

VILLAGE OF MONROE
Workshop Minutes
October 6, 2025

Present: Chairman Boucher; Members Allen, Umberto, Iannucci, Kelly and Karlich. Member Hafenecker arrived late. Attorney Cassidy and Engineers Higgins, Barber, and Canning

Pledge of Allegiance.

On a motion made by Member Kelly and seconded by Member Alan it was resolved to:
Open the Public Hearing for 1 Alex Smith Avenue.

Aye: 6 **Nay:** 0 **Absent:** 1

Special Use Permit – Accessory Apartment

1 Alex Smith Ave. (230-1-1.232)
New kitchen in existing basement of single-family home

Present representing the Applicant: Jesse Shih, David Niemotko Architects

Attorney Cassidy confirmed that the affidavit and proof of mailings were received, and the Planning Board Secretary read the notice into the record (attached). Chairman Boucher asked anyone from the public that had comment or questions to come up. There were no members of the public present who came forward.

On a motion made by Member Iannucci and seconded by Member Alan it was resolved to:
Close the public hearing and enter into the special meeting.

Aye: 6 **Nay:** 0 **Absent:** 1

Site Plan Review – 72,500 SF Commercial Building / Office & Retail

208 Business Center (201-3-3, 4, -7 and -8)

Located at the intersection of NYS Route 208 and Gilbert Street Extension, near the YMCA

Application for Site Plan Approval for the development of a 72,500 square foot commercial building with office and retail uses. The development is located in the GB Zone along NYS Route 208. Two additional traffic lights are proposed, one at Schunnemunk St & NYS Route 208 and one at N Main St and Schunnemunk St

Present representing the applicant: Senior Geologist Jon Dahlgren from Tim Miller Associates, Inc., and Kirk Rother Civil Engineer

Engineer Barber reviewed her memo (attached), noting that many of the comments in the past have already been addressed. The first thing that she wanted to go over was the timing of offsite traffic improvements, and timing of onsite building construction and the construction management plan. The second item she wanted to discuss was water usage for the project, and if the applicant study was sufficient related to our commitments to other unbuilt projects in the village. Noting that a few emails were sent to the village regarding obtaining information on additional projects to be added. No response was received so they believe that the study submitted by the applicant is complete. She added, it would be appropriate for the board to consider conditions of the finding statement that would limit the applicant to the uses that they have attested to and possible penalties if they exceed usage. The applicant submitted revised phasing plans that showed that disturbance would be limited to less than 5 acres. She would like this plan to be modified to include some of the information from the construction management plan, such as staging areas to make sure that what they proposing in this plan jives with the phasing plan for construction. The applicant also submitted a letter regarding the reduced scale alternative and provided justification for proceeding with the current plan instead. Regarding the elimination of retaining walls between the YMCA in this property, the applicant proposed a steep rock cut that we spoke about previously. The applicant provided some information and an email regarding this change but it was not part of the FEIS so that will have to be part of a future revision. There is a small isolated parking area in the southwest building corner and it is a rock out crop and will likely not be an issue. However, regarding the border between the two parking lots she would like additional information on and that they should perform some sub surface investigation to confirm the presence of rock. She noted that the most important things to discuss were traffic and the timing of that and the offsite improvements and construction of the building and she defers to our traffic consultant on this issue. Chairman Boucher mentioned that the applicant had suggested doing the traffic improvements and the construction simultaneously. John Dahlgren noted that since we met last Ken Werstead, the applicant's traffic consultant, created a construction management plan and he wanted to make sure that the board was comfortable that traffic would be flowing through that intersection while the offsite and building construction was ongoing. This plan includes schedules and milestones and the volume of traffic during peak hours. He noted that there were 12 to 15 vehicles for the on-site construction trips and a total of 20 to 25 trips through the entire intersection on peak hours. There will not be a tremendous amount of traffic during the peak hours. In the draft proposal, before the building permit is issued, the offsite mitigation will be bonded and the Route 208 Gilbert St. Extension construction mitigation must be in place. He also noted that before the CO is issued, the offsite roadway improvements must be completed, and traffic signals are activated. This construction mitigation plan was shared with the Village's traffic specialist John Canning and his comments were incorporated into the plan. Chairman Boucher asked Engineer Canning to discuss the traffic impacts if the site construction and traffic improvements were being done simultaneously. Mr. Canning feels that it would be in everyone's best interest if this could be managed, since the construction would be done faster. Engineer Canning reviewed the construction management plan and his comment memo (attached). He compared the trip projections versus the DEIS and it is much less. He noted the mitigation factors put in place for the onsite construction which included a traffic signal at Gilbert Street, and staging plans including north and south driveways. There are some minor comments in his attached report. The construction management plan recommends prohibiting oversize vehicles from 7am to 9 am but he suggests 7:30am to 9:30am and 2pm to 6pm in the afternoon. It's something that doesn't happen often and these deliveries are scheduled. He also suggested that on days when there are oversized vehicles and caravans of trucks that these are done during non-peak hours

and the applicant has agreed. Chairman Boucher asked what would happen if there were deliveries that were not coordinated and scheduled that were showing up during peak hours. Engineer Canning said that that is something that they should discuss with the applicant as to how to handle. Regarding the offsite improvements, those must be approved by the DOT. Engineer Canning gave a summary of the applicant's proposal for traffic during construction. Part one for the west side of the slip ramp they are proposing to keep the existing traffic pattern and narrow the lanes and part 2 is putting the east side traffic over to the west side to complete the east side of the slip ramp. The next thing is reconfiguring North Main turning into Rt 208 and he feels this plan needs more work. At this same time, they will be building the traffic signals and the temporary signals will be maintained while the new signal is put in. This plan will have to be submitted to the DOT for approval and he believes it has the bones of a good plan. Member Kelly questioned the timing with peak hours being between 7:30am and 9:30am and 2pm and 6pm. Engineer Canning reviewed the activity and it shows that the busiest of activity starts to fall off after 9:30 occasionally it goes past 6 o'clock also traffic does continue but it's unlikely to be a problem after those peak hours. Member Kelly suggested 7am to 10am and 2pm to 7pm and Engineer Canning suggested speaking to the applicant about those potential changes. Member Allen asked if the possibility of doing this construction overnight was discussed. Engineer Canning said that is possible and a question for the applicant, but it is also a question for the DOT. The DOT tends not to do things at night unless they have to because it's much more expensive and less safe. They generally hold private contractors to the same standards that they use. Working overnight is more expensive and less safe as the bright lights, illuminate stuff for the workers, but do tend to blind drivers. Member Allen also asked what happens if, once the project begins, the traffic becomes unmanageable? Engineer Canning noted that the traffic patterns are not changing just the lanes will be narrower and the level of traffic is not hugely significant at 20-30 trucks an hour and they have proposed access at the north and south which should work. If it becomes an issue, there will have to be a contingency plan with the DOT involved. Member Iannucci asked who would be in charge of the entire project for on-site and offsite work? Engineer Canning replied that the DOT takes responsibility and ownership of the work in the right of way, but not for any of the work on private property. This is something that would be handled by the developer and answered by the applicant and would be stipulated in the building permit. Regarding the process if the change in traffic becomes problematic, Engineer Canning noted that people would typically complain and at that point the Village would reach out to the DOT about the problem. He also noted that the contractor is required to hire an independent inspector who reviews the work and ensures that the DOT plan is followed. The inspector should notice if there is a problem with the plan. Chairman Boucher asked if the inspector is there full time and who makes that determination. Member Umberto said the inspector's presence can be at the behest of the owner and the planning board could make it a contingency. Mr. Rother stated he believes that a qualified inspector has to be present any time work is being done in the right of way. Member Umberto feels that the off-site and on-site work should be done separately even if it takes longer to complete noting that this particular intersection is a huge problem currently without construction traffic. He would like to see the new traffic improvement work first before constructing the project. Engineer Canning answered that the applicants did an extensive traffic study and identified the problems and proposed changes to mitigate them. Chairman Boucher noted that this intersection is in failure and this project is an opportunity to rectify the situation. Engineer Canning said that if they do the on and off-site improvements simultaneously, the owner still will not get a CO and cannot occupy the building until the improvements are finished. He suggested adding a note that the Village will have a week after the offsite improvements are complete before the CO is granted in order to allow the Village to

