

**VILLAGE OF MONROE  
PLANNING BOARD  
REGULAR MEETING**

**TUESDAY MARCH 22, 2022  
7:00 P.M.**

**Present:** Chairman Boucher, Members Hafenecker, Karlich, Umberto, Kelly, Attorney Cassidy, Engineer O'Rourke, Building Inspector Cocks

Absent: Member Allen, Planner Fink

Chairman Boucher opened the meeting at 7:03 p.m. with the Pledge of Allegiance. Chairman Boucher announced a change to the agenda items.

**PUBLIC HEARING**

On a motion by Member Kelly and seconded by Member Hafenecker it was unanimously resolved: **to re-open the continuation of the Public Hearing for 3 Angel Road.**

**Continuation: 3 Angel Road – Amended Site Plan - (214-1-58)**

**Presenting:** Meagan Blair, from David Niemotko's office, Architect for the applicant

Board Secretary Charles read the public notice.

Meagan Blair, from the Office of David Niemotko, Architect for the project, was prepared for questions/comments from the public.

Meagan Blair, presented a quick overview of the project. It is a single family dwelling being converted into a two-family dwelling. There are no exterior changes. All changes are to the interior.

Chairman Boucher informed the public that they can address comments to the board and they may or may not get an answer to their comments at this time but all comments will be addressed. The questions/comments will be recorded. Chairman Boucher asked twice if there were any comments or questions from the public. There were no comment/questions from the Public.

On a motion by Member Kelly and seconded by Member Umberto it was unanimously resolved: **to close the Public Hearing for 3 Angel Road.**

On a motion by Member Kelly seconded by Member Hafenecker it was unanimously resolved: **to re-open the Public Hearing for 494 Rt.17M Karaoke Bar and Restaurant.**

**Continuation: 494 Rt17M – Karaoke Bar and Restaurant**

**Present:** John Loch, Engineer

Board Secretary Charles read the public notice.

John Loch, Engineer for the applicant, presented a quick overview of the project. The small strip mall shopping center will have mostly retail tenants. This is a change of tenants. A sidewalk will be added on Rt 17M. A six-inch water pipe will be installed for a sprinklers system.

Chairman Boucher informed the public that they can address comments to the board and they may or may not get an answer to their comments at this time but all comments will be addressed. The questions/comments will be recorded. Chairman Boucher asked twice if there were any comments or questions from the public. There were no comment/questions from the Public.

On a motion by Member Kelly and seconded by Member Umberto it was unanimously resolved: **to close the Public Hearing for 494 Rt. 17M.**

On a motion by Member Kelly seconded by Member Hafenecker it was unanimously resolved: **to open the Public Hearing for the special use permit for Somni Restaurant.**

**Somni Restaurant – 15 Lake Street**

**Presenting:** Luis Naula, applicant/restaurant owner, Charles Jordan, Architect

Board Secretary Charles read the public notice.

Charles Jordan, Architect for the applicant, presented a quick overview of the project. 15 Lake Street is being converted from an office building to a restaurant. The first floor will have approximately fifty seats. The second floor would possibly have the same but that is not being asked for at this time. There is quite a bit of conversion needed as it is going from an office building to a restaurant. The plumbing, mechanical, and sprinklers will all need to be converted. They will be back for signage permissions at a later date. Chairman Boucher confirmed that this application was about the first floor only.

Chairman Boucher stated Somni Restaurant is currently operating on Rt. 208 in Monroe.

Chairman Boucher informed the public that they can address comments to the board and they may or may not get an answer to their comments at this time but all comments will be addressed. The questions/comments will be recorded. Chairman Boucher asked twice if there were any comments or questions from the public. There were no comment/questions from the Public.

Motion by Member Kelly and seconded by Member Hafenecker it was unanimously resolved: **to close the Public Hearing for Somni Restaurant 15 Lake Street.**

### **Regular Meeting**

#### **The Pets I Love**

**Presenting:** Sabastian Cole from David Niemotko's office, Architect for the applicant

Board Engineer O'Rourke stated this application is ready for 239-county review. As this is a revised site plan the Board has the right to waive the Public Hearing. This application is a small adjustment, the shed in the back will now become an addition. These are the two actions he recommends.

Board Engineer O'Rourke stated he sent his comments to the Architect which related to site plans clean up.

Board Attorney Cassidy stated she had a resolution prepared to submit the 239-county review and to waive the public hearing. She noted there have been two public hearing by the Zoning Board of Appeals (ZBA) and there was no public at either meeting. Chairman Boucher asked the Board if they wanted to waive the public hearing. The Board was fine with waiving the public hearing.

