

STATE OF NEW YORK : COUNTY OF ORANGE

TOWN OF MONROE TOWN BOARD

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IN THE MATTER

OF

THE TOWN OF MONROE COMPREHENSIVE

PLAN UPDATE

MINUTES OF PUBLIC HEARING

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Town of Monroe Senior Center
101 Mine Road
Monroe, New York
September 18, 2017

B E F O R E :

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BRIAN D. NUGENT, COUNSELMAN

MICHAEL MCGINN, COUNSELMAN

ANTHONY CARDONE, COUNSELMAN

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MR. DOLES: Good evening ladies and gentlemen. We are going to begin in a minute.

Do we have a sign up sheet?

THE CLERK: We do now.

MR. DOLES: Yes. Are we ready. Okay.

Good evening ladies and gentlemen. Welcome to the continuation of the public hearing on the comprehensive plan scheduled for seven p.m. as well as the 7:15 continuation for the public hearing for the amendment to Chapter 57.

With the board's permission, I would request that the acting supervisor, Cardone continue the continuation for both. He was here at the first meeting, and I think it would be only reasonable, since he knows what was going on there, to be able to continue it for these two public hearings. Unless there is an objection, acting supervisor, is that all right with you?

MR. MCGINN: That's fine.

MR. CARDONE: Make the motion to open up the continuation of the public hearing for

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2 the comprehensive plan update.

3 I would like to make that motion.

4 MR. MCGINN: I second it.

5 MR. COLON: Aye.

6 MR. CARDONE: So moved.

7 Mary Ellen, would you like to --

8 THE CLERK: Our first speaker will be
9 George Lithgo.

10 MR. LITHGO: Good evening. I will keep
11 my comments short on both the comprehensive
12 plan and the rezoning but we did have
13 opportunity to meet with your planner. And
14 with a couple of board members present who
15 could contribute to the conversation. I
16 think that was productive and useful for us
17 as the applicant, and I hope it was also
18 useful for you as the board. I think it's
19 also useful for the planner.

20 With respect to the comprehensive plan,
21 I'm speaking on behalf of two clients. Ante
22 [ph] Realty owns property on Forest Road.
23 They have concerns about the zoning and the
24 comprehensive plan as it discusses that
25 property and that area. It is largely

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2 surrounded by residential uses. It is
3 located the LI zone.

4 So, on the one hand we're concerned
5 about the removal of some uses from the LI
6 zone, and on the other hand they're concerned
7 about questions of compatibility, they're
8 concerned about the lot area changes that are
9 being proposed by the comprehensive plan, and
10 would be implemented by zoning regulations.

11 We had discussion about those concerns.
12 I think there was a consensus on a part of
13 the planner and the members present. That is
14 probably something which should be addressed
15 at some point in the future. And the
16 comprehensive plan may be revised to the
17 extent necessarily to articulate those
18 concerns, and provide for the, basically an
19 open door, so that there is concern on the
20 behalf of the property owner, there is
21 concern about the way that the property would
22 interact with the surrounding properties.
23 That needs to be addressed, but because of
24 pressure of moving forward with the overall
25 comprehensive plan, presumably would not be

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2 addressed at this time but should be
3 addressed in the near future.

4 So, I have tonight with me a letter to
5 address those concerns. The applicant has
6 retained a planners Stan McGill of CDC [ph]
7 who has provided a brief memo explaining the
8 nature of the concerns and some thoughts
9 about how to proceed forward, which I will
10 submit for the record.

11 And there was also discussion, and
12 separate meeting, with the planner and a
13 member of the board regarding the RD
14 development, which is interesting. It is in
15 the comprehensive plan. But it was the
16 desire, statement there says, town recognizes
17 it exists and that there are a variety of
18 uses in the location. They're allowed
19 pursuant to the business part zoning and
20 should be allowed continuous zoning law uses.
21 However, the zoning does not yet provide for
22 that particular use to be in that particular
23 overlay district which is being proposed.
24 And we would like to ensure that is going to
25 be done, both in the comprehensive plan and

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2 in the proposed zoning.

