Final Approval

### **Administrative**

Approval of Minutes March 1 and 8, 2011

TOWN OF MONROE PLANNING BOARD  
REGULAR MEETING JUNE 14, 2011

The Town of Monroe Planning Board held its regular meeting at 7:30 p.m. at the Monroe Senior Center, located at 101 Mine Road, Monroe, New York. Present at the meeting were Chairwoman Bingham, Members Finnerty, Etzel, Schwartz, Abrignani Cappola and O'Connell. Consultants present were Attorney Donnelly, Engineer Denega, Engineer Murphy, Hydrologist Thomas Cusack from Leggette Brashears and Graham and Katie Duffy, WSB Sells, Traffic Engineers.

**Regular Meeting**

**Eckstein Subdivision – Bakertown Road – Tax Map 1-3-9 For the applicant John Loch, AFR Engineering**

Mr. Loch commented that he received comment letters from the consultants and with regard to the wells; they will be drilled prior to a permit being issued. Member Finnerty asked Mr. Cusack about this being done prior to approval. Mr. Cusack stated that his concerns are historical water problems in the Bakertown Road area, low yields, replacement wells drilled, this has to do with marginal well yields, potential impacts from Village of Kiryas Joel wells. The wells are within close proximity of each other. There is potential interference with the Village of Kiryas Joel, and the wells themselves are a major concern to him. He recommends drilling of two proposed wells on the subdivision. He recommends a minimum of 450 feet per well. Member Etzel commented that it should take into account these are two family homes. Mr. Cusack indicated he did take this into account. Member Finnerty asked about getting water from Kiryas Joel. Mr. Cusack said this would require an expansion of service areas in the village, and he does not believe the applicant wants to go that route. He is recommending pump tests. Applicant wants to hold off on initial drilling. Member Etzel asked about lot 2 – well maintenance, as well is directly behind house. Mr. Cusack said it has tripod hoists and the wells will be expensive to maintain. Chairwoman Bingham asked about the transportation corp. Could two homes share one well. Mr. Cusack indicated they could. Mr. Loch asked about the benefits of two homes sharing one well. Mr. Cusack had no comment on this.

Member Cappola asked about the wetlands and their conformance. Engineer Denega replied that they have to apply for a wetlands permit.

Engineer Denega expressed concerns about slopes. (See comment letter attached).

Regarding traffic issues, Katie Duffy commented that the vehicle entrance and exits require the 75ft from the intersection and do not have the 300 ft sight distance. Mr. Loch says on lot 3 they will flip driveway around to meet the road further to south on Bakertown Road to meet 75 ft. Lot 2- the frontage is 85 ft, they will look into the driveway issue. They have no sight distance issues with driveways on Bakertown Road. They will provide sight distance easements and improve sight distance at intersection and along property line. There is vegetation in right of way that can be removed and they can get up to 300ft. The applicant has not received comments from highway superintendent.

TOWN OF MONROE PLANNING BOARD  
REGULAR MEETING JUNE 14, 2011

Ms. Duffy requests performing a speed study over a period of one week.

Engineer Denega reviewed his comment letter.

Member Etzel asked about structure on lot 4. Mr. Loch commented that there are storm drain pipes. Chairwoman Bingham commented that during the well drilling she requested the applicant disturb a minimum amount of trees.

**Arndt Lot Line Change – Cromwell Hill Road, Tax Map 15-2-12&13**

Attorney Donnelly stated that the applicant will be going to Zoning Board of Appeals for additional variances and asked to be withdrawn from the agenda.

**Shea Subdivision – Rye Hill Road, Tax Map 31-1-1.1**

A motion was made by Member Schwartz to extend the conditional final approval to September 12, 2011, seconded by Member Etzel. The motion was granted 7/0.

**Vintage Vista Subdivision – Seven Springs Road, Tax Map 1-2-2 and 1-2-9 –**

Requesting conditional final approval

For the applicant Kirk Rother, Engineer and Stan Shutzman, Esq.

Mr. Shutzman stated that this is a 28 lot subdivision. Mr. Shutzman stated that the application has received board of health approval and is requesting conditional final subdivision approval.

Engineer Murphy discussed that there are more documents still required for final approval. He stated that the applicant has received their agency approvals, but we still require some additional paperwork, some documents with regard to the easement description and offers of dedication are need needed. We have not received any documents with regard to “as built” documentation and bonding requirements and documentation with regard to maintenance of stormwater facilities The applicant should be getting reports from the engineer with regard their inspection of the site.