The ZBA did approve the variances needed but, the Planning Board does not have a signed copy yet. This is one of the conditions that will be added to the resolution.

The Board can approve the resolution and all conditions would have to be meet.

Board Attorney Cassidy read the resolution.

On a motion by Member Kelly and seconded by Member Umberto it is was unanimously resolved to **approve the resolution for The Pets I Love with conditions.**

PLANNING BOARD

RESOLUTION TO SET PUBLIC HEARING AND REFER PURSUANT TO GML 239– PETS I LOVE

WHEREAS, the Village of Monroe Planning Board is in receipt of an application for amended site plan approval to allow for a 1 story addition, separate 2 story addition and 1 exterior shed to expand an existing veterinary practice

WHEREAS, a Short Environmental Assessment Form (EAF) dated June 28, 2021 was received; and

WHEREAS, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II action pursuant to the State Environmental Quality Review Act (SEQR) and no further environmental review is required;

NOW THEREFORE BE IT RESOLVED, that given the nature of the applications and prior public hearing before the Monroe Zoning Board of Appeals, a public hearing is not required

BE IT FURTHER RESOLVED that a copy of the application shall be transmitted to the Orange County Department of Planning pursuant to General Municipal Law § 239 et seq.

Motion by Member Kelly, Second by Member Umberto. Dated 3/22/2022

Member Keith Allen	Absent
Member Jeff Boucher	y
Member Paul Hafenecker	y
Member Marilyn Karlich	y
Member Fred Kelly	y
Member Umberto	y

**494 Rt. 17M**

**Presenting:** John Loch, Engineer

Board Engineer O'Rourke stated this is a special use permit and an amended site plan review. The water has been coordinated. A traffic study was done and reviewed. Revisions were sent to the applicant. When the revisions are done, the Board will be in a position to approve.

Board Attorney Cassidy had a prepared resolution. The resolution will have conditions.

Board Attorney Cassidy stated the public comments from the Public Hearing. The concern were about the amount of noise that will come from the restaurant. She stated that the Village Code addresses noise and the applicant will have to follow those guidelines. Chairman Boucher stated there is no outdoor dining allowed at this location.

Board Attorney Cassidy read the resolution.

Board Engineer O'Rourke stated the applicant needs to submit cost estimates for construction and that needs to be submitted to the Village Trustees. Chairman Boucher stated there should be a reference to this being a Type 2 action under SEQRA.

Member Umberto stated that Board has reviewed the parking as well as the traffic issues. At the February 22, 2022 public hearing there were comments from the public in regards to the noise. The person who made the comment stated they would come back for the continuation of the Public Hearing and bring the neighbors. Member Umberto is surprised there is no public in attendance for the continuation of the Public Hearing earlier this evening. Chairman Boucher stated that is why the conditions were added. If the applicant does not conform to the Village Laws, the Board has actions they can take. The Special Use permit is only for one year, after one year the applicant needs to return to the Board to make the Special Use Permit permanent. If there is a problem the Board may not consider extending the Special Use Permit. Member Umberto stated he wants the public to know the Board has taken the public comments into consideration. Chairman Boucher polled the Board to see if anyone had objections to moving forward tonight with the condition stated on the resolution. The Board did not have objections.

On a motion from Member Kelly and seconded by Member Umberto is was unanimous to approve: **the resolution with conditions as read into record by Attorney Cassidy for 494 Rt 17M Karaoke and Bar and Restaurant.**

VILLAGE OF MONROE  
PLANNING BOARD  
RESOLUTION TO APPROVE THE APPLICATION OF  
CAROLYN SAVINON AND HAGOPIAN REALTY CORP FOR  
AMENDED SITE PLAN APPROVAL AND SPECIAL USE PERMIT  
494 ROUTE 17M  
SBL 211-11

WHEREAS, the Village of Monroe Planning Board is considering action on a proposed amended site plan and special use permit application to permit the use of a 3,741 square foot commercial space within an existing commercial plaza for a restaurant located in the GB zoning district at Route 494 Route 17M (SBL 211-1-11);

WHEREAS, the site has existing site plan approval dated December 3, 1990;

WHEREAS, the Building Inspector issued a determination dated August 16, 2021 that the proposed use is permitted as a Tavern as defined by the Village of Monroe Zoning Code.

