

VILLAGE OF MONROE

Workshop Minutes

November 10, 2025

Present: Chairman Boucher; Members Iannucci, Kelly and Hafenecker. Attorney Cassidy and Engineers Higgins

Absent: Members Allen, Umberto and Karlich

Pledge of Allegiance.

On a motion made by Member Hafenecker and seconded by Member Kelly it was resolved to:

Open the Meeting.

Aye: 4 **Nay:** 0 **Absent:** 3

Site Plan Review – Proposed 2,000 SF addition

123-125 Elm Street – (207-1-2&3)

Proposed 2,000 SF addition & 4,000 SF addition above. Office space and to support the existing auto body repair shop

Present representing the applicant: Michael Morgante from Arden Consulting Engineers and Mr. Lipa Deutsch

Engineer Higgins went over his review memo (attached) noting that some of the variances from the ZBA were approved and some were not. Attorney Cassidy went over her review memo also attached. She noted that comment #7 was satisfied and regarding comment #8 she is awaiting revisions but that can be a condition of approval and regarding # 13 she need the revised agreement regarding the leased parking area. She asked Mr. Morgante to expand upon some of the variances granted from the ZBA (attached). Mr. Morgante explained that the ZBA did not want to grant the front yard variance unless the applicant provided some screening. He said that he met with the Village DPW regarding the issue to ensure the plan with screening would work. He also explained the uses of the parking areas noting that they could not keep more than 5 vehicles there that there would require minor repairs but the lot is not only used for cars awaiting auto body repair. Some spaces would be cars waiting minor non-auto body repairs such as brakes or inspections and also leasing and rental vehicles. Chairman Boucher asked if the leasing and rental was an approved use and Mr. Morgante replied that it is integral to the business operation and he explained that the rental cars are for people to use while the personal cars are being repaired. Any longer term uses would be leased cars. Member Iannucci asked how we would distinguish which cars were which and Mr. Morgante said they could tag the cars to identify what category they belong to. Member Iannucci also asked about what the DPW's thoughts were about plowing with the screening in place. Mr. Morgante said that they agreed with the suggestion from the DPW and would accommodate. The Board reiterated that they would prefer to not have the screening in the front yard and Mr. Morgante said that the owner is prepared to do whatever the Village wants. Chairman Boucher asked about the U-Haul

business and Mr. Morgante said that would fall under the rental/leasing business. Attorney Cassidy recommended an interpretation from the Building Inspector as to whether the leasing/rental uses are considered ancillary. Attorney Cassidy said the next step is conditions of the special permit and architectural review. Chairman Boucher said he was also interested to know if there were any other businesses operating out of the location that the Board doesn't know about. Mr. Morgante had filing certificates for Upstate Collision and Upstate Auto Leasing but Attorney Cassidy noted that those are filed with the Department of State and do not indicate that they have applied for a permit from the Building Department. Attorney Cassidy noted that in the Village Code S200-51 (A) (2) (attached) permits the rental business as an accessory use and noted that you could condition the parking to the reasonableness of the space. Member Iannucci asked since the cars needing repair are limited to 48 hours, would the majority of the cars be rentals and Mr. Morgante answered that yes that is the case. Attorney Cassidy noted that they are not allowed to have any unlicensed or dismantled vehicles on the site outside of the building. Mr. Morgante noted that the business would be operating the same way it does now and the improvements will make processing the cars smoother and will clean up the site. Member Hafenecker asked if the impound lot would remain the same and per Mr. Morgante it will. The board discussed the parking lot and impound area and how you would maneuver cars in and out of the lot without lanes. Mr. Morgante said that the cars would have to be moved around like a parking garage to get a specific car out. He noted that the lot most likely would not be completely full and the plans are showing the maximum number of cars that could potentially fit in that location. Chairman Boucher said that there is the possibility of having that many cars. Attorney Cassidy noted that this lot is for vehicle storage and not for the day to day operation and parking. Engineer Higgins asked if it would be better to show the parking lot as a storage area but not include a vehicle count. Attorney Cassidy agreed saying that depending on the size and type of car the number of cars that could fit would change. Engineer Higgins asked if there is a note on the plans saying that the road shall not be used for parking vehicles? And Chairman Boucher agreed that would be a good idea. Mr. Morgante said it was not noted but that could be put on the plans. Attorney Cassidy is going to start putting together a list of conditions and said the Board will have to do the Architectural Review. The applicant will appear at the Regular meeting on 11/25/25.

Informal Review – 236 High Street (Rest Haven)

236 High Street – (206-5-4.12)

Present Representing the Applicant: Tim Mitts, owner.

Recently there was an approval to turn Resthaven into a Country Inn. Their intent is for the first floor to be a restaurant, second floor would be lodging or short-term rentals up to seven days, and the third floor would be non-public office space for the building operators. Mr. Mitts said they had been through this process 4 years ago to make the property an assisted living facility. He explained that the time they got to Albany, they wanted to enclose all of the staircases and he did not want to do that. The adjustments that would need to be done on the site for the Country Inn would be only on regarding parking. He said that they would like to put the parking lot behind the house in the back corner of the property. It would be shielded by the trees so that it would not be visible from the road. The driveway would remain one way and would not change. He also said that they were not requesting any standalone signs and maybe there would just be one on the building itself. Member Kelly asked what the state of the property is now where the parking lot would be and Mr. Mitts replied that it is currently grass and the property sits on 2 acres of land. He also said that the runoff does not go near the parking lot and he may only have to do some minor drainage. Member Kelly asked if he was going to disturb more than a half an acre and Mr. Mitts

said that they were very close to a half an acre. Member Iannucci asked if it was all residential bordering the property and how far the parking lot would be from the property line. Mr. Mitts explained that the bordering properties are all residential and the parking lot would be 15 feet from the property lines. Member Hafenecker said that a parking configuration would help the board to have an idea of how many parking spots and where they would be located on the property. Mr. Mitts answered that they are projecting roughly 45 to 50 parking spots. Member Iannucci asked about screening the adjacent residential properties from headlights and Mr. Mitts replied that all walls besides the back of the property have 6-foot-high fencing that is 100% closed. Mr. Mitts wanted to know from the board what needed to be added to the plans to complete this application, noting that the number of parking spaces would be subject to the Building Department's determination. Chairman Boucher asked what ever happened with the kitchen and Mr. Mitts explained that the previous building inspector wanted them to go up the side of the building for venting. What they ended up doing instead was putting the intake under the roof overhang, and the exhaust is on the corner of the building. He noted that everything done to the house to date has been approved by New York State. Mr. Mitts stated that his purpose coming today was to find out from the Planning Board what he needed to add to the existing approvals and said he would prefer to modify the existing plans for parking since there is nothing new on the site. Attorney Cassidy said that this is a Special Permit Use and a Land Use Determination form from the Building Department would need to be included with the new application. She said that he is welcome to utilize the prior materials, but we need to consider this as a brand-new application. She also said a Short Environmental form is required. Chairman Boucher asked about the ½ acre disturbance and Engineer Higgins added that it is best to keep disturbance under a half an acre otherwise a SWPPP is required. Once the ½ acre of disturbance is exceeded the application is a lot more involved and it would be in the applicant's best interest to stay below that threshold. Mr. Mitts believes that this would be under a half an acre, but that will ultimately be determined by the amount of parking spaces required. Attorney Cassidy noted that the code provision requires a floor plan and Mr. Mitts said that the floor plan of the building has not changed. Attorney Cassidy said that it would have to be submitted to the Planning Board as part of our application package. Mr. Mitts was hoping that this could be a revised application. However, per Attorney Cassidy, an entirely new application is required but he is free to use older existing documentation that he has as long as it is still accurate. Engineer Higgins also said that the plans that are submitted as part of the new application should show the culvert that was previously mentioned for drainage and it should include topography, grading and any drainage. Mr. Mitts asked if a Public Hearing was required and Attorney Cassidy and Engineer Higgins, replied that it is.