With regard to the applicant’s submittal is that they are currently not proposing a homeowners association. They based this on the fact that they pulled out a large portion of the retaining walls across several lots. The sole purpose of the homeowners association was to maintain the stormwater drainage system. The majority of the retaining walls have already been constructed.

Mr. Shutzman commented that this project has already had its approvals for the roadway construction and stormwater and has an interim public security agreement. This stated that the “as built” will be provided at completion of construction. There are bonds posted and the town engineer has been on site. Inspection fees paid in excess of \$150,000. He believes these are town board matters and will provide agreements and attachments to the planning board.



TOWN OF MONROE PLANNING BOARD  
REGULAR MEETING JUNE 14, 2011

Engineer Murphy stated that there is no bonding in place for public improvements that have not been constructed. He stated that he does not have any documents with regard to the inspections.

The planning board wants to see the inspection reports. Attorney Donnelly stated there should be bonding in place for the construction that has not been completed.

Mr. Rother commented that with regard to the "as built," they are hesitant because the project is still being built. Engineer Murphy commented that they could do a progress drawing and then revise at completion. Mr. Shutzman concerned about the town accepting dedication prior to the final "as built" plan. Member Finnerty concerned about homeowners association. Mr. Shutzman commented that there is a drainage district established with the town. Member Finnerty commented that the town board has always indicted they want the right but not the responsibility for maintenance. The town board wants the drainage district as a back up to the homeowners association. (See copy of preliminary approval available through FOIL request). There was still questions with regard to whether there should be a homeowners association with regard to the sidewalks and some of the retaining walls. There was a question as to which sidewalks were involved. Mr. Shutzman says ultimately with regard to retaining walls, he believes they were taken out and not having the draining easement, having formed a drainage district, he feels there is no need for a homeowners association.

Engineer Murphy showed photographs where he is concerned about grading and drainage issues that were not addressed in the current plans. These are issues which need to be addressed. Mr. Rother agreed that there is work which still needs to be done.

Member Finnerty suggested these issued be addressed and the applicant come back to the board in July. Mr. Ausch (the applicant) very concerned about his losing his investors for the project. He will not be able to get the money needed without conditional final approval. Mr. Shutzman requested that Mr. Murphy's concerns be addressed as conditions of the approval. Mr. Rother stated that he will be able to address the issues with Mr. Murphy by the July, 2011 meeting.

Engineer Murphy reviewed his letter and issues to be addressed.

Mr. Shutzman suggested an homeowners association be formed for the maintenance of the sidewalks and retaining walls if the town does not agree to be responsible for the maintenance.

Attorney Donnelly reviewed a draft resolution and added conditions to be addressed.

A motion was made by Member Etzel to grant conditional final approval based on Attorney Donnelly's additions to the draft resolution, which includes all conditions from Engineer Murphy's letter of June 14, 2011, seconded by Member O'Connell. The motion was granted 6 ayes and 1 abstention (Member Abrignani).

TOWN OF MONROE PLANNING BOARD  
REGULAR MEETING JUNE 14, 2011

A motion was made by Member Etzel to approve the March 1, 2011 minutes, seconded by Member Finnerty. The motion was granted 7/0.

A motion was made by Member Cappola to approve the March 8, 2011 minutes, seconded by Member O'Connell. The motion was granted 6 ayes and 1 abstention (Member Schwartz).



McGOEY, HAUSER and EDSALL  
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**TOWN OF MONROE  
PLANNING BOARD REVIEW COMMENTS**

**PROJECT NAME:** EKSTEIN SUBDIVISION  
**PROJECT LOCATION:** SECTION 1, BLOCK 3, LOT 9  
**PROJECT NO.:** (MHE TASK # 10-31)  
**PROJECT REP:** AFR ENGINEERING AND LAND SURVEYING  
**PLAN DATE:** 5/16/2011  
**REVIEW DATE:** 6/10/2011