WHEREAS, the Planning Board has received and considered the following:

1. Application dated August 25, 2021.
2. Environmental Assessment Form last revised January 11, 2022

3. Amended Site Plan prepared by AFR Engineering and Land Surveying, P.C., last revised February 25, 2022.
4. Comments of the Planning Board Engineer, Attorney and Village Building Inspector.

WHEREAS, the Planning Board has determined that this is a Type II pursuant to the State Environmental Quality Review Act (“SEQR”) and that no further environmental review is required;

WHEREAS, the Planning Board is in receipt of a comment letter by the Orange County Department of Planning dated March 3, 2022 pursuant to General Municipal Law § 239 et seq. and said letter indicated that the matter was for local determination;

WHEREAS, the Planning Board held a duly noticed public hearing on February 22, 2022 and continued on March 22, 2022;

WHEREAS, the Public Hearing was closed on March 22, 2022;

NOW THEREFORE BE IT RESOLVED, that after consideration of the application materials, the consultant comments and public comments, the Planning Board hereby grants amended site plan and a special permit subject to the following conditions:

1. Applicant to address all outstanding comments by Lanc & Tully Engineering as set forth in their memo of March 7, 2022.
2. Construction cost to be submitted for approval by the Village Board.
3. Applicant to submit final site plan to be signed by the chairman.
4. Applicant to pay all outstanding fees.
5. Applicant to obtain all permits including Village of Monroe and New York State Department of Transportation.
6. Applicant to comply with Chapter 145 of the Village of Monroe Village Code, “Noise.”
7. Landscaping to be maintained in perpetuity.
8. Applicant to commence construction within one (1) year pursuant to § 200-72 of the Village of Monroe Village Code. Applicant may request an extension.
9. Chairman shall be authorized to sign the site plan upon the advice of the Planning Board Engineer and Attorney that the final plan set conforms to the conditions of this amended site plan approval.

Motion by Member Kelly, Second by Member Umberto – Dated 3/22/2022

Member Keith Allen	Absent
Member Jeff Boucher	y
Member Paul Hafenecker	y
Member Marilyn Karlich	y
Member Fred Kelly	y
Member Joseph Umberto	y

VILLAGE OF MONROE  
PLANNING BOARD

SPECIAL PERMIT

494 Route 17M

This Special Permit is issued to HAGOPIAN REALTY CORP, owner of property located at 494 Route 17M, Village of Monroe, New York for the conversion of existing retail space into a restaurant/karaoke bar pursuant to § 200-48, et seq. of the Village of Monroe Code subject to the Planning Board's special permit procedures and regulations as set forth in the Village of Monroe Code, Article XII § 200-48, et seq.

FINDINGS

The board determines, after review of all the application materials, consultant comments and public comments, that the applicant/owner has satisfied the findings required by the Village Code § 200-48, in particular:

1. The location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with said use, the size of the site in relation to such use and the location of the site with respect to streets giving access to the use are such that it will be in harmony with the appropriate and orderly development of the district in which the proposed use will be located.
2. The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
3. Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted use not requiring a special use permit.
4. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives are laid out so as to achieve maximum safety.
5. Existing municipal facilities are adequate for the proposed use.
6. The property will be suitably landscaped to protect the neighborhood and adjacent property in perpetuity.

Based upon these findings, the Planning Board approves the Special Permit subject to the following conditions:

1. Applicant shall comply with Chapter 145, Noise of the Village of Monroe Village Code
2. This special use permit shall expire one year after the issuance of the Certificate of Occupancy at which time the property owner may seek an extension from the Planning Board.
3. Any special use permit issued hereunder shall be to the applicant and shall be terminated upon the sale, expiration of a leasehold interest of the applicant, a change to a permitted use that does not require a special permit, or abandonment of the site, unless otherwise authorized by the Planning Board. If there is noncompliance with the conditions of the resolution of special use permit, the certificate of occupancy shall be revoked.

### **Somni Restaurant**

**Presenting:** Luis Naula, applicant/restaurant owner, Charles Jordan Architect for applicant

Board Engineer O'Rourke stated there was a submission from this afternoon with a letter from The Town of Monroe. The issue of the dumpster looks like it has been resolved with The Town of Monroe. The Board needs to be specific with the number of seats allowed. Signage was discussed with the applicant's architect. Chairman Boucher stated the seating mentioned fifty-five to fifty-seven seats but there is Village Code which would clarify that but we have to get a specific number. Mr. Jordan, Architect for the applicant, stated the occupancy is as follows: fifty-eight for dining, eleven for the bar and ten employees would be the maximum. The occupancy rate is based on the Village guidelines/code. Chairman Boucher wanted to know about the dumpster enclosure. The Village Mayor, Mayor Dwyer, stated he is working on a project with the neighbors behind the restaurant and a dumpster enclosure will be built for all businesses in the area. Member Hafenecker asked about the grease trap. Architect Jordan stated the grease trap will be internal. Board Engineer O'Rourke stated this Board needs to address the dumpster problem. The Board may be able to handle it as a condition and that the dumpster enclosure has to be built in one year so that when the applicant comes back for the special use to be renewed it can be done then, or should it be handled by making a recommendation to the Village Trustees or the ZBA. A discussion on the dumpster continued.