see how the new intersection is working and have the opportunity to correct any issues that arise. Attorney Cassidy summarized that after tonight's meeting the applicant will be addressing the issues brought up by Engineers Barber and Canning and would be preparing a draft finding statement. Mr. Dahlgren confirmed that that is being prepared by Mr. Gottliebs office. Attorney Cassidy noted that she is not aware of the status of the meetings the applicant has had with the Village Board but the applicant may want to go over what was discussed tonight with the Village Board. Chairman Boucher suggested a blended meeting with the Village Board and Planning Board specifically to discuss the construction plan and if the on-site and off-site construction will be done simultaneously. Chairman Boucher asked for a detailed timeline for the construction and Mr. Dahlgren agreed to prepare a summarized timeline showing both options, one with the work being done simultaneously and one done separately. Attorney Cassidy noted that this could be treated as a mini alternative for SEQRA. Chairman Boucher will reach out to the Village Board to come up with a good time to meet with the Village Board and the applicant. Engineer Canning said that his memo from May 5, 2025 (attached) does not appear to be addressed in the FEIS and it is possible they never received it. He will double check that it was sent and noted that it should be addressed in the FEIS. Mr. Rother will follow up on this.

Special Use Permit – Accessory Apartment

1 Alex Smith Ave. (230-1-1.232)

New kitchen in existing basement of single-family home

Present representing the Applicant: Jesse Shih, David Niemotko Architects

Engineer Higgins stated that we are still waiting for some changes to the map and an updated survey. Per Mr. Shih, the owner is working on that. Per Engineer Higgins there are minor adjustments to the map to show the proper square footage of the apartment, the applicant has to obtain a permit for additional pavilion that already exists, and an updated survey showing the features that are shown on the site plan so that they match. Per Attorney Cassidy we are ready to prepare a draft resolution assuming the outstanding comments are addressed. Also, the applicant will show the 2 parking spaces on the plan to be submitted in the future. Member Iannucci asked for a definition of "accessory apartment". Attorney Cassidy replied that the house must still look like and operate as a house and the apartment has to be smaller. Our Village Code has size limitations, ingress and egress requirements and parking requirements. There is also a restrictive covenant requirement that is filed and if the property is ever sold the new owner would have to come before the board to occupy it as an accessory apartment. The approval is only for this owner. The covenant will go on the land record for any future owners. Member Karlich noted that the accessory apartment used to be for family members only and asked if they can be rented out to anyone now and what is the difference between an accessory apartment and a 2-family house. Attorney Cassidy replied that an accessory apartment is subject to our rental laws, have a restrictive covenant, and are limited to the size being smaller than the main house. Also, this district does not allow for 2 family buildings. Chairman Boucher asked if Mr. Shih is aware of what is needed in order to get approval. This was in prior review memos and Engineer Higgins reiterated that the plan would have hatches to show the square footage of the apartment, the applicant would obtain a permit for the additional pavilion to be a condition of approval, and provide an updated survey map.

37 Still Road – Extension Request

(222-1-9)

New in Ground Pool and 480 SF detached garage

Present representing the applicant: Jesse Shih from David Niemotko Architects

Member Karlich noted that there are always old cars in the front yard and it looks horrible. The house construction started over a year ago and is still not finished. She thinks the cars should be moved to the back yard and not so close to the road. Chairman Boucher noted that this project is way over the expiration date. Attorney Cassidy said that the conditional approval was in June 2024 and a map for approval was received in July but there were problems with their escrow not being current. The escrow was not paid until November of 2024 and the maps were never resubmitted. Typically, extension letters should be prior to expiration deadline, which was the end of June 2025. We did not receive a letter until September 2025 and the Board is within its rights to require a new Application fee. Chairman Boucher stated that due to the time that has elapsed we are asking the applicant to resubmit and it is his feeling that the Board adhere to the deadlines. Member Kelly feels that a new application would be more work. Member Allen said a new application would get the owner before the board and the other issues could be addressed. Member Iannucci asked if they have requested an extension before and what the status of the work is. Attorney Cassidy noted that the work could not start because the plans were never signed. There was a conditional approval given and Engineer Higgins stated he never received any revisions. Mr. Shih said that a revision was submitted. Engineer Higgins believes there could have been an issue due to the escrow never being paid. Per Attorney Cassidy the applicant is asking for a retroactive extension and she is unsure if the Planning Board can grant that.

Attorney Cassidy reviewed the conditions of the resolution being:

1. Applicant to address the comments as set forth in the memos of David Higgins, P.E. of Lanc & Tully Engineering, dated May 9, 2024
2. Chairman shall be authorized to sign the plat upon confirmation from the Village Engineer and Planning Board Attorney that all outstanding conditions have been satisfied.
3. Applicant to pay all fees
4. Applicant to obtain all permit

Attorney Cassidy read S 200-72F as follows: Expiration of site plan approval. Final site plan approval shall expire one year from the date it is granted unless the applicant shall secure a building permit or site work permit prior to the one-year expiration date. The Planning Board may extend site plan approval for a reasonable period not to exceed one year where the circumstances are such that the applicant is unable to begin on-site work. In the event that final site plan approval expires, then the applicant shall be required to file a new application with the Planning Board. If a governmental agency has imposed a moratorium that prevents the developer from either starting construction or continuing construction on the project, then the year or that portion of the year remaining as required by this section shall be suspended until the moratorium is removed. Once a building permit is issued, if on-site work ceases for a period of more than six months, then the applicant shall be required to secure an extension of the site plan approval from the Planning Board for a reasonable period not to exceed one year.

She summarized that there are two standards: You have 1 year to get your building permit and you have to proceed with construction and if there is a bigger than 6 months gap you must have your site plan extended.

Engineer Higgins questioned if a new Planning Board application would be required due to the new interpretation of the code involving grading. Attorney Cassidy and Chairman Boucher went into an attorney client meeting.

On a motion made by Member Kelly and seconded by Member Allen it was resolved to:
Deny the extension request for 37 Still Road.

Aye: 7 **Nay: 0** **Absent: 0**

Attorney Cassidy noted that the next Planning Board meeting on October 28, 2025 would be a public hearing for 573 Route 17. Also, 110-114 Stage Road will be on the agenda.

The Planning Board Secretary asked for clarification on how many copies of plans for the Route 208 Business Center are needed for each submission. All members agreed that 11x17 copies of the plans and electronic copies of everything else is ok.

On a motion made by Member Kelly and seconded by Member Hafenecker it was resolved to:
Adjourn the meeting.

Aye: 7 **Nay: 0** **Absent: 0**

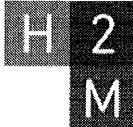
Village of Monroe Planning Board meetings may be viewed in their entirety at:
<http://www.youtube.com/@monroevillagehall2935>

VILLAGE OF MONROE
PLANNING BOARD
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Village Planning Board of the Village of Monroe will hold a public hearing at Village Hall, 7 Stage Road, Monroe, NY 10950 on October 6, 2025 at 7:00 p.m. or as soon thereafter as possible on the Site Plan and Special Use Permit Application of Marcia Rhone for a dwelling unit accessory to an existing single family home located at 1 Alex Smith Avenue, Monroe, NY (SBL 230-1-1.232). A copy of the application is available for review in the Building/Planning Department located at 7 Stage Road, Monroe, NY 10950 from 8 a.m. to 4 p.m.

By order of the Planning Board of the Village of Monroe.