Site Plan Review – Minor Subdivision

105 High Street – (206-3-10)

Two lot minor subdivision

Present representing the owner: Isaac Stein, Ideal Design

Engineer Higgins went over his review memo attached. Items discussed were as follows:

Item 1: Mr. Stein said that the map was submitted but Engineer Higgins said a survey map was provided, but the subdivision map needs to be signed.

Item 2: Engineer Higgins said the question is does the property line go to the center of the road? Mr. Stein replied that per the deed provided the property finishes in the middle of the road. Attorney Cassidy countered that it does not. Mr. Stein said that he had a conversation with the surveyor about this and it was his interpretation that the property goes to the center of the road. Attorney Cassidy replied that we had asked for title report or title policy and what we received appears to indicate that this is not the case.

She also explained that this does not necessarily matter because our code states that setbacks are based on the street line not the center line. Engineer Higgins noted that this confusion is one of the reasons why we need a signed subdivision map by the surveyor. Mr. Stein clarified that the deed shows that the property line goes to the road and Attorney Cassidy said the deed does not clearly convey that it goes to the center of the road and based on what she can find it appears at some point there was a conveyance to the Village. Mr. Stein asked if there was proof that there was a conveyance done? Attorney Cassidy replied that she does not know that because she has not gotten a title report. Mr. Stein asked if he should provide it and Attorney Cassidy replied that she assumed a title search was done when the client acquired title. Per Mr. Stein the applicant has no problem conveying the property to the village he just wants to make sure he doesn't lose the subdivision because of it. Engineer Higgins stated that we don't know where the property line is and the Deed reflects the conveyance and we are assuming it is 25' of the center line but we don't know that and it could be more. He suggested having the surveyor determine where the property line is. Mr. Stein will recheck this and Chairman Boucher asked for the applicant to send us the title report. Attorney Cassidy mentioned that she has the Deed and the problem is that the tax map does not match the survey. One could assume that the 25' discrepancy would be the conveyance since roads are typically 50' wide – but she cannot guarantee this. Mr. Stein asked what the change would be and Attorney Cassidy said that the setback would be marked differently and the map has to be correct. Mr. Stein asked if it would change the 2-lot subdivision. Attorney Cassidy and Engineer Higgins agreed that this most likely could not impact the approvability of the subdivision but the map must be correct. Mr. Stein asked how we can clear this all up and Engineer Higgins said that this would be done by a survey and title report. Attorney Cassidy said there is a discrepancy and it has to be rectified before this can be potentially be approved. Mr. Stein asked what is the minimum lot size for the existing structure? Engineer Higgins said it was 10,000 and they have the area for this.

Item 4: What are the dashed lines? Mr. Stein said per the surveyor this is part of an old map and he asked for the lines to be removed. Engineer Higgins wants the purpose of the lines to be clarified. Mr. Stein said this is explained on the survey and Engineer Higgins said this goes back to the fact that the surveyor has not signed the subdivision map and this is needed for approval from the Planning Board and for acceptance by the County Clerk.

The applicant asked about scheduling the Public Hearing and Attorney Cassidy said that SEQRA has to be completed first and instructed the Planning Board Secretary to send out for 239GML review. Attorney Cassidy said assuming the issues are addressed by the next submission we could then go through Part II and conclude SEQRA and since it is a subdivision SEQRA has to be completed prior to the Public Hearing. Engineer Higgins asked if any other agencies needed approval and Attorney Cassidy replied that we could do an uncoordinated review.

Application Site Plan and Special Permit

386 Rt 17M - (217-3-12)

For sale and storage of lumber and building materials

Present representing the applicant: Avi Weinberg from Weinberg Lim Engineering

Mr. Weinberg said that he was here to present the new layout to the Board and if things look good they will prepare a full set of plans. He realizes that there are a lot of outstanding issues that are for future discussion. Chairman Boucher asked what was going on on the lot. Mr. Weinberg said he did not know

what was happening on the site and he is tasked with engineering issues. Chairman Boucher suggested the applicant show up to answer questions. The board reviewed the proposed new layout and changes that were explained by Mr. Weinberg. The site has 2 residential buildings in the center and 2 commercial on either side. Attorney Cassidy noted that other than the 2 residential uses there should be no activity on the site since they have no site plan or Building Department approval. Chairman Boucher asked Mr. Svrcek, Code Enforcement Officer, to go over what is happening on the site and the current condition. He explained that much of the activity on the site is not approved and there are many violations. Mr. Weinberg asked for copies of the violations and they cannot be given to him he will have to get them from the applicant.

Engineer Higgins went over his comment memo (attached) and discussions are as follows:

Item 1: The will have to go for a variance

Item 2: Per Mr. Weinberg, the spaces in conflict are overnight parking and will be vacant during the day when the garbage is collected. He will show the maneuverability with the spaces as listed.

Item 17: Mr. Weinberg said that he would remove all information from the survey and the idea is that the flood plane is based on the contour. He will provide a letter stating that there is zero impact on the flood plain and it is in a non-effective flow area.

Attorney Cassidy went over her comment memo (attached) and discussions are as follows:

Item 9: Mr. Weinberg asked if having a building as a buffer between loading and a residential area would help and Chairman Boucher said that is a question for the Zoning Board.

Item 12: Attorney Cassidy noted the problems with the potential traffic flow and will need to be addressed and working around the existing structures will be challenging and it will need to be clear and explained in a future submission.

Member Kelly interjected that this property has been a problem for years and they keep violating the law and these issues must be resolved prior to moving forward. Chairman Boucher noted that the applicant has been advised to do restoration on site and nothing has been done. Attorney Cassidy stated that she believes the applicant is hoping to avoid restoration by getting approval from the Planning Board. Chairman Boucher avowed that will not happen.

