

**VILLAGE OF MONROE**  
**Regular Meeting Minutes**  
**November 25, 2025**

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

**Absent:** Members Allen and Umberto

**Pledge of Allegiance.**

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

**Open the Regular Meeting**

**Aye: 5**      **Nay: 0**      **Absent: 2**

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

**Exit the Regular Meeting and Open the Public Hearing for 573 Route 17M.**

**Aye: 5**      **Nay: 0**      **Absent: 2**

Per Attorney Cassidy this is a continuation. She stated that there were 2 reasons for carrying the Public Hearing open being - the Department of Health notification due to the hydrant, and additional documentation needed from the applicant. In retrospect, the DOH did not need to be notified.

The Planning Board Secretary confirmed that there was no written comment received and there was no one present from the public for comment.

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

**Continue the Public Hearing for 573 Route 17M to 12/15/2025.**

**Aye: 5**      **Nay: 0**      **Absent: 2**

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

**Reopen the Regular Meeting**

**Aye: 5**      **Nay: 0**      **Absent: 2**

Site Plan Review – Proposed 2 Story Office Building

573 Route 17M (220-5-19)

Lakeside Pet Lounge between Monroe Pharmacy & Orange Collision autobody

Proposed new 23,342 SF 2 story office building

Present representing the applicant: Mike Morgante from Arden Consulting Engineers

Engineer Higgins gave the list of outside agency approvals and other items to be addressed being: US Army Corps of Engineers for wetland disturbance, NYS DEC for wetland disturbance and work in the adjacent area, NYS DOT highway entrance permit and the possible need for a turning lane and collision study, OC Environmental Facilities letter of capacity. He also wanted input from the Fire Chief regarding the turning radius and Chairman Boucher said that had been received. He also went over the outstanding items from his comment memo (attached) most being minor issues and all agreed to by Mr. Morgante. Attorney Cassidy went over her outstanding comments (attached) and said she spoke to our Traffic Consultant, John Canning, regarding the possible turn lane and said the final determination will be made by the DOT after the Planning Board approval. All comments were agreed to by Mr. Morgante. Chairman Boucher asked Mr. Morgante where they are regarding the DOT and turning lane. He said he provided comments from the DOT to the Planning Board Secretary and due to the new system, he does not have a formal reply but the email seems to confirm that they are at stage 1 since the also requested stage 2. Also, they have not provided feedback regarding the turning lane. Attorney Cassidy asked about the crash analysis status and Mr. Morgante said it was in their response memo that the Planning Board Secretary will forward to the Village Traffic consultant. Engineer Higgins stated that per the DOT, approvals are forthcoming and he noted that if there were any changes the applicant would have to come back to the Planning Board. Mr. Morgante agreed. Chairman Boucher said a response was received from the Fire Chief and he is satisfied with the turning radius and the Planning Board Secretary read the email received from the Chief (attached). Mr. Morgante explained what the Chief was asking for and showed on the plan what changes would be made per the Chief's concerns. One corner parking space on the 2/3 corner will be eliminated and striped to avoid anyone parking there. Mr. Morgante said he has not made recent revisions to the plan set due to the Public Hearing and the changes are minor. Chairman Boucher asked that a note saying landscaping to be maintained in perpetuity could be put on the plans and Mr. Morgante said that would be done. Attorney Cassidy asked where we are on the architectural review and materials samples. Material samples were previously submitted and have been lost. Mr. Morgante agreed to supply a new set. Mr. Morgante asked what was needed to get to a conditional final approval. He said he could not get the approval from the ACOE yet and Engineer Higgins said that that would be a condition of site plan approval. Attorney Cassidy believes we are in a good spot to close the Public Hearing once our Traffic Consultant replied to the DOT's comments with the understanding that the site will have to be altered if a turning lane was required that impacts the site. The Planning Board reviewed the Landscape Plan. In summary, Attorney Cassidy noted that once the comments from the Village Traffic consultant were received and addressed, outstanding items we have no control over will be conditional items on the approval resolution, and assuming there were no surprising issues

we could close the public hearing, authorize her to prepare a conditional resolution and take action.