Jeff Boucher
Chairman



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2 Executive Boulevard, Ste 401
Suffern, NY 10590 | tel 845.357.7238

M E M O R A N D U M

TO: Terri Brink, Planning Board Secretary; File

FROM: Natalie D. Barber, PE, Conflict Planning Board Engineer

SUBJECT: Village of Monroe Planning Board – **October 6, 2025**

DATE: October 13, 2025

CC: Jeff Boucher, Chairman, Building Department, Elizabeth Cassidy, Esq., Ted Fink, AICP,
John Canning, Traffic Engineer

The following describes the disposition of the 208 Business Center listed on the Planning Board workshop meeting agenda of October 6th:

- Jon Dahlgren and Kirk Rother, PE, were present on behalf of the applicant.
- H2M reviewed comments on the Final Environmental Impact Statement (FEIS) contained in memorandum dated October 3, 2025. Comments include but are not limited to: timing of traffic improvements, status of water system to support the project, limiting site disturbance to less than 5-acres through phasing and incorporating information from the Construction Management Plan, and rock cut along YMCA boundary, and conclusion of review on reduced scale alternative.
- A draft findings statement (findings) remains to be provided by the applicant. Mr. Dahlgren confirmed this is being prepared by Attorney Gottlieb and will be furnished with the next FEIS submission.
- Regarding timing and extent of traffic improvements coinciding with construction of the multi-use building; John Canning, PE, reviewed his comments on the Construction Management Plan that was submitted. Chairman Boucher noted this decision would need to be reviewed with the Village Board and suggested a joint meeting to discuss. He requested the applicant prepare a summary of drawbacks and benefits for proceeding with on- and off-site improvements simultaneously versus consecutively to consider at that meeting.
- Attorney Cassidy advised she would work with Attorney Gottlieb on other Developer's Agreement items.



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M E M O R A N D U M

TO: Jeff Boucher, Chair & Planning Board

FROM: Natalie D. Barber, P.E., Conflict Planning Board Engineer
Kayla M. Goldman, Staff Engineer

SUBJECT: 208 Business Center, LLC – **FEIS Review (FOURTH)**
File No. 201-3-3, 4, 7 & 8; Memo 110-25-003

DATE: October 3, 2025

CC: Kirk Rother, PE (for applicant), Building Department, Elizabeth Cassidy, Attorney, J.T. Fink, AICP, John Canning, PE

The following are our technical comments regarding the Final Environmental Impact Statement (FEIS) for the development of a commercial building¹ with office and retail uses totaling 72,500 square feet and having a building footprint of 47,500 square feet in the GB (General Business) Zone with frontage on New York State Route 208 and Gilbert Street Extension located on four tax lots requiring special use and site plan approval from this Board.

Background/SEQRA Process – On October 14, 2020, you classified this project as a Type 1 action. On February 23, 2021, as Lead Agency you adopted a Positive Declaration of environmental impact requiring preparation of an Environmental Impact Statement (EIS). On March 23, 2021, you conducted a public scoping session (no one speaking) and authorized an extension for written comments until April 2, 2021. You received written comments on the scope from the public and involved agencies. You adopted the final DEIS scope at your May 25, 2021, meeting. The DEIS was submitted April 2022. After several iterations, on September 26, 2023, the DEIS was determined to be adequate for public review conditioned upon the incorporation of the Planning Board and consultants' comments. A public hearing was held and closed on November 28, 2023, with one member of the public speaking. The public hearing was recorded in transcript form and you received written comments from the public until January 16, 2024. On June 5, 2024, the applicant submitted their first iteration of the Final Environmental Impact Statement (FEIS) which was considered by the Board on July 8, 2024. At that time, the Board instructed the applicant to revise the FEIS and address comments received, prepare the draft findings statement, and provide a letter authorizing extension of timeframe to allow review, revision, and acceptance of the findings. Since then, the applicant modified their plan to include a revised building layout, shifting the loading dock from the western lot line to the center of the building. This was done in effort to mitigate concerns raised by the adjacent YMCA and Planning Board related to noise, air quality, etc. The modified plan was presented as a concept to the Planning Board on December 9, 2024; Although we did not attend that meeting, we understand the Board generally agreed that the new plan is an improvement over that previously reviewed. In January 2025, you received a revised FEIS and conducted your second review in February, noting threshold issues related to timing of off-site traffic improvements, solar panels, coordination of off-site tree plantings among others. Again in May 2025, you considered a revised FEIS, completing your third review, and noted issues related to water supply, information on reduced scale alternative, rock cut along YMCA boundary, and timing of off-site traffic improvements. At that time, you requested the applicant prepare a Construction Management Plan/Work Zone Traffic Control plan which has been submitted; We defer to comments from your Traffic consultant regarding the same.

FEIS Review – We have reviewed the Final Environmental Impact Statement FEIS, revised September 8, 2025, in accordance with the specific criteria in the State Environmental Quality Review Act (SEQRA) as provided in 6NYCRR, §617.9(b)(8) which requires a Final Environmental Impact Statement consist of: (a) Draft Environmental Impact Statement (DEIS), including any revisions or supplements, (b) Copies of substantive comments received, and (c) Lead agency responses to substantive comments. Item (b) is included as Appendix A of the FEIS revised September 8, 2025. Item (c) is the FEIS.

¹ At your meeting of September 11, 2019, Building Inspector Cocks opined that the retail, office, and grocery store uses, with grocery store as the anchor of the development constitutes a Shopping Center. This decision was overturned by the ZBA on July 14, 2020

H2M Architects, Engineers, Land Surveying and Landscape Architecture, DPC (NY) offers its services in NY only

H2M Architects & Engineers, Inc. (NJ) offers its services in NJ, DE, CT, FL, LA, MA, PA, VA only

H2M Associates, Inc. (NJ) offers its engineering, land surveying, landscape architecture services in NJ only

SEQRA requires the FEIS be prepared within 45 days of the close of the public hearing (November 28, 2023). In this case, the applicant submitted the FEIS later, on or about June 6, 2024, and has revised their plan and resubmission currently submitted on April 24, 2025. It is important you act expeditiously to complete the FEIS as soon as you are satisfied with the adequacy of its content². After the FEIS is accepted, you must issue your finding statement within 10 to 30 days. We understand the applicant has started a draft of the findings statement based on their appearance in February, this has not been circulated for your review to date. **We recommend the applicant provide this with the next submission.**

This is our fourth review of the FEIS. The current submission responds to our FEIS Review Memorandum (110-25-002) dated May 9, 2025. This review is intended to confirm comments from our previous memo (110-25-002) where they remain relevant and have not been adequately addressed by the applicant.

Accordingly, the following memorandum supersedes our previous memorandum (110-25-002) and reflects the current disposition of comments on the FEIS. Relevant comments that have been addressed in the current submission and comments that are no longer applicable to the new plan submission have been removed. Any relevant comments from the previous memo requiring additional response or action are repeated below. Comments that no longer require a response and are specific recommendations for your Findings Statement are *italicized*.

FEIS Reference / Comment No.	Comment
General	The FEIS Site Plan Alternative contains sufficient detail to evaluate the environmental impacts of the contemplated project. However, additional information is required before you consider special permit and site plan approval. The applicant previously acknowledged their understanding of this.
General	We have refrained from commenting on non-substantive typographical and similar inconsistencies within the FEIS, except where necessary for an understanding of the FEIS response. Prior to the adoption of the FEIS the applicant should perform a comprehensive review to confirm all numerical values are consistent between plans and EIS text as well as consistent references to appendices and other comments.
General	All references to this development as a 'Shopping Center' should be removed from the FEIS, as this classification was overturned by the ZBA in 2020. This includes Appendices and the Construction Management Plan.
Introduction Pg. 1-3 & 2-1	<i>It is noted on Page 2-1 the applicant indicates they will restrict tenant deliveries to WB-47 truck, such restriction will be included in lease agreements, this should be memorialized in your Findings Statement.</i>
2-15	<i>Regarding the sound barrier proposed; Per Code (§200-26.5.F(4)), we recommend the applicant's responsibility to maintain the sound barrier in perpetuity be included in your Findings Statement.</i>
2-11, 2-23, p/o 2-26, & 15-2	Related to timing of on- and off-site improvements, it had been our understanding that the Village preferred traffic improvements be completed prior to building permit for the proposed use to mitigate impacts of construction traffic and eventual end use. On May 13, 2025, the applicant, consultants, and Board discussed the timing and extent of traffic improvements coinciding with the construction of the multi-use building. At that time the Board requested a Construction Management Plan outlining the timeline of on- and off-site improvements. The applicant has provided the plan for your consideration. Our previous comments regarding consideration of construction vehicles trips has been included. While we primarily defer to your traffic consultant on this issue, we recommend you carefully consider the suggested conditions in the plan and confirm they are to your satisfaction.