Chairman Boucher noted that in the residential area there are multiple gates that would need to be crossed to take the garbage out. Mr. Weinberg said they may make an opening, Attorney Cassidy said that this should be addressed and Mr. Weinberg suggested possibly adding a residential dumpster. The general consensus is that the site is a mess. Mr. Weinberg asked for realistic plan going forward regarding site maneuverability and Attorney Cassidy said that is dependent on how the applicant will use the site and some specification on the scale and scope of business and we need a more detailed narrative. Member Hafenecker asked how many violations there were and do they need to be rectified before coming before the Planning Board. Attorney Cassidy said, that in this case the applicant is trying to use the Planning Board to rectify their violations. However, that cannot happen here because the clearing and improvements were not approved so they must go back to their pre-condition and prepare a SWPPP and show us the historic images and changes. Chairman Boucher said that the Planning Board could also deny the application and kick it back to Code Enforcement. Mr. Weinberg asked in terms of the layout of the site he would like the Board to be ok with it. Attorney Cassidy said the project is designed around work that was already done and the client can clear up the violation by restoring the site. Mr. Weinberg said that seems unlikely so he would like to know if the board would be OK with the

plan he is proposing. Chairman Boucher noted that this applicant has consistently operated outside of what is allowed with no permissions. He said that his vote would be to deny the application outright. Member Hafenecker asked how is he able to operate and the reply was that he is not supposed to be and that is the violations. Attorney Cassidy said we are on our 5th submission from this application who has been in violation since May 2024 and noted that the Planning Board is required to process the application in good faith but so does the client. If we continue to see no forward movement we will deny the application due to the applicant not moving forward in good faith. Chairman Boucher said we have not seen any good faith act from this application. Mr. Weinberg believes it would be crucial for the applicant to appear and Chairman Boucher agreed that would be optimal. Mr. Weinberg will relay to the applicant they he must deal with the violation and he will try to redesign some of the site based on the feedback received. Code Enforcement Officer Svrcek noted that some bordering properties get significant flooding and asked that this be considered when redesigning the site plan. Mr. Weinberg said that the site is difficult zoned for one thing but has residential houses. Attorney Cassidy said that part of the problem is that the applicant could have removed the residential houses and work with a clean site and do it property but the client wanted the rental income. Mr. Weinberg stated that is the owners right to keep those houses and the income. Attorney Cassidy noted that is the owner decision and reminded him of the special permit standards in 48.2 and those are the standards that this board will have to evaluate and some include traffic. He should be sure to take this into account. Chairman Boucher told Mr. Weinberg that the owner should come before the board.

Attorney Cassidy noted that 573 Route 17M and 125 Elm Street will be on the agenda for 11/25/2025.

Chairman Boucher asked Attorney Cassidy what the status of "The Q" is and if she let them know they need to do an entirely new application. She replied that she reached to their attorney, Steve Esposito, and advised him that they must pay the outstanding escrow and that she is of the opinion that their approval has lapsed and a new application is required. The Planning Board Secretary is working on the escrow account to determine the total balance due and Attorney Cassidy will not touch it again until the payment is made.

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

Aye: 4 Nay: 0 Absent: 3

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

VILLAGE OF MONROE
ZONING BOARD OF APPEALS
NOTICE OF DETERMINATION

Date of Meeting: October 14, 2025

Applicant: 125 Elm Street, LLC & 123 Elm St LLC

Address of Subject Property: 123-125 Elm Street

S/B/L: 207-1-2 & 3

Zoning District: GB

Relief Requested: Area variances for lot area, front yard, rear yard, 200 feet from a recreational area, extension of nonconforming bulk condition, storage of vehicles in a required yard, storage of more than 5 vehicles, no screening of parking area in front yard.

DETERMINATION:

The Zoning Board of Appeals approved the following variances:

Lot Area from 40,000 square feet to 39,518 square feet.

Front Yard for existing structure from 50 feet to 11.2 feet.

Rear yard for existing garage structure from 25 feet to 4.9 feet; for existing building to 16.2-feet.

Less than 200 feet from the Heritage Trail and approximately 89 feet from Crane Park.

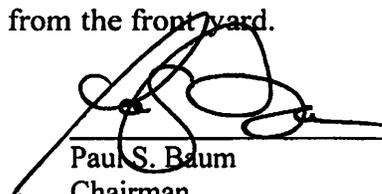
Storage of vehicles in required yard, with the exception of the front yard unless appropriate screening of the car storage area is provided.

The Zoning Board of Appeals denied the following variances:

Extension of the degree of nonconformity for the proposed lateral extension and upward expansion of existing garage to permit a front yard of 18.8 feet.

To permit more than 5 licensed vehicles requiring minor repairs to be stored outside for more than 48 hours.

To eliminate the screening of the car storage area from the front yard.



Paul S. Baum
Chairman
Zoning Board of Appeals

11/10/25
Date

Chapter 200. Zoning

Article XII. Special Use Permit Procedures and Regulations

§ 200-51. Motor vehicle/car wash regulations.

The purpose of this section is to permit automotive- and vehicle-oriented uses, including appropriate associated uses, in a manner consistent with reasonable standards, innovative site layouts and architecture and in a way that will not adversely affect the neighborhood or nearby area.

A. Definitions; special use permits.

[Added 6-13-2017 by L.L. No. 5-2017^[2]]

(1) Definitions. As used in this section, the following terms shall have the meaning indicated:

CAR WASH

A facility for washing standard passenger vehicles. Such facility may include related services, including vending machines, pet wash facilities and vacuum and carpet-shampooing kiosks.

MOTOR VEHICLE FUEL-DISPENSING STATION

An area of land, including structures thereon, or any building or part thereof, that is used for the sale of motor fuel or motor vehicle accessories, and which may include food or beverage sales without wait staff.

MOTOR VEHICLE REPAIR AND PAINT SHOP

A facility arranged, intended, or designed for making repairs to motor vehicles and their mechanical systems, including painting and collision services.

MOTOR VEHICLE SALES

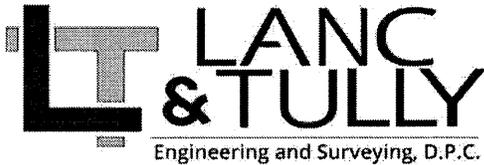
Any area of land, including any structures thereon, for which its principal use is the display or sale of new and/or used automobiles, motorcycles, trucks, cargo trailers or recreational vehicles or other vehicles in condition for road use upon registration and current inspection.

(2) The following shall be permitted by special use permit in the GB District:

GB District - Special Use Permit	Permitted Accessory Uses
Car wash	Convenience store
Motor vehicle fuel-dispensing station	Convenience store, car wash
Motor vehicle repair and paint shop	Gasoline sales, convenience store, towing, rental, motor vehicle sales, car wash
Motor vehicle sales	Rental, repair, service, towing, car wash

[2] *Editor's Note: As directed by the Town, the addition of this subsection preceding existing material effectively renumbered the subsections that follow.*

- B. Setbacks. No canopy shall be set back less than 15 feet from such right-of-way; and no gasoline pump or pump island shall be set back less than 20 feet from any such right-of-way.
- C. Lighting. All lighting shall be of an indirect nature, emanating only from fixtures located under canopies, under eaves of buildings and/or at ground level in the landscaping. Freestanding pole lights shall not exceed a maximum height of



Village of Monroe Planning Board Review

Project: 123 - 125 Elm Street
Tax Lot No. 207-1-2
Reviewed by: David Higgins, P.E.
Date of Review: 11/7/2025
Materials Reviewed: Letter of transmittal dated January 27, 2025, prepared by Arden Consulting Engineers, PLLC; Narrative dated October 29, 2025, prepared by Arden Consulting Engineers, PLLC; Orange County DPW Lease Agreement dated October 8, 2025; electronic correspondence with Village of Monroe DPW dated October 28, 2025; electronic correspondence with Village of Monroe Building Department dated October 28, 2025; and Plan Set entitled, "Site Plan & Lot Consolidation Plan for 123-125 Elm Street", last revised 10/25/2025, prepared by Arden Consulting Engineers, PLLC;

The following items are listed to assist you in completing your submission to the Board. It is only a guide; other items may be listed at future meetings. If you need further assistance, please contact this office.