3 Otherwise, the business park use will be
4 non-nonconforming use, will be inconsistent
5 with the comprehensive plan. But more
6 importantly, it's inconsistent with zoning
7 and a variety of consequences that flow from
8 that, and those are facts that need to be
9 addressed.

10 RD also has continuing concern about the
11 net lot area. We believe that that is
12 excessive in terms of it's impact. And
13 that's something which does need to be
14 addressed, both in the comprehensive plan and
15 in generic impact statement. But also needs
16 to be addressed just in terms of logic.
17 Because you, on the one hand, are saying the
18 formal is requiring, that regulated areas be
19 deducted, but it doesn't prevent the use of
20 those regulated areas. And it's also
21 requiring the deduction of utility easements,
22 and similar things, which are not really
23 environmentally sensitive areas.

24 We believe you're taking a great deal of
25 your LI and HI zoning, zoned areas out of the

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2 development potential. And it's exacerbated
3 by the fact that once you deduct the lot
4 area, then from that you have to deduct the
5 open space requirement of the district.

6 So, at the very least, our request is
7 that you consider that in the generic impact
8 statement and look for some alternatives that
9 would accomplish your reasonable goals of
10 making sure that the environmentally
11 sensitive areas be protected, while at the
12 same time allowing the maximum amount of
13 developable area in these districts to be
14 considered for taxable projects, which is
15 what you want to accomplish as well. We
16 think there is other ways to achieve it other
17 than the current formulation, the lot area
18 requirement.

19 I can come back and say much of the same
20 stuff for the next public hearing, but I will
21 try to make that even shorter.

22 MR. MCGINN: Thank you.

23 MR. CARDONE: Thank you.

24 THE CLERK: Christine Tucker.

25 MS. TUCKER: Good evening. I just

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wanted to ask the board to, please, reconsider the changes in zoning from RR1 and RR3 to SR10 and 20. I would like a more conservative comprehensive plan at this time. We should wait for the increase in zoning until after all the large building projects are completed, and the community has a chance to understand and live with the changes in traffic and overall impacts to their community.

I don't believe that the community has a full understanding of the impacts until they had a chance to live with the changes to their community. That with the large projects that are ready and to be completed at this time, and move forward probably at a very quick pace.

We will also have the ability to have accessory apartments in the structures, even if that doesn't happen for ten years. I would just like it to be a little more conservative for now. I don't think we need to do all of the changes now. And maybe wait to see how the community unfolds.

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2 Thank you.

3 THE CLERK: Ward Brower.

4 MR. BROWER: Ward Brower, private
5 citizen. Like the attorney, much of what I
6 say will be -- I'm not sure what way to put
7 this whether in the plan or in the zoning,
8 because both of them are, one is a suggestion
9 and the other is put down in legal ease.
10 Question is, with the formation of a new town
11 virtually a shoe in, and I have been told by
12 one of the members of the leaders of that
13 united group, that that will solve our
14 problems for ten years of high density
15 growth. I think raises the question, why the
16 rush to change 271 acres of RR1 to what I
17 call SSS, three S's R10. That's -- the S's
18 stand for supersized suburban residential,
19 because that's where they're going.

20 Let me put it in perspective. We go
21 from a number of people on one acre of four
22 and a half, to a number of people, eighty
23 plus, after the accessory kicks in. If there
24 are, after the new town is formed, if we can
25 believe the leaders of that united group,

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2 there will only be a handful of supersized
3 families in the town, and that new town deals
4 would solve their problems, large family
5 problems for ten years. So, why are we
6 rushing into that?

7 Other point, minor one, that is as a
8 member of the conservation commission, I
9 contacted the county board of health about a
10 number of people in a bedroom, bedroom count.
11 And that reflects the environmental impact.
12 I had to write a formal letter and I got a
13 formal response. I have been told by the
14 planning board that this is a call of the
15 board of health. Board of health says no,
16 not true.