² SEQRA provides that responses to substantive comments are "lead agency" responses. SEQRA also requires the lead agency to be "responsible for the adequacy and accuracy of the FEIS, regardless of who prepares it".

	<p>Related to bonding, the applicant should confirm to whom the bond will be posted, the DOT or the Village.</p> <p>Additionally, we recommend you confirm with Counsel, if there are any agreements or actions in place with the Village Board that may need to be amended if the plan proceeds as set forth by the applicant.</p>
2-25	<i>Applicant states their intent to comply with NYSDEC restrictions limiting idling for more than 5-minutes. This should be incorporated into a future findings statement.</i>
2-31 thru 2-34	These responses reference "Letter 10", whereas this comment was provided as part of the public hearing on November 28, 2023, and information regarding the same is found in Appendix B that is the public hearing transcript. Clarification for future readers should be provided.
2-32	<i>We recommend the applicant provide signage in loading areas to effectively inform drivers of appropriate restrictions. This should be incorporated into a future findings statement.</i>
3-2 & D-2	<p>See D-6 below; Per our original comment, the locations of <u>test pits, as referenced in SWPPP Appendix C</u>, should be shown on the grading and drainage plan (Sheet 4 of 15) to confirm functionality of the underground stormwater facilities and compliance with the NYS Stormwater Management Design Manual (NYS SMDM). The number of test pits for each practice shall be as stipulated in the NYS SMDM.</p> <p>Further, although the plan now shows additional locations of permeability tests, as generally required by the NYS SMDM, the results of these tests are not found in Appendix C or F as indicated in the Applicant's response. Applicant to confirm and provide test results as required.</p>
3-3	<p><i>FEIS states the project geotechnical engineer provided the 3000 psf soil bearing capacity as a professional conservative estimate, but is not based on actual field testing. Per the geotechnical report, we recommend the following be included in eventual findings statement:</i></p> <ol style="list-style-type: none"> <i>Additional investigation shall be performed to verify suitable conditions in the proposed south subsurface stormwater control area, and should also be performed to determine rock hardness relative to excavation. This should be performed prior to final site plan approval with necessary information submitted to the Planning Board for review.</i> <i>Soil borings are required to accurately determine the bearing capacity in areas where foundations will be supported on soil. This should be completed prior to building permit with a report issued to the Building Department signed and sealed by a NYS Professional Engineer.</i> <i>A thorough examination of the existing rock cut on the YMCA property should be made prior to performing mechanical excavation on the project site. This should be completed prior to building permit with a report issued to the Building Department signed and sealed by a NYS Professional Engineer.</i>
3-4	<i>Based on the applicant's response, it appears blasting is likely to occur on the site. We recommend the mitigation measures and information in the Blasting Plan, as prepared by the applicant, be incorporated into a future findings statement.</i>
3-7	<i>As part of an eventual findings statement, you may wish to require the applicant provide a rendering of the building in its proposed setting (complete with retaining walls) visible from adjacent roadways. This submission should be provided prior to final site plan approval.</i>
3-8	The applicant's plans are revised to show two phases of disturbance (i.e., (1) NYS Route 208 & Building improvements and (2) On-Site Improvements) totaling 6.8 acres of disturbance. The Construction Management Plan calls for clearing and grading of the

	<p>whole site; It also shows staging areas. These need to be incorporated into the phasing of disturbance to maintain compliance with less than 5-acres at a given time.</p> <p>The SWPPP notes the intent to remain under 5-acres but does not describe how disturbance will be limited to 5 acres at a time. Discussion on this should be included in the SWPPP. Mitigation measures to maintain disturbance less than 5-acres need to be included, for example, Phase 1 will be delineated using construction fencing and no disturbance will occur outside of these limits until other areas are stabilized. Other considerations should be so stipulated.</p> <p>The SWPPP and site plans should include additional phasing notes and phasing plan to confirm how disturbance will be limited to under 5 acres. If disturbance cannot be limited, then the applicant should comply with the Construction GP Requirements and submit a "Request to Disturb Greater Than Five Acres" (I.A.E.6).</p>
3-10	<p><i>Although not anticipated, the FEIS discusses procedures for handling contaminated soil encountered on the site. We recommend you incorporate this discussion as part of an eventual findings statement.</i></p>
3-11	<p><i>FEIS describes measures for mitigating impacts to Orange and Rockland Lake; We recommend these be memorialized in a future findings statement. Further, the mitigation measures should include regular sweeping of the parking areas and maintenance of post-construction stormwater management practices.</i></p>
4-2 & 4-5	<p><i>FEIS appropriately provides additional information regarding baseline sampling of Orange and Rockland Lake and parameters for future testing; This information should be memorialized in a future findings statement.</i></p> <p><i>The FEIS indicates future sampling results will be submitted to the Planning Board. We recommend the Findings Statement indicate future sampling results will be submitted to the Building Department, who may refer the information to the Village Engineer and/or Planning Board for additional review. If results from sampling during and post-construction exceed permitted stream standard values, then the Building Inspector may take appropriate enforcement action to require restoration of the site and conditions of the surrounding area while investigation and additional mitigation measures are decided upon.</i></p>
4-4	<p><i>FEIS is revised to provide adequate inspection and maintenance procedures for erosion and sediment control practices. We recommend these procedures be carried forth to eventual findings statement.</i></p>
5-6	<p><i>The applicant states chloride salt or de-icers of any kind will not be stored on-site. We recommend you incorporate this in an eventual findings statement.</i></p>
9-20 through 9-32	<p>We defer to your traffic consultant as to acceptability of the referenced responses.</p>
10-3	<p><i>Revisions to the FEIS appear to indicate the existing drainage easement is sufficient for the stormwater overflow pipe extending to Orange and Rockland Lake.</i></p> <p><i>We recommend the eventual Findings Statement include the requirement that a stormwater maintenance and access agreement be executed and the easement be confirmed adequate on the site plan (with no approximation) and that if needed an amended easement be filed, with proof provided to the Building Department and Village Counsel, prior to Building Permit.</i></p> <p><i>Further, the Findings Statement should require that upon completion of the project, prior to certificate of occupancy, as-builts be submitted that confirm the stormwater overflow pipe is installed within the easement, on-center, as shown on the plans. If the installation is not per the plans or extends outside of the easement area, it shall be amended prior to certificate of occupancy.</i></p>
11-2	<p>For the Village system to meet requirements of Ten States Standards and regulatory agencies, available surface water supply should be able to meet calculated maximum day demand based on draught scenarios and groundwater supply systems should be able to</p>

	<p>meet maximum day demand with the largest well out of service. On the latter, this requirement provides redundancy in the system such that if the largest well fails or is in need of maintenance, the remaining supply could support the peak demand.</p> <p>The applicant reports the following based on information from the Village Water Department:</p> <p>Peak Day Demand (2024) – 1,902,863 GPD</p> <p>Average Day Demand (2024) – 1,141,969 GPD</p> <p>Production Capacity of Mombasha Lake – 1.4 MGD</p> <p>Well No. 4 Capacity – 0.432 MGD</p> <p>Total Capacity – 1.832 MGD*</p> <p>*The Village is limited to 1.5 MGD withdrawal set by the State.</p> <p>Based on the information above, the Village is able to meet the average day demand under normal operating circumstances. However, the system does not meet regulatory requirements which requires a system be capable of meeting the maximum day demand (1.9 MGD) with its largest well out of service (1.8 – 0.4 = 1.4 MGD) (i.e., deficit of 0.5 MGD).</p> <p>The information above does not consider the impacts of the project which requests 10,835 GPD, nor that of approved but unbuilt projects (refer to Appendix I) totaling 19,315 GPD. It is noted the response to this section incorrectly refers to request for 7,250 GPD and should be updated as presented in response to comment 11-3.</p> <p><i>The Village may wish to impose conditions on this connection to include a fee penalty for exceeding the projected capacity as set forth by the applicant and studied by the Village and ability to enforce violation of site plan; We defer to Counsel on appropriate actions and will work with the Village to determine appropriate language if requested.</i></p>
11-5	<p><i>We recommend FEIS response on water use reduction be incorporated into eventual findings statement.</i></p>
12-1	<p><i>As raised in the DEIS Appendix B through correspondence from Erik Deneaga, PE, PMP, dated April 11, 2022, prior to issuance of building permit for the project, wastewater disposal approved by the Administrative Head of OCSD #1 must be secured. This protects the property owner and developer seeking permit from expending funds on a project for which sewer capacity is not available and protects the existing sewer system. We recommend this be included in eventual findings statement.</i></p>
12-2	<p><i>FEIS indicates application for connection to OCSD can only be made following the conclusion of the SEQRA process for the project. Accordingly, we recommend your findings require prior to site plan approval, the applicant provide proof of application submitted to OCSD.</i></p>
15-4	<p><i>Based on FEIS response, we recommend the following be included in eventual findings statement: No construction vehicles, nor employee vehicles, are permitted to park or idle in municipal and state rights-of-way except for during initial delivery of site clearing equipment which will be managed using appropriate traffic controls to be implemented by the applicant.</i></p>
15-6	<p><i>Based on FEIS response, the Planning Board may wish to consider the following as part of eventual findings statement: The process for grinding wood waste for mulch must occur in an area on the site sufficiently separate from the neighboring YMCA and Inspire uses. The proposed location for the process should be identified on a site plan for Planning Board review and noted for the Contractor to mitigate any noise impacts to sensitive receptors.</i></p>