Project Description:

Prior submissions from 2020 and 2022 were made for two of the properties shown on the plans. Those prior submissions involved additions to existing structures on the lots and use of the property for motor vehicle repair. It was previously determined by the Planning Board and their consultants that the proposed expansion of the existing motor vehicle repair use required variances from the Zoning Board of Appeals. The plans now show that Lots 207-1-2 (125 Elm) and 207-1-3 (123 Elm) will be combined and the existing building on Lot 207-1-3 will be expanded into a two-story, 8,000 square foot (4,000 square foot footprint) building with accessory parking to be constructed across Elm Street on Lot 207-2-9 in a leased easement area.

We have the following comments on the plans provided:

1. The plan shows a total of 23 parking spaces required while only 21 spaces are provided, inclusive of the 2 ADA parking spaces. The Planning Board previously reviewed the plan and agreed that as proposed, the plan provides adequate parking given that additional parking is available via a license agreement within the lease area, and that should the

lease license expire or be voided, two additional spaces could be arranged on the subject property in the area where the dumpster enclosure is shown. **[Informational]**

2. At the October 14, 2025 ZBA meeting, the ZBA denied the applicants request for a variance from §200-51(O) which permits not more than five licensed vehicles requiring minor repairs may be left outside for a period not to exceed 48 hours except as to the holding of a vehicle for not more than 60 days for insurance appraisal purposes covering property damage claims; and except as to the holding of a vehicle for the required period to perfect or protect a garageman's lien pursuant to statute; and except as to the holding of vehicles impounded by the State of New York. A note should be added to plan stating that not more than 5 vehicles in need of minor repairs may be stored outside for a period of no more than 48 hours. The plan provides a vehicle storage area with potential to hold up to 32 vehicles. Applicant should discuss with the Board the intent for this number of storage spaces and how they will maintain compliance with §200-51(O) if of the Code.
3. The zoning code permits off-street parking to be located on a separate lot within 500 feet of the subject property with an easement. The applicant has provided a Parking License Agreement. We defer to the Planning Board's legal counsel for review of the license agreement. The applicant has agreed to provide a metes and bounds description of the license area prior to final approval. **(Repeated comment)**
4. As noted on the plan, it is proposed to consolidate Tax Lots 207-1-2 and 207-1-3 into a single lot. Consolidation of the lots by filing in the County Clerk's Office should be a condition of any approval granted by the Planning Board. **(Repeated comment)**
5. The plans include a turning analysis showing a garbage truck approach from the north, navigate around the building, and exit to the south. We recommend that the turning analysis also show that the anticipated garbage truck is capable of navigating the site in the opposite direction, or provide confirmation from the refuse collection agency that refuse collection will consistently occur as it is shown on the turning analysis.
6. Per the project narrative, as a condition of granting a variance for the storage of vehicles in side yards, the ZBA requested a fence along the road frontage of the vehicle storage area. The fence shown on the plans appears to screen most of the vehicle storage area, but there is a portion of the front yard that does not appear to be screened. We recommend the applicant verify that the proposed fence is acceptable to the ZBA, and provide a copy of the ZBA decision.
7. The public hearing for this project was held on February 25, 2025. **[Informational]**

Future submissions should include a written response addressing each comment. Our office shall continue with a review of the plans as more information is provided. If you have any questions please contact our office.

February 27, 2024
Revised May 9, 2024
Revised September 9, 2024
Revised October 7, 2024
Revised December 9, 2024
Revised January 13, 2025
Revised November 10, 2025

MEMO

TO: Village of Monroe, Planning Board
Applicant

CC: Terri Brinks, Planning Board Clerk
John O'Rourke, Village Engineer
Ted Fink, Village Planner

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of
123 – 125 Elm Street

This application is for the expansion of an existing autobody shop. On February 25, 2025, the Planning Board adopted a negative declaration. The applicant subsequently submitted an application to the Village Zoning Board of Appeals for various required variances (See Comment # 5). The ZBA has issued its determination and the applicant is returning to finalize site plan approval. As is my practice, new material is found in bold.

I offer the following comments¹:

Comment	Status
1. The applicant has submitted a site plan and lot consolidation plan entitled "123-125 Elm Street," and dated January 3, 2024. The plan identifies three (3) separate tax lots: 207-1-2, 207-1-3 and 207-1-5. It is not clear from the submitted plans if it is intended that lot 207-1-5 is intended to be part of the application. At present, it appears to be included. Applicant to identify the purpose of including 207-1-5 or revise the plans to reflect 207-1-5 as an adjoining parcel only. If 207-1-5 is not to be included in the project, Applicant to affirm that no	Comment satisfied.

¹ New material is in bold.

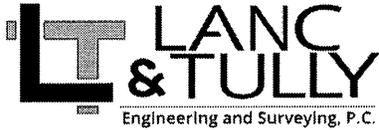
<p>other development is planned for lot 207-1-5 to avoid impermissible SEQR segmentation.</p> <p>5-9-2024 – Applicant cover letter advises that 207-1-5 is expressly excluded from the application.</p>	
<p>2. Applicant to submit a complete application reflecting the current ownership of all parcels included in the application and provide the necessary corporate disclosures and authorizations.</p> <ul style="list-style-type: none"> • 207-1-3 – 123 Elm Street – 123 Elm Street. LLC (GB District) • 207-1-2- 125 Elm Street – 125 Elm Street LLC (GB District) • 207-1-5 – 20 Anderson Place – Ephraim Goldberger (SR10). <p>Ownership must be consolidated into one entity/individual upon approval for consolidation.</p> <p>9-9-2024 – Planning Board Secretary to confirm receipt of disclosures and authorizations by all three property owners.</p>	<p>Comment Satisfied</p>
<p>3. I note the comments of Building Inspector Cocks, dated February 20, 2024 and the comments of Engineer David Higgins, dated February 12, 2024. I join in those comments.</p> <p>Please see Dave Higgin’s memorandum dated October 7, 2024, November 22, 2024, and January 10, 2025</p>	<p>For Information</p>
<p>4. Applicant to submit an Environmental Assessment Form. It is anticipated that this will be an unlisted action. I am recommending a coordinated review with the Zoning Board of Appeals pursuant to SEQR.</p> <p>2-25-2025 -Planning Board adopted negative declaration.</p>	<p>6-10-24 – Resolution to declare intent</p> <p>9-24-2024 – Assumed Lead Agency and completed Part II</p>
<p>5. The application will require variances from the Zoning Board of Appeals. I recommend a coordinated review under SEQR.</p> <p>Variances required:</p> <ul style="list-style-type: none"> • 200-51N – Motor vehicle shop within 200 feet of recreation area. (Granted) • Front yard setback (50 feet to 11.2 ft Granted) • 200-64(A)(b) – Local Law 20 of 2023. Increase of non-conforming bulk (Rendered moot by interpretation of the Building Inspector) • Lot Size (40,000 square feet to 39,518 square feet Granted) 	<p>Comment Satisfied</p>