Member Hafenecker stated he drove past the parking area during the week, and parking that the restaurant would use was full. His concern is will there be enough parking during the weekend if during the week the parking area is full. Mayor Dwyer stated the parking spaces are owned by the Town of Monroe and the people parking there are parking illegally. That area is being monitored but there will be ample parking when the project he is working on is done. Chairman Boucher asked if there was signage to indicate who could park there. Mayor Dwyer stated he did not think there was signage there now. The Mayor from the Town of Monroe, Mayor



Cardone, stated there are signs that state the parking is for the Town of Monroe. Board Engineer O'Rourke stated that was done for the courts when the court was in the building but that may not help the restaurant or the town can give the restaurant some parking which is another option. Chairman Boucher stated he is more concerned with the dumpster issue. Board Attorney Cassidy asked to have a client/attorney session with the Board.

On a motion by Member Kelly and seconded by Hafenecker it was unanimously resolved to: **leave the Board room for an executive attorney/client session.**

At 7:46 p.m. the Board members, the Chairman and the Board Attorney went out for an executive session.

On a motion by Member Kelly and seconded by Hafenecker it was unanimously resolved to: **continue the meeting after the executive attorney/client session.**

Chairman Boucher stated that the dumpster code is very specific and it is there for a reason. The Board does not have the ability to waive that. The Town of Monroe will need to work it out with the applicant. Board Attorney Cassidy will have that as a condition in the resolution.

Chairman Boucher stated this is a Type 2 action under SEQRA and no further action is required.

Board Attorney Cassidy stated the Board will be treating the sketch that came on the application as a site plan as it contained most of the information the Board needed. But, the Board has to waive the site plan in order to do that.

Member Karlich asked about the signage. Board Engineer O'Rourke stated the sign was part of the building permit process unless they wanted a freestanding sign.

If the applicant wanted changes made to the outside of the building they would have to come back to the Board. Chairman Boucher stated at this time there is no plan for the applicant to do anything externally.

Attorney Cassidy read the resolution:

VILLAGE OF MONROE  
PLANNING BOARD  
RESOLUTION TO APPROVE THE APPLICATION OF  
LUIS NAULA/TOWN OF MONROE ON BEHALF OF SOMNI RESTUARANT  
AMENDED SITE PLAN APPROVAL AND SPECIAL USE PERMIT  
15 LAKE STREET  
SBL 207-1-15

WHEREAS, the Village of Monroe Planning Board is considering action on a proposed amended site plan and special use permit application to permit the use of a 4,800 square foot existing commercial space for a restaurant located in the CB zoning district at 15 Lake Street (SBL 207-1-11);

WHEREAS, the Building Inspector issued a determination dated January 21, 2022 that the proposed use is permitted under the Village of Monroe Zoning Code subject to a Special Use Permit.

WHEREAS, the Planning Board has received and considered the following:

5. Application dated January 21, 2022.
6. Environmental Assessment Form
7. Existing Site Survey
8. Comments of the Planning Board Engineer, Attorney and Village Building Inspector.
9. Authorization from the Town of Monroe regarding use of the parking lot.

WHEREAS, the Planning Board has determined that this is a Type II pursuant to the State Environmental Quality Review Act (“SEQR”) and that no further environmental review is required;

WHEREAS, the Planning Board is in receipt of a comment letter by the Orange County Department of Planning dated March 3, 2022 pursuant to General Municipal Law § 239 et seq. and said letter indicated that the matter was for local determination;

WHEREAS, the Planning Board held a duly noticed public hearing on March 22, 2022;

WHEREAS, the Public Hearing was closed on March 22, 2022;

WHEREAS, the Planning Board finds that due to the lack of exterior construction and that the proposed use is entirely within the confines of an existing building, to the extent the submitted plans do not contain all of the required elements of the site plan as set forth in 200-72 (I) are not necessary for the preservation of the health, safety and welfare of Village residents.