15-8	<p><i>Based on FEIS response, we recommend the following be included in eventual findings statement: Fueling activities for large construction vehicles will be managed to prevent fuel spills on site using drip trays. Construction vehicles shall be monitored and inspected regularly for any signs of fuel and oil leaks. An emergency spill kit will be available on site; All spills will be immediately responded to and reported, as needed, according to NYSDEC regulations.</i></p>
15-10 & 15-11	<p><i>FEIS states provisions for notifying adjacent property owners in advance of any blasting, coordination with property owners to avoid sensitive time periods and days, implementation of a pre-blasting survey at the expense of the applicant, and installation of vibration monitoring equipment during rock removal activities. We recommend these mitigation measures be carried forth to eventual findings statement.</i></p>
15-12	<p><i>FEIS includes mitigation measures for dust control for which we recommend be carried forth to eventual findings statement.</i></p>
16-3	<p><i>We recommend eventual findings statement include requirement for construction activities to be limited to times permitted by the Code (§14-3.B.(6)).</i></p>
16-5 & 16-6	<p><i>Based on FEIS response, we recommend the following be included in eventual findings statement: HVAC and generator equipment supporting the use shall be provided with noise screening in the form of solid, sound attenuating enclosures, and/or parapet walls.</i></p>
16-9	<p><i>We recommend the findings statement reserve the right for the Planning Board to consider with input from the applicant whether deliveries for the shopping center should be off-hours to further mitigate impacts related to noise, air quality, and visual considerations to the YMCA and Inspire.</i></p> <p><i>It is noted in other responses (e.g. 15-9) the applicant has agreed to restrict deliveries of construction materials to off-peak hours (late morning and early afternoon periods). This should be included in your Findings Statement along with the requirement that a preconstruction meeting should be held prior to issuance of a building permit.</i></p>
19-1	<p>Regarding the discussion on the Reduced Scale Alternative, the applicant's response indicates the reduced-scale alternative is not feasible because it does not align with the project sponsors' objectives, has handicap accessibility issues related to access to the second floor, and would generate less rental income if commercial/retail is located on a second story.</p> <p>At your last meeting, the applicant was directed to provide discussion on marketing feasibility for second story retail. A letter prepared by Yoel Schwartz, a licensed Real Estate Broker with Gilios Property Service, was provided regarding the leasing potential of the proposed development. The assessment indicates that retail space on the first floor is easily accessible and valued at \$22 per square foot. In contrast, the value of second-floor retail space is estimated at \$12 per square foot. Additionally, the letter states that second-floor retail spaces face challenges in attracting tenants, which could lead to prolonged vacancies.</p> <p>The FEIS states the letter is located in Appendix B; this should be revised to Appendix C for clarity to future readers; Otherwise we have no further comments on this issue.</p>
D-6	<p>We note soil test pit results (TP1 through TP13) are included in Appendix C and soil perc test results (PT1 through PT8) are included in Appendix F of the SWPPP. The Grading & Utility Plan (Sheet 4 of 15) shows 20 perc tests (PT1 through PT20) and no test pits. Sheet 4 should show all of the testing performed and the results of all testing should be provided in the Appendices.</p> <p>Results of perc testing should include all relevant information including dates of presoak and testing, times recorded for the four observations/the final stabilized rate. Per 2024</p>

	Design Manual, this would require 3-5 permeability tests per location (number dependent on practice area).
D-9	Plans identify DC-780 and MC-4500 chambers; This appears to be consistent in Appendix D. The applicant should review the response to this comment number and confirm which model is correct. All materials should be consistent.
L-9	<p><i>Regarding the proposed discharge from the stormwater management facilities beyond the existing walking path surrounding Orange and Rockland Lake, we have recommended the applicant provide additional information for you to determine whether the location requires additional mitigation to prevent a deleterious condition. The applicant advises the location as a shallow, grassy slope.</i></p> <p><i>We recommend you include in your findings statement a requirement the applicant survey the area of discharge and provide the slope and any important surrounding features on the design plan for you to consider the location and potential impacts to the area.</i></p> <p><i>Further it is noted, if additional extension of the outlet is required, then approval from NYSDEC/ACOE may be needed.</i></p>
L-14	<p><i>FEIS indicates the applicant's intent to limit footcandles at property lines to 0.1-fc. The updated lighting plan last revised on May 15, 2025, complies. We recommend that you carry appropriate limits to light levels through to the eventual findings statement.</i></p>
L-20	<p>The applicant has eliminated most of the retaining walls formerly proposed along the YMCA border and now intends to perform a steep 'rock' cut. If this is not rock, then the steepness of the grade here would likely create an issue with unstabilized soils and could require a retaining wall as originally proposed or some other treatment. The applicant advises the cut on the adjacent YMCA property is in the same bedrock geology and has the same exposed rock face, they provide photos of this.</p> <p>On May 15, 2025, the Board generally favored investigation of subsurface conditions currently to avoid future delays and issues during construction. At that time, the applicant stated that additional material may be available demonstrating that the rock ledge exists for the Board's review. This remains to be submitted with the FEIS, but on October 2, 2025, in an email from Jon Dahlgren, we received some additional information. The information in that email satisfies our concern related to the rock cut surrounding the 14 spaces just south of the southwest corner of the building. However, information supporting rock cut between the YMCA parking lot and the proposed 208 Business Center parking lot along the western property line has not been provided. As discussed in May the applicant should conduct a shallow boring in the area to confirm the condition they describe.</p> <p>Finally, information in October 2, 2025 email, should be included in the FEIS.</p>



MEMORANDUM

To: Jeff Boucher, Chairperson
and Members of the Village of Monroe Planning Board

From: John Canning, P.E.
Kimley-Horn Engineering and Landscape Architecture of New York, P.C.

Date: October 6, 2025

Subject: 208 Business Center
FEIS Substantive/Technical Review

Kimley-Horn Engineering and Landscape Architecture of New York, P.C. ("Kimley-Horn") has completed a substantive/technical review of the traffic and transportation elements of the following portions of the accepted Final Environmental Impact Statement ("FEIS"), dated September 8, 2025, and prepared by Tim Miller Associates, Inc, for the proposed 208 Business Center ("Proposed Action" or "Project") to be located in Village of Monroe, New York:

- FEIS Chapters:
 - Chapter 2.0 – *Transportation*
 - Chapter 9.0 – *Transportation*.
 - Chapter 15.0 – *Short Term Impacts - Construction*

Site Plans, prepared by Kirn Rother, P.E., PLLC, last dated 3/26/25, have also been reviewed.