<ul style="list-style-type: none"> • Rear Yard Setback (4.9 feet for garage structure, and 16.2 feet for principal building) • Variance from 200-51 (I) Storage of vehicles in front yard granted subject to fencing. <p>10-7-2024 – Applicant has indicated that they will also seek a variance from the restrictions as set forth in § 200-51(o). (Denied)</p>	
<p>6. Building Inspector Cox issued a land use determination (LUD) dated March 30, 2022 as to only 125 Elm Street. LUD indicates that a Motor Vehicle Repair and Paint shop is a permitted use subject to special permit. The special permit requirements for a motor vehicle repair shop are located in § 200-51. BI Cox indicates a variance from § 200-51(N) is required. Building Inspector to confirm the status of the Land Use Determination Form and if a new form is required in light of the changes to and age of the existing applications.</p>	<p>Comment Satisfied.</p>
<p>7. Site plan shows encroachments onto County lands (Heritage Trail). Removal of these encroachments should be addressed as a condition of any approval.</p> <p>10-7-2024 – Applicant advises that Orange County DPW has indicated a preference that the existing encroaching fence. Applicant to provide license agreement indicating County consents to continued encroachment.</p> <p>1-9-2025 – awaiting confirming correspondence. Per email correspondence with the County Attorney’s office, discussions remain pending and an agreement has yet to be reached.</p> <p>11-10-2025 – Signed agreement received.</p>	<p>Comment Satisfied</p>
<p>8. Applicant to address landscaping and screening. Lot adjoins SR10 zoning district and will need required buffer between residential and commercial zoning districts.</p> <p>1-9-2025 – The Applicant has submitted a proposed landscaping easement in lieu of providing a vegetative buffer on site whereby the buffer would be maintained on the adjoining parcel. I offer the following comments:</p> <p>Para. 2 – states the purpose is to maintain the easement area in its current natural condition. The purpose to be amended to reflect the maintenance of a vegetative buffer.</p> <p>Para. 3 (f) prohibits the removal of vegetation living or dead unless it presents a hazard. To be amended to reflect that the grantor may maintain vegetative buffer including replacing dead vegetation.</p>	

<p>11-10-2025 – Awaiting revised agreement per comments.</p>	
<p>9. Applicant to address requirements of § 200-51 (O).</p> <p>10-7-2024 – See comment 5 above.</p> <p>11-10-2025 – ZBA denied variance. Applicant agreed to comply per narrative dated October 29, 2025. To be made a condition of approval.</p>	
<p>10. Applicant to address parking.</p> <p>5-9-2024 – Applicant is proposing additional spaces across the street on a leased lot (SBL 207-2-9). Applicant to update Application and EAF to reflect the same.</p>	<p>Comment Satisfied.</p>
<p>11. Applicant to close out New York State DEC Spill 1303159 prior to approval.</p>	<p>Comment Satisfied</p>
<p>12. Orange County Planning Department issued a 239 response dated July 2, 2024. I note the advisory comments of the Department</p>	<p>For Information</p>
<p>13. 10-7-2024 – Parking License Comments</p> <p>The applicant has provided a parking license for the use of the parking lot located across the street.</p> <ul style="list-style-type: none"> • The license term is for 10 years through 2034 with a renewal option of an additional 5-year term. Applicant to address mechanism in the event leased parking is no longer available. Applicant to identify potential parking to be banked in anticipation of such scenario. • The licensed parking area should be for the parking of staff vehicles only, not vehicles under repair. • The agreement calls for the installation of a fence separating the licensed parking area from the rest of the property. The fence to be shown on the site plan. Fence to include slats to screen along side and rear lot lines. • The license agreement provides that the licensor has the right to terminate the parking license in its sole discretion upon 90 days' notice. Notice of such termination to be provided to the Village. Paragraph 14 of the lease to be updated to reflect the same. <p>1-9-2025 – Revised plans show 24 stacked spaces in a space labeled outdoor storage of vehicles. These spaces are for vehicle storage and should not be included in the parking space count. The plan identifies 24 spaces located across the street by virtue of a license agreement. In addition, the plan identifies 21 parking spaces on the site for purposes of demonstrating adequate parking in the event that the proposed licensed agreement is terminated in the future.</p>	

<p>The leased parking area is now labeled as vehicle storage area. Awaiting revised agreement per earlier comments.</p>	
<p>14. 10-7-2024 – Landscaping Plan</p> <p>Planning Board to review and evaluate landscaping plan for conformity with the Village Code.</p>	
<p>15. 10-7-2024 – Architectural Review</p> <p>Applicant to provide materials list and samples.</p>	

These comments are preliminary in nature and our office reserves the right to provide additional comments upon further submission by the applicant.



Village of Monroe Planning Board Review

Project: 105 High Street Subdivision
Tax Lot No. 206-3-10
Reviewed by: David Higgins
Date of Review: November 6, 2025

Materials Reviewed: Plans entitled, “2-Lot Minor Subdivision Prepared for Family Friedman”, dated July 16, 2025 and revised October 30, 2025 as prepared by C&J Consulting Engineers, D.P.C.;

The items below are provided to help you complete your submission to the Planning Board. Please note that this is a general guide—additional items may be requested at future meetings. Ensure all listed items are completed and submit revised plans to the Planning Board at least fourteen (14) days before the next regularly scheduled meeting. If you need further assistance, feel free to contact our office.

Project Description

The project is the proposed subdivision of an existing 0.67+/- acre parcel into two lots. The property is currently occupied by an existing 2-story dwelling and a garage. It appears that the dwelling is to remain, and the existing garage will be demolished and replaced with a new proposed 2-story dwelling. The subdivision is proposed in the SR-10 District where one-family detached dwellings are permitted.

We have the following comments on the submission:

1. Note 7 on Sheet 1 has a line item for a survey reference to boundary and topography. Subdivision map will need to be signed and sealed by a licensed surveyor. **(Repeat Comment)**
2. Sheet 2 includes a line located approximately 25 feet offset from the centerline of High Street with a label indicating the line is a lot line as per unrecorded survey. Applicant’s design consultant should clarify. If the property deed does not reflect the property line being 25 feet from the center line of High Street, it is recommended that the area within 25

feet be offered for dedication by the Village of Monroe for ownership and maintenance of the roadway. Lot areas will need to be updated to reflect the reduced lot area. **(Repeat Comment)**

3. Proposed Lot 1 is considered a corner lot and is subject to §200-18. On corner lots, front yards are required on both street frontages and one yard other than the front yard shall be deemed to be a rear yard, and the other a side yard. Side yards have been revised on the plan, however the front yard is shown 30' from the center of High Street. It is recommended that it be shown 55' from the center of High Street to account for the area of dedication. The resultant front yard can be identified as an existing non-conforming condition.
4. On Sheet 2 (Existing Plan), there appears to be dashed lines (see area just above the "MDC" label). It is unclear what these lines are intended for. **(Repeat Comment)**
5. Sheet 5 indicates the total disturbance area is 5,161 sq.ft. which is less than the ½ acre threshold for requiring preparation of a full SWPPP. **(Informational)**
6. Regarding the submitted Short EAF form:
 - a. Question 12 indicates that the project contains or is substantially contiguous to a building, archeological site, or district which is listed on the National or State Register of Historic Places or has been determined as eligible for listing on the State Register of Historic Places. Applicant has provided correspondence from SHPO indicating no potential impact on historic resources.
7. Water and sewer service connections have been shown in Sheet 4. However, the separation provided between the water and sewer services is shown to be less than the 10 foot requirement.
8. In the bulk table, the lot area is subject to §57-21.1, which states that such phrase shall be deemed to be based upon net acreage following the exclusion of environmentally constrained lands such as wetlands, steep slopes, easements, etc. A note should be added to the plans stating that this has been addressed when calculating the lot area, meaning that any existing environmentally constrained lands have been subtracted from the total.
9. Connection of the sanitary sewer is subject to review and approval by Orange County Environmental Facilities. **(Informational)**
10. Property is within 500 feet of a State Highway and is subject to referral to the Orange County Department of Planning under GML 239. **(Informational)**

11. A public hearing will be required for the subdivision. **(Informational)**

A written response letter addressing each of the above comments should be provided with the next submission. If you have any questions, or require any additional information, please do not hesitate to contact our office.