NOW THEREFORE BE IT RESOLVED, that after consideration of the application materials, the consultant comments and public comments, the Planning Board hereby grants amended site plan and a special permit subject to the following conditions:

10. Applicant to address all outstanding comments by Lanc & Tully Engineering as set forth in their memo of March 2, 2022.
11. Applicant shall install dumpster enclosure pursuant to § 200-34(F). Such dumpster enclosure shall be as approved by the Building Inspector.
12. Approval is limited to the first floor for 58 dining and 11 bar seats. Future phases and signage subject to approval as required by Village of Monroe Code.
13. Parking pursuant to § 200-35 to be addressed by the Village Board.
14. Applicant to pay all outstanding fees.
15. In the event title to the property is transferred, an easement granting the right to use the parking lot for a dumpster shall be recorded on the Orange County Land Records.

16. Applicant to obtain all permits including Village of Monroe Building Department as applicable to the project.
17. Applicant to comply with Chapter 145 of the Village of Monroe Village Code, “Noise.”
18. Applicant to commence construction within one (1) year pursuant to § 200-72 of the Village of Monroe Village Code. Applicant may request an extension.
19. Chairman shall be authorized to sign the site plan upon the advice of the Planning Board Engineer and Attorney that the final plan set conforms to the conditions of this site plan approval.

Motion by Member Kelly, Second by Member Umberto – Dated 3/22/2022

Member Keith Allen	Absent
Member Jeff Boucher	Y
Member Paul Hafenecker	Y
Member Marilyn Karlich	Y
Member Fred Kelly	Y
Member Joseph Umberto	Y

**3 Angel Road:**

Board Engineer O’Rourke stated his comments were given to the Architect. The problem is that sheet C2 for the site plans is missing. The Architect stated they would send in the missing pages.

**Local Law:**

Board Attorney Cassidy stated that there was a simple mistake that the Village Trustees had passed the local law for hotels. The Village Trustees will rescind and approve again as they passed it before the date the Planning Board had to respond. Attorney Cassidy stated Building Inspector Cocks has concerns about what will happen to these buildings that are four story when they are not hotel. The Board discussed where in the Village a hotel could be built as a lot of room is required for a hotel. Member Kelly stated Goshen has a mix of three and four-story buildings while the Village of Monroe has only a few four-story buildings.

These hotels could be built in the CB and GB districts. Board Engineer O’Rourke stated these sizes are for smaller hotels not for the big hotel chains. Member Umberto asked what happens if these hotels go out of business, what will the Village do with empty four-story buildings. Mayor Dwyer stated there is a lot that would fit a hotel at this time. The Laura Ann Farms property is big enough for a hotel. He stated there are attractions in the area that create opportunities for hotels such as Woodbury Commons, and West Point. Chairman Boucher asked if the Mayor looked at this from the point of view that a hotel fails. Mayor Dwyer stated he did not as he is looking at this as an opportunity for hotel and the Village to prosper. Board Engineer O’Rourke stated he has seen hotels that fail be successfully re-used. Board Attorney Cassidy stated she needs to write a letter to the Trustees. She

asked the Board if they have a positive feeling in regards to hotels in the Village. Member Kelly stated the Village already has a hotel that is not the nicest hotel and he would certainly not want to see a four-story version of that. Engineer O'Rourke stated that when West Point has football games and graduation there is not a hotel room within thirty miles of West Point. When Leggo Land first opened their hotel, it was sold out for the entire season. Board Attorney Cassidy stated the new standard calls for a minimum of two acres for seventy-five units, if they want more rooms they can only build up. Chairman Boucher stated the architecture of the building would be important. Chairman Boucher stated that when there is a business need and someone comes in and fills that need, even if they do it badly, someone else will buy it for that need and if they manage it better it will be a success. Mayor Dwyer stated he feels that same way about the business need in the area not just the Village. Chairman Boucher stated the Board likes the idea and the Board will have architecture review of any project. Board Attorney Cassidy will write a letter which Chairman Boucher will sign supporting the Local Hotel Law. Member Kelly asked if there were any four-story buildings in the Village at this time. There are some four-story buildings in the Village.

**Meeting Minutes:**

On a motion from Member Kelly and seconded by Member Umberto to was resolved **to approve the February 22, 2022 meeting minutes with minor changes.**

Karlich - Aye  
Hafenecker - Aye  
Boucher - Aye  
Umberto - Aye  
Abstaining – Kelly

**Adjourn:**

On a motion from Member Kelly and seconded by Member Umberto it was unanimously resolved: **to adjourn the meeting.**