Kimley-Horn has also reviewed the Construction Management Plan, dated August 1, 2025, prepared by Creighton Manning

This memorandum summarizes the findings of Kimley-Horn's substantive/technical evaluation of the Site Plan and traffic and transportation components of the FEIS to determine if it was conducted following accepted methodologies and that these methodologies were correctly applied.

FEIS

Chapter 2

Comment 2-11, 2-23, p/o 2-26

Kimley-Horn recommended that the Applicant develop a detailed and thorough Construction Management Plan with hard milestones and timelines to demonstrate how completion of both the improvements and project can be accomplished without further exacerbating already unacceptable conditions.

A Construction Management plan was developed and submitted (and is discussed below)

Chapter 9

Comment 9-4

The site plan shows sidewalks along Route 208 and the Gilbert Street Extension between the project's two driveways. In anticipation of possible future site plan amendments at the adjoining properties, and recognizing that there are numerous residences and pedestrian facilities within one-quarter mile of the project, it is recommended that the proposed sidewalks be extended to the property limits at either end of the property.

This comment has not been addressed.

Comment 9-6

The issue of the appropriateness of the pass-by trips has still not been addressed. To the Applicant's detriment, the FEIS Table incorrectly compares the 80,400 sf trips with pass-by trips removed to the 72,500 sf without the pass-by trips removed. It is recommended that the Table in response 9-6 be revised to reflect permissible pass-by percentages for retail (and office, which is zero), as shown below.

Projected Paek-hour Trips Newly Added to the Roadway System

Shopping Plaza with Supermarket - New Office & Retail	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Shopping Plaza with Supermarket – 80,400 SF New Trips	148	80	228	206	236	442	265	251	516
New Office & Retail Trips	132	53	185	145	199	344	182	171	353
Shopping Plaza - New Office & Retail	-16	-27	-43	-61	-37	-98	-83	-80	-163

This comment still has not been addressed, although it is not relevant to the findings of the FEIS as it shows the project in a worse light than is actually expected.

Comment 9-9

It is noted that the proposed action will generate 100 trips through the intersection of NYS 208 with the NYS Route 17EB Off Ramp which will be impacted and requires mitigation. It was previously discussed as to whether the Applicant would be responsible for a fair-share contribution to the cost of this mitigation. The Applicant now maintains that project will be completing improvements in the Village of Monroe around the "triangle" area that will mitigate its own impacts AND also those of existing and other development projects which would offset its responsibility for making a fair share contribution at the intersection of NYS 208 with the NYS Route 17EB Off Ramp. Kimley-Horn sees the logic of this argument but does not have the authority to endorse it.

No Additional Comment.

Comment 9-14

Kimley-Horn has not seen plans showing how trucks will be able to turn into or out of the Gilbert Street Extension. Therefore, Kimley-Horn cannot attest that an analysis has been provided concluding that

trucks will be able to make these turns at this intersection without having a significant adverse impact on traffic operating conditions.

This comment has not been addressed.

Comment 9-15

Truck turning drawings are shown for a WB-47 tractor trailer. Based on our understanding of the market, WB-50 vehicles are considerably more prevalent than WB-47 vehicles. It appears that the site design will accommodate WB-50 vehicles and, since these type of vehicles are more common and only fractionally longer than the WB-47 vehicles, the Board may wish to require Site Plan Drawing 12 of 15 be modified to indicate that WB-50 vehicles can be accommodated as part of Site Plan revisions.

No Additional Comment.

Comment 9-18

For SEQR purposes, it is acceptable if the sight line triangles are added during the Site Plan process, so long as they match the sight lines required in the EIS.

No Additional Comment.

Comment 9-22

Kimley-Horn has not seen plans showing how trucks will be able to turn into or out of the Gilbert Street Extension. It is important to know the limitations of these movements, if any, even if larger trucks will be scheduled and directed to use the Route 208 driveway.

This comment Still has not been addressed.

Comment 9-23

Because of the current poor traffic operating conditions, the Applicant should submit a detailed Construction Management Plan to address construction traffic issues.

A detailed Construction Management Plan was submitted to address construction traffic issues.

Comment 9-25

It was recommended that the Applicant develop a detailed and thorough Construction Management Plan with hard milestones and timelines to demonstrate how completion of both the improvements and project can be accomplished without further exacerbating already unacceptable conditions.

The Applicant developed a detailed and thorough Construction Management Plan with hard milestones and timelines to demonstrate how completion of both the improvements and project would be accomplished without further exacerbating already unacceptable conditions (see below for a discussion of this plan).

Site Plan Comments

Comment 1

The Site Plan shows the 8 ADA spaces in front of the building offset 1 parking bay from the crosswalk. ADA spaces should, if at all possible, be located as close to the building entry as possible. Presuming that the crosswalk in the front of the building is located in front of the primary building entry, the Applicant should either move the ADA spaces or justify why they can't be moved.

This comment still has not been addressed.

Construction Management Plan

Comment 1

The Construction Management Plan States that, in coordination with NYSDOT, engineering plans need to be completed. These plans will include work zone traffic control plans to be used by the contractor to stage the construction of the road improvements. The engineering and permitting process is estimated to take 12 months to complete and will be refined as the process unfolds. However, the Applicant did include proposed Concept Staging Plans (Figures 3 through 6), which are discussed in detail below. It is recommended that the Applicant keep the Village informed of any material changes to the concepts.

Comment 2

The Applicant indicates that it will cost more than \$3 million to construct the identified traffic impact mitigation measures, that the proposed improvements will also mitigate existing congestion experienced in the vicinity of the project by the general motoring public and suggests methods of obtaining funding assistance for the improvements. In the opinion of Kimley-Horn, the suggested methods, if they materialize, would help fulfill the Applicant's obligation to mitigate traffic impacts.

Nevertheless, Kimley-Horn reiterates that statement in the Construction Management Plan that, in order to open the 208 Business Center project, the road improvements will need to be completed.

Comment 3

The Applicant has provided estimates of daily and peak-hour traffic activity associated with the various phases of construction activity. Kimley-Horn has reviewed these estimates and finds them reasonable and notes that, on average, during the peak months, the applicant expects to add a total of 20 to 25 vehicles to the surrounding roadways during the peak hours (estimated at 80% car trips and 20% truck trips). This number compares very favorably to the several hundred peak-hour trips for which the off-site mitigation measures are proposed.

Comment 4

The Applicant has provided a construction staging plan for the proposed on-site construction. The plan indicates construction access points at the location of the proposed driveways, leading to construction staging areas in the parking lots in front of the building. The proposed plan seems reasonable so long as there will be a connection between the two staging areas so that vehicles entering from one driveway can exit to the other (which would provide a measure of flexibility to manage construction traffic). The Applicant's should affirm this.

Comment 5

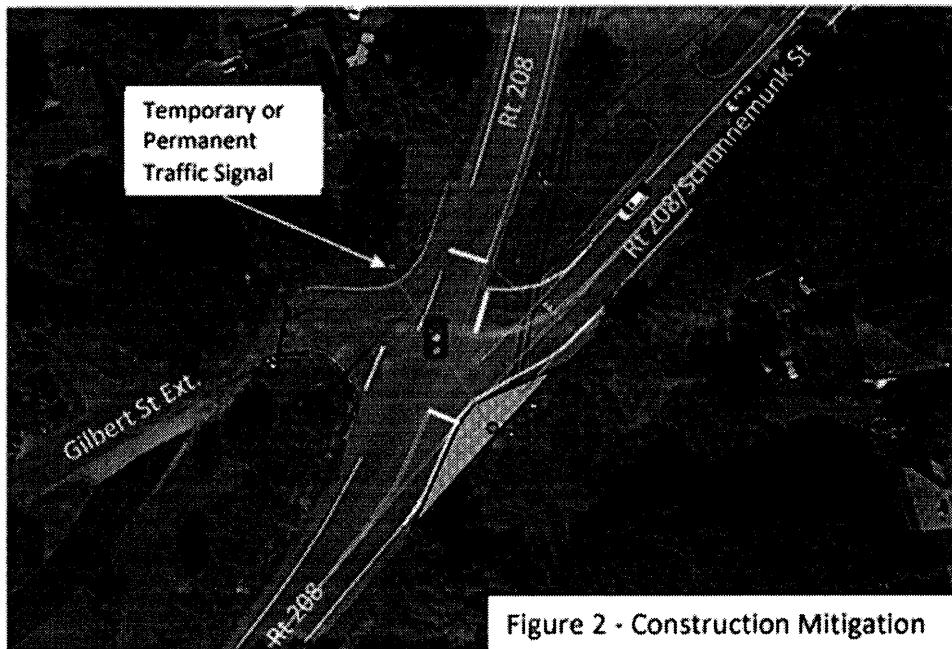
The Construction Management Plan suggests a mitigating option is that most construction workers arrive and depart to the project site early, before the peak morning and afternoon commuter periods. However, this is not something that can be easily mandated as construction schedules can vary widely and contractors may have to make up lost time for poor weather or other delays.