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September 8, 2025
Revised November 10, 2025

MEMO

TO: Village of Monroe, Planning Board
Applicant

CC: Terri Brink, Planning Board Clerk
David Higgins, Village Engineer
Ted Fink, Village Planner

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of Yoel Friedman for a two-lot minor
subdivision located at 105 High Street
SBL 206-3-10

I have reviewed the application of Yoel Friedman for a two-lot minor subdivision located at 105 High Street. The existing lot is 29,249 square feet.

My practice is to provide a running memorandum. New material may be found in bold. In preparation of this memorandum, I have reviewed the following:

- **EAF, dated 07/31/2025**
- **Minor Subdivision Plat prepared by C&J Consulting Engineers, DPC, last revised October 30, 2025 consisting of 6 sheets**
- **Letter from SHPO dated October 27, 2025**
- **Survey dated April 2, 2025 prepared by Heritage Land Surveying P.C.**
- **Deed from Domenico Viola and Antoinetta Viola to Nicola Viola and Frances Viola recorded in the Orange County Clerk's Office in Liber 12965 at Page 953**

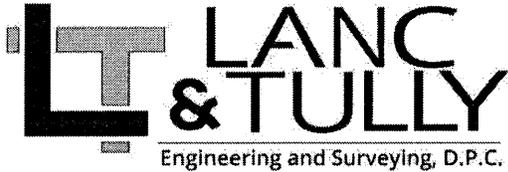
I offer the following comments:

Comment	Status
1. The Property is located in the SR-10 zoning district	For Information
2. The applicant seeks a two-lot residential subdivision, with direct access to Knight Street. The Planning Board to classify as a minor subdivision which is defined as “Any subdivision containing not more than four lots fronting on an existing street not involving any new street or road or the extension of Village facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the master plan, Official Map, if such exists, or Chapter 200 , Zoning, or this chapter.” See § 175-1. The process for approving a minor subdivision is set forth in § 175-4.	For Information
3. Application is subject to GML 239 due to its proximity to NYS Route 17M	For Information
4. A public hearing is required. See § 175-4 (I). Public Notice to be in accordance with § 200-72E(4)(b)	For Information
5. Application is an Unlisted action pursuant to SEQR. The Board is reminded that unlike site plans, SEQR must be complete prior to holding the public hearing.	For Information
<p>6. SEAF Comments:</p> <ul style="list-style-type: none"> a. SEAF to be updated to reflect Yoel Friedman as applicant. b. #2 to be corrected to Village of Monroe Planning Board. c. # 12 – Applicant to address Yes answers in connection with archaeological and historic sites. d. # 15 – note the yes answer; consideration of Northern Long Eared bats to be included in any approval. <p>11-10-2025 – The applicant submitted a revised application to address comments 6a&b. Applicant provided a letter of no impact from SHPO dated October 27, 2025. In the future, Applicant is directed to clearly mark all revised documents with a revision date.</p>	Comment Satisfied.
7. The bulk table is somewhat confusing. I recommend that the table be updated to include (1) actual dimensions; (2) to clarify that existing means	Comment Satisfied.

<p>existing dwelling and not existing lot; (3) to clarify footnote; (4) identify any pre-existing non-conforming dimensions.</p> <p>11-10-2025 – This comment has generally been addressed subject to the comments below.</p>	
<p>8. Lot A is a corner lot and must comply with 200-18 as it relates to yards and site lines. Bulk table to include front yard setbacks for both High Street and Knight Street. High Street yard to be treated as a front yard with a 30' front yard setback.</p> <p>I would recommend switching proposed rear yard (northern yard) and side yard (eastern yard) to be in greater conformity with the code.</p> <p>11-10-2025 – Comment Addressed</p>	<p>Comment Satisfied.</p>
<p>9. The "Existing Plan" identifies two different lot lines based upon an apparent unrecorded survey. The plan further notes pins located along that same line. Per 200-16, "All required front setback depths shall be measured from the designated street line, front lot line or existing street line, whichever is a greater distance from the center line on the public street abutting the lot in question." Applicant to demonstrate that it has legal title to the street line for purposes of measuring setbacks. Applicant to provide title insurance policy for review by Planning Board Attorney.</p> <p>11-10-2025 – Comment remains outstanding. The applicant submitted the deed of his predecessor in interest without explanation and did not submit a title report or policy. The Schedule A specifically excepts portions of the property which were conveyed to the Village of Monroe for purposes of widening High Street which begs the question of what was conveyed to the Village of Monroe.</p> <p>-----</p> <p>KNOWN and distinguished as Lots #'s 43, 44, 45 and the Westerly one-half of Lot # 46 on a map of lands of Roscoe W. Smith known as "Swezey Place", filed in the Orange County Clerk's Office on the 7th day of July, 1915.</p> <p>EXCEPTING the portion of Lots 43 & 44 conveyed to the Village of Monroe for the purpose of widening said premises.</p> <p>Given that language, it appears unlikely that the applicant owns to the centerline of High Street.</p> <p>I also note that the survey and subdivision plat are at odds with the tax map. Tax map indicates a frontage of 232.3 feet on Knight Street where applicant's materials indicate 257.31 a difference of 25 feet.</p>	

<p>Applicant to demonstrate compliance with 200-16 for measuring the front yard setback.</p>	
<p>10. Application and SEQR materials to reflect demolition of existing garage.</p>	
<p>11-10-2025 - SEQR EAF was updated but application materials were not.</p> <p>11. Subdivision Plat to be signed and sealed by licensed land surveyor.</p>	

This memorandum is based upon a preliminary review of the application. Additional submissions may generate further comment.



Village of Monroe Planning Board Review

Project: 386 Rt 17M
Tax Lot No. 217-3-12
Reviewed by: Dave Higgins, PE
Date of Review: 11/7/2025

Materials Reviewed: Correspondence prepared by Brach & Mann Associates dated October 29, 2025; Revised Project Narrative prepared by Weinberg Lim Engineering dated February 20, 2025 and last revised October 30, 2025; Village Attorney Comment Response Letter prepared by WeinbergLim Engineering dated October 30, 2025; Village Engineer Comment Response letter prepared by WeinbergLim Engineering dated October 28, 2025; Short Environmental Assessment Form (EAF) dated 10/29/2025; site survey titled "Survey Map for 386 Route 17M" prepared by Civil Tec Engineering & Surveying PC dated 9/16/2024; Revised Site Plan titled "386 State Route 17M" consisting of two sheets prepared by WeinbergLim Engineering dated 10/30/2025; architectural plans titled "Proposed Storage Building 386 Route 17M" prepared by Brach & Mann Associates dated 8/7/2025; and architectural plans titled "Landskap Storage Additions 386 Route 17M" prepared by Brach & Mann Associates dated 8/12/2025

The following items are listed to assist you in completing your submission to the Planning Board. This is only a guide and other items may be listed at future meetings. Please complete all items and supply the Planning Board with revised plans fourteen days prior to the next regularly scheduled meeting. If you need further assistance please contact this office.