No.	Date	Comment	Date complete/notes
1	1/28/2011	The application is for a 4-Lot Subdivision in the RR Zone. It was last in front of the Planning Board in July of 2009. We have reviewed comment letters from both HDR and Garling Associates as well as the proposed plan set and have the following comment:	
		<b>HDR comment letter of January 13, 2009. Incomplete items:</b>	
2	7/1/20009	Due to this projects close proximity to the Town of Woodbury and Village of Kiryas Joel, a review will be required by the OC Planning Dept. Have plans been sent to the OC Department of Planning for review in accordance with GML 239?	verify
3	7/1/20009	Applicant was to coordinate the well testing plan with the Tom Cusack. Has the Planning Board received comment from Tom? Has Tom received plans?	Comments have been received from Tom Cusack. The PB should discuss same.
4	7/1/20009	Sight distances were requested for each of the driveways. The applicant has provided sight distance in only one direction for each of the driveways. They have not provided sight distances in the direction of Acres Road/Bakertown Rd. intersection due to the fact that this is a four (4) way stop intersection that will control driver speed. Refer to AFR letter dated 1/11/2011, comment #8. The PB may wish to have their Traffic Consultant review and comment on the safety of this intersection as it relates to the location of proposed driveways. The applicant should also indicate if clearing will be necessary to achieve the supposed sight distances. The plans also do not meet the requirements of section A065-21-J(1), 300 feet sight distance for a minor road.	Draft comments received 4/12/11 from the traffic engineer. PB's traffic engineer to discuss this further at the June 2011 PB meeting
5	7/1/20009	Notation should be added to plans for the demolition/disposal of septic tank and sewage disposal system along with the approximate location to insure proper abandonment.	Complete 2/23/11. See note 1, sheet 2
6	7/1/20009	The proposed work within the Town right-of-way (driveway cuts, sewer connections) will require approval by the Town's Highway Superintendent. Have plans been forwarded to the Highway Department? If so, has the PB received any comments?	Incomplete

7	7/1/2009	The applicant has indicated that plans have been forwarded to OCSD#1 for review. A copy of their response letter should be provided to the PB when available.	A copy of an email from OCSD #1 has been provided stating that the plans are "approvable", but that DEC approval is also needed.
		<b>Garling Associate comments of July 14, 2009. Incomplete items:</b>	
8	7/14/2009	Concern regarding well locations for lots 1, 2 & 4, where they extend down a steep slope and potentially inaccessible embankment, particularly lot 2.	Well locations and proposed grading have been adjusted. Further concern has been stated in Tom Cusack's letter.
9	7/14/2009	Concern of environmental effects of house locations and sizes.	Further discussion
	1/31/2011	<b>MHE additional comments</b>	
10	1/31/2011	Proposed wells should be located a minimum of 15 feet from property lines and at least 25 feet from streams, watercourses, drainage ditches, or wetlands in accordance with section 5-B.7 of the NYS standards for water wells.	complete 2/23/11
11	1/31/2011	Scale on sheets 2 & 3 is indicated to be 1"=30' on plan view and 1"=20' in title blocks. It appears that the correct scale is 1"=20'. Applicant should verify and revise plans accordingly.	complete 5/16/11
12	1/31/2011	Proposed sanitary sewer main legend does not match line type used on site plan.	complete 2/23/11
13	1/31/2011	A separate Subdivision Plan should be provided depicting the proposed lots, metes and bounds descriptions, and easement. Easement descriptions should be depicted in actual location as opposed to inset.	complete 2/23/11. See sheet 1
14	1/31/2011	The trench restoration detail should be revised to depict roadway pavement replacement in areas of new sewermain installation. The highway superintendent must be afforded the opportunity to review and comment on the adequacy of same.	Provided on sheet 3 (2/23/11). Must receive Highway Dept. comment. Tack coat needed.
15	1/31/2011 (updated 4/12/11)	Retaining wall details will be required. Retaining wall design should be stamped and signed by a professional engineer. In accordance with section A65-25.2 A(1), Retaining walls are considered public improvements and will likely require bonding prior to final approval. As of April 2011 work session bonding will be required. Design will be required in addition to typical detail prior to final approval.	Design report submitted 6/3/11. Discrepancies between wall elevations shown on plan and depicted in report.
15A	4/12/11	In the event that the lots are constructed at different times and are under separate ownership cross easements would be necessary to complete proposed grading and retaining walls. The plans should depict same.	Grading has been revised in an attempt to avoid the need for cross easements (5/16/11). Notation added in case they are needed. PB attorney should advise on same. Grading between lots 1 & 2 is very questionable without cross easement.
15B	4/12/11	A bond estimate should be submitted for review to include the retaining walls and all other pertinent public improvements.	Incomplete
15C	6/10/2011	There appear to be discrepancies between the retaining wall elevation depicted in the design report and the site plan. According to the report, walls are higher than specified on plan. The plan should be revised accordingly.	Incomplete