Comment 6

The Construction Management Plan states that no oversized loads will be delivered to the site during the 7 to 9 am or 2 to 6 pm peak periods. Caravans of trucks will not be allowed to enter or exit the site. Vehicles like concrete and asphalt trucks must be staggered. Construction workers will be instructed to enter and exit Gilbert Street Extension if traveling to and from the south, and the Route 208 access if traveling to and from the north. Flaggers will be used to assist trucks exiting to the north and using the crossover between the slip ramp and N. Main Street. Kimley-Horn finds these measures to be acceptable but suggests that, based on NYSDOT data from adjacent to the site in 2024, the morning hours when oversized vehicles be prohibited on weekdays from 7:30-9:30 a.m.

Comment 7

The Construction Management Plan does recommend an initial phase of construction that would partially improve the Route 208/Gilbert St/Schunnemunk St intersection and signalize it to better assist motorists through the intersection (see Figure 2 of the Construction management plan (reproduced below for convenience). Kimley-Horn agrees that this measure will facilitate access to the street for traffic using the Gilbert Street Extension.



Comment 8

The Applicant asserts that, at its peak, construction traffic will only be no more than 15% of the expected completed volumes, therefore, the full traffic mitigation plan is not necessary to mitigate construction related volumes. Kimley-Horn agrees that, because construction traffic is projected to be only a fraction of the completed-project traffic FULL traffic mitigation plan is not necessary to mitigate construction related volumes, and that the above temporary measure is one measure that can be implemented to manage construction traffic.

The Applicant recommends the following milestones to prevent the building being completed significantly prior to the off-site improvements,

1. Before a clearing and grading permit is issued, the applicant must demonstrate the financial ability to fund the off-site improvements.
2. Before a building permit is issued, the off-site mitigation will be bonded and the Route 208/Gilbert Street Extension construction mitigation must be in place.
3. A NYSDOT permit must be issued and the permanent signal poles released for manufacturing before the above grade construction commences.
4. Before a certificate of occupancy, the off-site roadway improvements must be completed and traffic signals activated.
5. Before a NYSDOT permit is closed out and bonds released, all punch list items must be completed.

Kimley-horn believes that these measures, as modified below, will provide a mechanism to the Village, to control the timeframe of the construction of the building so that it's completion will not significantly precede the completion of the off-site improvement.

Bonding for off-site improvements is typically one of the last steps before the NYSDOT issued the permit to perform the work, and a NYSDOT permit will be required for the temporary improvements. Therefore, it is recommended that milestone 2 read as follows:

2. Before a building permit is issued, the off-site mitigation will be **permitted and bonded** through NYSDOT, and the Route 208/Gilbert Street Extension construction mitigation must be in place.

If the above modification is adopted, it is recommended that milestone 2 read as follows:

3. The permanent signal poles must be released for manufacturing before the above grade construction commences.

Kimley-Horn also recommends that a certificate of occupancy not be issued until the NYSDOT permit is closed out. If the Board agrees, it is recommended that milestones 4 and 5 read as follows:

4. Before a **temporary** certificate of occupancy is issued by the village, the off-site roadway improvements must be completed and traffic signals activated.
5. Before a final certificate of occupancy is issued by the village, all NYSDOT permit punch list items must be completed permit must be closed out.

Comment 9

The Applicant notes that circumstances may arise that may otherwise unnecessarily delay the issuing of permits or opening of the building. In these cases, it is suggested that the applicant may return to the village to seek relief or adjust the milestone requirements with the approval of the village and NYSDOT. Kimley-Horn notes that a contractor always has the right to ask for relief but that the final decision rests with the Village or the NYSDOT, as appropriate. The Board may wish to require the Applicant to also seek relief from the Planning Board if such circumstances arise.

Comment 10

To maintain traffic flows during construction the Applicant proposes staging the work, as indicated in Figures 3 through 6, which would follow the completion of the temporary (or permanent) traffic signal at the Gilbert Street Extension (discussed above).

Figure 3 indicates that the proposed improvements would next be done on the west side of the southbound NYS 208 slip ramp, while maintaining existing traffic patterns (although lanes may have to be narrowed to the minimum permitted by NYSDOT – typically 10 feet).

Kimly-Horn agrees with this approach provided that access to the Site to and from the south is mandated via the Gilbert Street Extension and access to the Site to and from the north is mandated via the NYS 208 construction driveway (using the paved area between northbound and southbound NYS 208 to make the left-turn out of the site – with flaggers to assist trucks making this maneuver).

Comment 11

Figure 4 indicates that the proposed improvements would next be done on the east side of the southbound NYS 208 slip ramp, while maintaining existing traffic patterns but relocating southbound NYS 208 traffic onto the new improvements on the west side of the slip ramps (lanes may still have to be narrowed to the minimum permitted).

Kimly-Horn agrees with this approach provided that access to the Site to and from the south continues to be mandated via the Gilbert Street Extension and access to the Site from the north be mandated via the NYS 208 construction driveway, while access to the north be mandated via the Gilbert Street Extension.

Comment 12

Figure 5 indicates that the proposed improvements would next be done on North Main Street opposite the proposed NYS 208 site driveways and that the permanent traffic signals be installed at the NYS 208 driveway and at the Gilbert Street Extension. Northbound NYS 209 traffic would be moved over to the slip ramp in this phase.

It is unclear how traffic would travel between North Main Street and the north on NYS 209 during this phase. It is recommended that additional work be performed to develop a plan to accommodate these movements.

In addition, it is recommended that operation of the temporary traffic signal at the Gilbert Street Extension be maintained during the construction of the permanent signal at that location and that construction traffic turning left out of the site be confined to using the Gilbert Street Extension.

Comment 13

Figure 6 indicates the completed/completion of the off-site proposed improvements. Kimley-Horn has no comment on this figure as it is not clear what work is being performed and where it is being performed.

Comment 14

The Construction Management Plan notes that the plan outline is expected to change as the detailed design is progressed and reviewed through the permitting process, and that the village will be advised of changes and the details as they are developed.

Kimley-Horn concurs and notes that this is typical.

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October 3, 2025

MEMO

TO: Jeff Boucher, Chair
Members of the Village of Monroe Planning Board

CC: Applicant
Ted Fink, Planner
Natalie Barber, P.E., Engineer
Alyse Terhune, Village Attorney

FROM: Elizabeth K. Cassidy, Esq.

RE: Review of the FEIS

This memorandum is to provide a review of the Final Environmental Impact Statement as prepared by Tim Miller and Associates last revised September 8, 2025 as well as revised plans. The table below represents our previous comments with any new material in bold.