Project Description

This application involves construction of a 60'x90' building to be used for the sale and storage of lumber and building materials, as well as a 30 x 40 expansion of an existing office building for a landscaping business, outdoor material storage bins, new fencing and parking areas. The Project Site consists of 2.5 acres with a single access drive from Route 17M in the General Business (GB) District. As the plan submitted is only conceptual, the comments below should be considered preliminary and we note multiple comments are repeated from our last review. A land use determination was made by Building Inspector Cocks on September 25, 2025 indicating that the proposed "Sale & Storage of Lumber and Building Materials" use is permitted under a Special Permit following §200-48. The 2 remaining buildings used for residential rental units may remain as pre-existing non-conforming as no changes are proposed to the buildings.

Preliminary Comments:

1. Village Code §200-44(l) prohibits loading spaces from being located within 200 feet of any residential district boundary. A 200' offset from the SR-10 zoning district has been provided on the plans, and the proposed loading areas have been shown to be within the 200 foot offset. Unless the loading areas are relocated, a variance will be required.
2. The turning analysis provided for the garbage truck shows the garbage truck driving over two of the landscape vehicle & equipment trailer overnight parking spaces. We recommend revising the turning analysis to avoid these spaces. Should avoiding these spaces not be possible, we recommend relocating the spaces to avoid any potential conflict with refuse collection.
3. The plans proposed 3 gates blocking access to a portion of the site. We recommend that plans include the location for a Knox Box® or similar for rapid entry of emergency personnel.
4. From the EAF dated 10/9/2024, it is stated that 0.92 acres will be disturbed by the project. In that case, based on Village Code §168-11, any proposed action with more than 0.5 acres of disturbance is classified as a land development activity. §168-12(A) states that: "No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this article and Article I of this chapter." Therefore, a SWPPP will be required. **(Repeated comment)**
5. Proposed utilities shall be shown on the plans. **(Repeated comment)**
6. Details for ADA parking, striping, and signage shall be provided. **(Repeated comment)**
7. The plans should show a no parking sign for the ADA accessible parking aisle.
8. Sight distances for the driveway shall be provided. **(Repeated comment)**
9. The note for existing dumpster location points to the proposed dumpster enclosure. We recommend showing the existing dumpster location on the plans.
10. Village Code §200-34(H)(3) requires that all dumpsters placed in the Village have a dumpster enclosure. Details for the dumpster enclosure shall be provided. **(Repeated comment)**
11. Pursuant to Village Code §200-72(l)(1)(b) the following will need to be provided on or along with the site plan: **(Repeated comment)**
 - a. Location of all existing and proposed waterlines, valves and hydrants, all sewer lines and other utilities.
 - b. A detailed lighting plan showing proposed location, direction and type of outdoor lighting.
 - c. Existing and proposed contours with intervals of two feet.
 - d. Boundaries and identification of existing soil types as may be found in the Soil Survey of Orange County, New York.
 - e. A separate landscape plan showing both existing and proposed landscaping, retaining walls and tree plantings, including a note on the plan indicating that all approved landscaping will be maintained in perpetuity.
 - f. Details of dumpster enclosure(s).

12. Village Code §200-32(C) requires a landscaping plan for all uses aside from a single family detached dwelling, a two family residence, or an agricultural use. Landscaping is also subject to §200-44.J and §200-45.J. **(Repeated comment)**
13. Pursuant to Village Code §200-32(E) a tree plan shall be submitted. Any trees greater than 8" in diameter should be marked on the plan. The plan shall indicate whether existing trees shall be removed or preserved, and the plans shall make provisions to preserve existing trees to the greatest extent possible. Other natural features should also be marked on the tree plan including ground cover, shrubs, vines, flowers, lawns, and similar natural plant formations. It is our understanding that significant tree clearing has already been done by the applicant without a permit or approval. **(Repeated comment)**
14. The limit of disturbance should be shown on the plan. **(Repeated comment)**
15. A pavement detail shall be provided. **(Repeated comment)**
16. Village Code §200-34(D) requires nonresidential uses to provide a fire lane, approved by the Fire Chief, for access by emergency vehicles at all times. In cases where fire lanes cannot be provided, the site plan shall be presented to the Fire Chief with a written explanation from the applicant for why a fire lane cannot feasibly be provided in the opinion of the applicant. We recommend the proposed location of a fire lane be provided on the plans and for the plans to be presented to the Fire Chief for comment.
17. The plan and survey do not appear to both show the same floodplains. The site plan shows that the area of the floodplains is at the 565 foot contour whereas the survey shows a line for an area of flood hazard X and a label the 566 contour for area of flood hazard A. We recommend revising the survey to clearly show the floodplains and revising the site plan as needed for consistency. A floodplain development permit will be required for any grading or improvements within the flood hazard areas in accordance with Village Code Chapter 107 Flood Damage Prevention.
18. The project is subject to Architectural Review per §200-73. Architectural plans have been included as part of this submission.
19. This application will require referral to the Orange County Planning Department for a review pursuant to GML 239 based on proximity to a state highway. Plans should be more developed prior to this referral. **(Repeated comment)**
20. A public hearing will be required. **(Repeated comment)**

This completes our review at this time. Further comments may be forthcoming based upon future submissions. A written response letter addressing each of the above comments should be provided with the next submission. If you have any questions, or require any additional information, please do not hesitate to contact our office.

October 7, 2024
Revised December 9, 2024
Revised January 9, 2025
Revised March 10, 2025
Revised November 10, 2025

MEMO

TO: Village of Monroe, Planning Board
Applicant

CC: Terri Bring, Planning Board Clerk
David Higgins, Village Engineer
Ted Fink, Village Planner

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of
386 RT 17M LLC

I have reviewed the most recent submission in connection with the application of 386 Route 17M LLC. The property contains two buildings with one building located in the center of the property containing 4 residential units and the building in the northwest corner of the lot containing a mixed use of one residential dwelling until together with an existing landscaping business. The applicant seeks to retain the existing structures and uses and seeks to construct a new 5,400 square foot warehouse building and expand the existing building by 1200 square feet. In addition the applicant proposes to install storage bins for landscaping materials.

I note for the Board that the property is subject to on-going code enforcement.