17 What I'm talking about is when we have
18 446 units, permits out there, which have been
19 SEQRA'd for a standard size family of four
20 and a half people per dwelling, and we're
21 marketing to a supersized family of eight to
22 ten. That's doubling of the impact. And as
23 the man at the board of health says, that's
24 the call of the lead agency, which happens to
25 be the planning board. So, the planning

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board, really should follow SEQRA and call for a supplementary impact, environmental impact study to address these issues. Those are two minor points but a lot of impact.

Thank you.

THE CLERK: Is there anybody else who would like to speak? Okay.

MR. MCGINN: I make a motion that we, or perhaps Mr. Nugent, can we at this time close the --

MR. NUGENT: We need to continue. I believe the planner is still making revisions based on Wednesday's workshop to be provided to the town board. So, I believe your next meeting is October 2, so you can --

THE CLERK: September 25.

MR. DOLES: Next week.

MR. NUGENT: So, you can continue to next week. I don't know if we will have the changes by then, but we can always continue it. And there will still be an opportunity for people to comment if they wish to. And then we can follow up with the planner on when those changes are to come.

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MR. MCGINN: Got you.

With that excellent legal counsel, as always, I will make a motion that we continue the public hearing on the comprehensive plan until the next meeting on 9/25 at seven p.m.

MR. DOLES: I will second it.

MR. CARDONE: Second.

All question.

MR. COLON: Aye.

MR. CARDONE: I need a motion for the continuation of the public hearing regarding amendments to Chapter 57 zoning.

MR. MCGINN: I make a motion that we continue the public hearing on the amendments to Chapter 57 zoning.

MR. DOLES: I will second.

MR. CARDONE: All in favor?

MR. COLON: Aye.

THE CLERK: Mr. Lithgo?

MR. LITHGO: I tried to avoid the experience of déjà vu. So, on the déjà vu note, I did note that we need to have a better understanding of what the BP regulations are for the business park

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business district. Confirmation that the use table will include the business park use. Relating to that, this is going to shift the underlying zoning in the business park from HI to LI. That has some impact, because currently the zoning for business park use allows uses from the GB, LI and HI district to be permitted uses in the business park use. The zoning regulations for the business park overlay do include something called a regional shopping center. Which is different than a business park. And it has one important distinction in that uses which are special permit uses, must be special permit uses within the center.

I would offer the suggestion that you might consider conforming both the regional shopping center and the business park use as it will be approved in the PPO district, to allow what's currently allowed, which is both special permit and permitted uses or allowable permitted use in the business park. The reason for that is, typically your special permit uses are subject to conditions

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2 which require that they be compatible with
3 surrounding uses.

4 When a property is coming in without --
5 to a neighborhood and you suddenly have
6 neighbors on each side who have to deal with
7 it, that's appropriate use classification.
8 It's coming into a business park where there
9 is a plan of development and central
10 management, and it's being owned and operated
11 in conjunction with the other uses in the
12 business park and subject to covenants and
13 restrictions that deal with issues like
14 noise, parking and utilities. I think that's
15 superfluous to a large extent. And it is one
16 other thing which has to be accomplished in
17 order for the business park operator to bring
18 in a new use.

19 So, I would encourage you to consider
20 conforming that to the existing condition
21 that exists in the business park.

22 Again, in our conversations we have
23 emphasized the need for flexibility of the
24 use. I would like to offer some suggestion
25 through your planner, to do that as part of

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2 the business park use in the new business
3 park zoning overlay district. Because that
4 is important.

5 One of the things we particularly like
6 to see, well, one of the things we like to
7 see is that there is currently in the use
8 table for the LI district. The underlying
9 district, which would also apply to uses in
10 the business park. Currently permits
11 hospitals and medical buildings, full medical
12 art buildings. That something that RD has
13 had some experience with recently. They were
14 really encouraged by the experience, and
15 would like to look at those kind of
16 opportunities here. But you are taking the
17 medical arts building out of the underlying
18 LI, and it's not a permitted use in the
19 business park zoning. So, we would like you
20 to especially look at that option.

21 And you're basically continuing zoning
22 if you leave it there. So, we think it's
23 something you could accomplish as part of the
24 zoning changes. I would like to offer to
25 provide some information about the experience