Page/Section	Comment
1-3	Table 1.1 indicates two Thomas Olley comments. Applicant to clarify whether it is a duplicate and remove or that there are two sets of comments and distinguish between the two sets. 5-6-2025 – Comment Addressed
2-5 – 2-6	Response 2-11: Applicant to discussed proposed traffic mitigation funding with Village Board of Trustees. As the Planning Board has made clear, traffic improvements and related funding will need to be largely in place prior to the issuance of a building permit for the project. Construction schedule to be set forth in Findings Statement and in any approval. 5-6-2025 – The applicant continues to pursue simultaneous road improvements and building improvements despite repeated conversations that the road realignment and traffic flow need to be in place before building construction can begin. 10-6-2025 – The applicant has proposed a construction mitigation plan (attachment B) in an effort to address timing of both on-site and off-site construction. It appears that the applicant is still pushing for significant overlap

	of both on-site and off-site construction. I defer to John Canning and Natalie Barber as to whether the proposed plan is appropriate.
2-7	<p>Response 2-15: Applicant to address mechanics of alterations to YMCA site plan. For example: is a separate application for site plan amendment being submitted? Who is responsible? See also Response 15-10.</p> <p>2-4-2025 – Applicant has proposed a modified layout of the building which would remove the need for improvements on the YMCA property.</p>
2-12	<p>Response 2-23 – Traffic improvements are to be completed prior to issuance of a building permit for the project.</p> <p>For information</p>
2-14	<p>Response 2-32 – Recommend that local police enforcement to be authorized to enforce V&T and idling requirements on site pursuant to Vehicle and Traffic Law § 1640-a.</p> <p>For Information</p>
3-3	<p>Response 3-8 – Applicant to address disturbance in connection with off-site improvements and whether such disturbance will exceed NYSDEC's five acre threshold.</p> <p>2-4-2025 – response has been modified to indicate that the Erosion Control plan has been modified to show two phases: off site and on-site improvements. It is unclear whether the disturbance will exceed five acres. I defer to Natalie Barber as to the sufficiency of the Erosion Control Plan</p> <p>5-6-2025 – Revised FEIS indicates that applicant may seek a waiver in the event disturbance exceeds 5 acres. This ties directly into the request that traffic improvements be installed first making phasing of the disturbance possible.</p> <p>10-6-2025 – Applicant indicates that sequencing the construction will keep disturbance to under 5 acres at any one time. I defer to Natalie Barber as to sufficiency.</p>
6-3	<p>Response 6-6 – Applicant to address additional tree planting off-site and mechanism for maintaining said plantings.</p> <p>2-4-2025 – comment remains unaddressed</p> <p>5-6-2025 – Village will accept a payment in lieu of the 10 trees required by the code. This shall be reflected in a developers agreement as a condition of approval.</p> <p>10-6-2025 – Applicant has modified the landscaping plan to provide for a minimum 1:1 ratio for tree replacement. Planning Board to evaluate landscaping.</p>

6-3	<p>Response 6-7 – The FEIS should be revised to clarify compliance with § 200-32 of the Village Code. Specifically, § 200-32I provides for control of trees in land development. Although there is no formal waiver, it appears the applicant is requesting that the Planning Board determine that such tree control is not necessary. I recommend that the Planning Board address whether the proposed landscaping plan meets the spirit and intent of § 200-32</p> <p>2-4-2025 – comment remains unaddressed. Although the applicant seeks to install plantings off-site in an effort to comply with § 200-32, the applicant has not proposed any mechanism to ensure plantings are maintained.</p> <p>See response 6-6 above.</p>
9-4	<p>Response 9-9 – Applicant to address any allocation of traffic improvement funding with the Village Board.</p> <p>For information</p>
9-6	<p>Response 9-13 – Applicant to address mechanics of cost sharing through developer's agreement with Village Board.</p> <p>For information. The Applicant is reminded that traffic improvements are to be installed prior to construction of the project.</p>
9-15	<p>Response 9-15 – Applicant to address how 53-foot trucks will be excluded from site and enforcement of the condition. I defer to Kimley-Horn in that regard.</p> <p>2-4-2025 – comment remains unaddressed.</p> <p>5-6-2025 – FEIS revised to include a discussion as to restrictive signage and lease language. Any such restrictions shall be incorporated as a condition.</p>
9-10	<p>Response 9-23 – The bulk of traffic improvements to be made before building permit is issued. See also Response 15-2.</p> <p>2-4-2025 – The Applicant to develop a construction schedule vis a vis construction of the building and road improvements. While final road improvements such as top coat can await building construction, the bulk of the road improvements need to be in place prior to construction.</p> <p>5-6-2025 – Again reference is made to simultaneous construction of roadway improvements which is not acceptable to the Village.</p> <p>10-6-2025 – see comment re Response 6-6</p>
10-2	Response 10-2 – Natalie to confirm sufficiency of response.
10-3	Response 10-3 – Have there been any discussions with Orange & Rockland as to the discussed easement?

	<p>2-4-2025 – response has been modified to reflect an existing easement. Applicant to provide a copy of said easement to the Planning board.</p> <p>5-6-2025 – Comment addressed</p>
10-9	<p>Response 10-11(5) – The statement that “The Planning Board is not supportive of the reopening of Gilbert Street Extension” should be more fully supported or confirmed. Alternatively, the statement should be removed.</p> <p>2-4-2025 – Comment unaddressed.</p> <p>5-6-2025 – Comment Addressed.</p>
11-1	<p>Response 11-1 – The statement “The Village of Monroe has adequate capacity to serve the proposed mixed-use development” to be confirmed. [Applies to 11-1 through 11-4]. I defer to H2M in that regard.</p> <p>5-6-2025 – The revised FEIS provides greater detail of capacity figures. I defer to Natalie Barber as to appropriateness of the same.</p>
13-4	<p>Response 13-13 – Response indicates \$599,562 vs. \$599,562</p> <p>2-4-2025 – Comment addressed</p>
14-3	<p>Response 14-5 – Applicant identify off-site areas specifically and entity responsible for maintenance.</p> <p>2-4-2025 – Revised FEIS proposes Airplane Park or other public green spaces in the Village but does not identify who will or how such plantings are to be maintained.</p> <p>5-6-2025 – Discussion revised to reflect Village’s acceptance of a payment in lieu</p> <p>10-6-2025 – plantings have been modified to be entirely on-site.</p>
15-1	<p>Response 15-2 – The timing of traffic improvements in relation to the timing of permitting/certificates of occupancy should be contained in the Planning Board’s Findings Statement and a condition of approval. Although final paving should await the completion of building construction, the bulk of the traffic improvements (i.e. the light, relocation of roadways, etc) should be installed prior to building permit.</p> <p>For information</p>
15-2	<p>Response 15-10 – Applicant discusses various mitigation to take place on the adjoining YMCA property. Such mitigation would require additional Planning Board approvals as to the YMCA. Applicant to identify the mechanics of who will be seeking the amendment (either joining existing application or separate site plan application) and timing of those efforts. The findings statement should set forth that process and that process should be incorporated into a developer’s agreement.</p>

	<p>2-4-2025 – The modifications to the proposed site plan appear to eliminate improvements to the YMCA property – Comment addressed</p>
16-1	<p>Response 16-1 – This response discusses an apparent discrepancy between peak traffic on Saturday but that the site will be closed on Saturday due to religious considerations. Kimley Horn to confirm that this is appropriately discussed in the traffic study.</p>
19-1	<p>Response 19-1 – It is not clear how additional second story retail when a second story is already proposed and elevators for ADA compliance will need to be installed anyway. Applicant to further elaborate</p> <p>2-4-2025 – Comment unaddressed.</p> <p>5-6-2025 – Citing various cases, the Applicant's position that it does not need to address the reduced scale alternative. The reduced scale alternative is set forth in the accepted scoping document. The Planning Board, as Lead Agency, needs to set forth that it has evaluated reasonable alternatives in order to comply with SEQR. In essence, the applicant is telling us "it won't work" without providing more. The Village's consultants have asked for more detail in that regard and the applicant appears to be unwilling to provide it. The applicant vaguely relies on difficulties with handicapped access but the site already has public access to a second floor under the preferred plan. It remains unclear as to why the applicant is unwilling to do retail on the second floor. In the absence of a more thorough response, the Planning Board is not in a position to fully evaluate the alternatives as set forth in the Scoping document and as required by SEQR.</p> <p>10-6-2025 Applicant provides a letter of a local commercial real estate appraiser. Planning Board to evaluate for sufficiency. Reference is off – listed as Appendix B, TOC identifies as Appendix C, document submitted as Appendix C is not correspondence</p>

Comments on Plan Set

Truck Turning Plan	<p>Truck turning diagrams appear not to connect. I defer to Kimley Horn in that regard.</p> <p>5-6-2025 – Revised turning diagrams have been submitted.</p>
Landscaping Plan	Village Board to evaluate in light of 200-32