Updates from my previous memorandum are found in bold. **In preparation of this memorandum, I have reviewed the following materials:**

- **Applicant Narrative revised October 30, 2025**
- **Conceptual Layout Plan, prepared by Weinberg Lim Engineering dated October 30, 2025**
- **Response to Attorney Comments**
- **Response to L&T Comments**
- **Revised Short Form Environmental Assessment Form.**
- **Survey**

- **Proposed building plans**

I offer the following comments:

Comment	Status
<p>1. The project site is located in the GB zoning district. The applicant seeks to expand existing landscaping office with an addition to the office and adding a 60' x 90' storage building. The pre-existing non-conforming multifamily and single-family dwellings would remain unchanged. By Land Use Determination dated September 25, 2024, the Building Inspector has classified the proposed use as "Sale & Storage of Lumber and Building Materials."</p>	For Information
<p>2. The project is subject to Site Plan review and Special Use Permit. See § 200-48 and § 200-72. Applicant to address the special use permit standards set forth in § 200-48.2.</p>	For Information
<p>3. The project is subject to GML 239 due to its proximity to 17M. Referral to include OCDP and NYSDOT.</p>	For Information
<p>4. A public hearing is required because it is a special use permit.</p>	For Information
<p>5. Applicant to provide Environmental Assessment Form. Upon submission of an EAF, Planning Board to initiate SEQR process and type action.</p> <p>12-9-2024 – Applicant submitted SEAF dated October 9, 2024.</p> <p># 8 b & c – Applicant to complete # 9 – No answer to be addressed by applicant. # 13a – Applicant to address yes answer # 16 – SEAF indicates project site located within 100-year flood plain. Flood plain is depicted on site plan.</p> <p>Action appears to be Unlisted Action.</p> <p>1-9-2025 – # 9 – No answer to be addressed by applicant.</p> <p>11-10-2025 – Revised SEAF corrects # 9 to reflect yes. The revised SEAF to be signed and dated. While submitted SEAF</p>	

is facially complete, Planning Board to evaluate environmental impacts prior to decision.	
6. Applicant to provide materials list and architectural samples for review	Remains outstanding
7. I note the comment memorandum of David Higgins, dated November 7, 2025	For Information
Site Plan Comments	
8. Applicant to identify purpose of 20 ft easement shown on site plan. 1-9-2025 – applicant indicates it is a water easement	Comment Satisfied
9. The property adjoins a residential zone. Planning Board to address adequate buffering and the required parking and loading setback. See § 200-44(I) 12-9-2024 – Applicant identifies loading area for the proposed 60x90 storage building. No loading area is proposed for the existing building. 1-9-2025/3-10-2025 – Buffering between commercial and residential use remains to be addressed. See 200-26.5 11-10-2025 – Applicant indicates that a landscape buffer is shown long the rear property line. The revised plan shows a proposed 6’ solid fence along the westerly property line. § 200-44(J) requires visual screening from adjoining properties. Planning Board to evaluate for adequacy. Applicant proposes two loading zones within 200 feet of residential zone which will require a variance. (See 200-44(I)).	Outstanding
10. Applicant appears to be paving the bulk of the site. Applicant to address impact of additional impervious surface on stormwater. 12-9-2024 – Although applicant indicates disturbance is less than an acre and no SWPPP is required, Applicant has not provided any calculations confirming the same. Calculations should be provided. Applicant to provide lot coverage calculations to the satisfaction of the Village Engineer.	Outstanding

<p>3-10-2025 – Applicant to include unauthorized clearing in its disturbance calculations for purposes of preparing the SWPPP</p> <p>11-10-2025 – Applicant has provided disturbance calculations. Engineer Higgins to confirm calculations are acceptable. I note that Chapter 168 requires a SWPPP for disturbance of greater than ½ acre. (Repeat Comment).</p>	
<p>11. Applicant to address impacts on floodplain.</p> <p>12-9-2024 – Revise plans depict proposed fill and the installation of landscape material bin with roof located in the flood zone. Application subject to Flood Plain Permit. See Chapter 107 of the Village Code.</p> <p>11-10-2025 - Source of any imported fill and testing of fill to be to the satisfaction of the Village Engineer. See requirements of § 200-31, “Land Disturbance.” (Repeat Comment)</p>	Remains Outstanding
<p>12. Applicant to address traffic flow both internal and external to the site including onsite maneuvering and site distance</p> <p>1-9-2025 – remains outstanding.</p> <p>11-10-2025 – Repeat comment.</p>	Remains Outstanding
<p>13. Applicant to provide parking and loading calculations.</p> <p>12-9-2024 – Parking and loading spaces to be shown on the plan.</p> <p>1-9-2025 – Planning Board to discuss sufficiency of parking</p> <p>11-10-2025 – Parking calculations appear to be missing 2000 square feet of existing space. Proposed loading areas are within 200 feet of residential zoning district in violation of 200-44I.</p>	Remains Outstanding
<p>14. Applicant to address signage.</p>	Remains Outstanding
<p>15. Applicant to address landscaping</p>	Remains Outstanding

<p>12-9-2024 – Revised plans lack any landscaping existing or proposed. See § 200-32 as well as 200-44J and 200-45J.</p> <p>3-10-2025 – Revised plans identify a row of evergreen tree along the northern property boundary.</p> <p>11-10-2025 – Applicant effectively cleared the lot without appropriate approvals. Applicant to identify the number of trees cleared using orthoimagry and provide for replacement as required by 200-32.</p>	
<p>16. Proposed materials bin appears to covering a sewer man hole cover. Applicant to address.</p> <p>12-9-2024 – Applicant has relocated storage bin. Note comment 11.</p> <p>3-10-2025 – Per 200-26.2 an accessory structure shall not be located in the front yard.</p> <p>11-10-2025 – Applicant added a note to the plans but did not remove the landscaping bins from the front yard. The Village Code defines structure as “Anything constructed or erected on or under the ground or upon another structure or building.”</p>	<p>Remains Outstanding</p>
<p>17. Applicant to delineate and identify wetlands on the site and identify any impacts to such wetlands. The Applicant to provide net development calculation as required by Local Law 4 of 2024, “Constrained Lands” and confirm compliance.</p> <p>12-9-2024 – Wetlands are shown on the site plan. Applicant to perform deductions per Local Law 4 of 2024 and reference on site plan.</p> <p>1-9-2025 – Applicant provides a basic deduction of the purported wetland area. There does not appear to be any indication of a wetland delineation or how the wetland area was established for purposes of that calculation. I defer to Engineer Higgins as to the acceptability of the calculation.</p> <p>3-10-2025 – Revised plans indicate a wetland delineation prepared by Michael Nowicki. D. Higgins to review for adequacy.</p>	<p>Remains outstanding</p>
<p>18. Dumpster area to be enclosed and otherwise comply with § 200-34 (H).</p>	

<p>11-10-2025 – Applicant has shown a proposed dumpster enclosure on the plans. A detail to be provided. I do note that the proposed garbage truck turning movements require encroachment into marked parking spaces. I further note that a resident of easterly building will need to traverse through a series of gates in order to dispose of garbage. Applicant to address the adequacy of dumpster to serve all uses and occupants on site.</p>	
<p>19. Plan to be signed and sealed by a licensed Land Surveyor</p> <p>11-10-2025 – Survey submitted with application. I defer to Engineer Higgins as to adequacy.</p>	
<p>20. 3-10-2025 – Applicant to clarify intended use. Application materials appear to use “warehouse” and “Sale & Storage of Lumber and Building Materials” interchangeably.</p> <p>11-10-2025 – Documents continue to use terms interchangeably.</p>	
<p>21. 3-10-2025 – The site appears to contain multiple uses. The bulk table must identify and account for each of the uses in calculating the minimum lot area required.</p> <p>For example: Warehouse = 40,000 square feet of lot area Sales and storage of lumber and building material = 40,000 square feet Existing Residential = 20,000 square feet each</p> <p>11-10-2025 – Repeat comment</p>	
<p>22. 3-10-2025 – Lot Coverage calculations to be based on net lot area, not gross lot area. Bulk table to be updated to be consistent. See § 200.20.1.</p> <p>11-10-2025 – Plans updated. D. Higgins to evaluate for adequacy.</p>	

Our office reserves the right to provide additional comment upon receipt of new submissions.