**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

Engineer Higgins went over the high points of his review memo dated 11/7/25 (attached). He noted the applicant had received their determination from the Zoning board (attached) and that Attorney Cassidy had drafted a resolution of approval. We need to determine the vehicle storage and any controls that the Board would like to be on the map and in the resolution. He also noted that on the plan it says the site will use existing lighting but there are new lights on the plan. Attorney Cassidy said the cut sheet for the new lighting is in the OneDrive and Mr. Morgante agreed to add it to the plans. Engineer Higgins asked for all the other fixtures to be on the plan, existing and new. Mr. Morgante asked if the Board would like to have the plans revised before the approval or as a condition. Attorney Cassidy replied that she would like to see the revised plans before moving forward due to the storage and fencing as it is hard to articulate that in a condition of approval to avoid any confusion. Attorney Cassidy said she started drafting a resolution but has not circulated it and wanted to go over some of the issues and will finalize after this meeting. Regarding landscaping there is an easement and it will be a condition and put on the plan. She clarified that there are planters in front of the building and there is fencing but no planting per DPW in front of the vehicle storage area. The county has provided a license agreement with respect to the back side and the existing fence will be maintained between the property and the Heritage Trail. She noted it is a conditional license and if the County revokes it the applicant must come before the Planning Board again. The cost estimate for the site improvements must be submitted. The applicant must have the lots merged and provide proof it is done. The note on the plan for the parking lot across the street must be made clearer and it must state it is only for employee overflow. Mr. Morgante will make this change. Chairman Boucher brought up the accessory businesses for lease vehicles and U-Haul vehicles are subordinate to the main business. Attorney Cassidy suggested that the applicant advise the Board of the average number of rental and lease vehicles on the site as these vehicles are not separate businesses but to support the main business. We will then put a cap on the number of vehicles for lease on the site. Mr. Morgante said that there is no limit in the code to how many leasing vehicles can be on site. However, Chairman Boucher noted that if you are only fixing 5 vehicles but have 20 lease vehicles you have a leasing business. These leased vehicles are not a principal use they are to support the main business. If they would like to make that change to a leasing business, the applicant will have to come before the Board. Signage is on the architectural renderings but has not been discussed by the Board yet and we need the material specs. It will be noted that there will be no dismantled or unlicensed vehicles outside of the building, they will be clearly tagged with date storage commences. Vehicles should not be parked on Elm Street nor should Elm Street be used as a temporary location when shifting vehicles on the site. A condition about oil spills and clean up methods will be added as well as a note that bulk storage is prohibited. She noted again that she would like to see the revised plans particularly for fencing and storage yard before approving the plans as it is hard to

articulate. Chairman Boucher asked about the materials that will be used and wanted serial numbers to be listed along with the color. Attorney Cassidy asked that the architectural plans be added to the back of the sheet set so they are part of the site plan package and Mr. Morgante agreed. Attorney Cassidy asked that Mr. Morgante double check with the Fire Chief that he is happy with the plans. Member Hafenecker suggested adding some color and bringing the red from the sign onto the building to break up the gray. Mr. Morgante agreed to look into it. In summary, Attorney Cassidy said the plans must be revised, the GML239 response to be put in the record, architectural review to be done and material serial numbers to be recorded, number of rentals and U-Hauls to be submitted to the Board, and all existing lighting fixtures to be updated on the plans. Also, a cost estimate is needed.

As a side note, Mr. Morgante was asked about the sign at Choco Cheese. He noted that they were issued a violation and an application will be submitted for the sign.

**Minutes could not be voted on due to absences.**

**New 2026 Planning Board Calendar**

In December only one meeting was scheduled due to the Holidays. December 14, 2026 will be a Special Meeting.

On a motion made by Member Iannucci and seconded by Member Kelly it was resolved to:  
**Approve the 2026 Planning Board meeting Calendar**

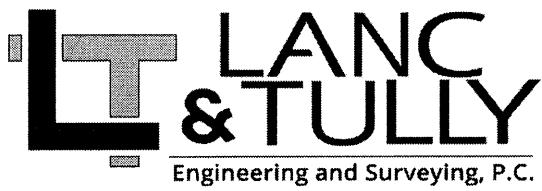
**Aye: 5      Nay: 0      Absent: 2**

Chairman Boucher asked the Board members if there was any interest in scheduling an instructional meeting with Engineer Higgins and Planner Fink that would count toward training hours. He believes this would be best for the Board as the training would be targeted and cover areas that pertain to the type of applications that come before the Planning Board. Attorney Cassidy also brought up training opportunities available through the NY Conference of Mayors and will pass along the information to the Planning Board Secretary. Engineer Higgins and the Board Members agreed to schedule a training session on January 20, 2026 at 5:00 p.m.

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

**Aye: 5      Nay: 0      Absent: 2**

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



## Village of Monroe Planning Board Review

Project: 573 Route 17M

Tax Lot No. 220-5-19

Reviewed by: David Higgins

Date of Review: 9/5/2025

**Materials Reviewed:** Response Letter dated August 26, 2025; Site Plan set entitled, "Amended Site Plan for 573 Route 17M", last revised August 26, 2025 consisting of 23 sheets as prepared by Arden Consulting; Short EAF revised dated June 17, 2025; Architectural Plans entitled "573 RTE 17M" dated June 25, 2025 consisting of 5 sheets as prepared by Brach & Mann Associates; Stormwater Pollution Prevention Plan entitled "Stormwater Pollution Prevention Plan Prepared for: 573 17M LLC" last revised August 26, 2025, as prepared by Arden Consulting Engineers, PLLC.

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 is for the construction of a two-story office building. The Project Site is 50,502 square feet in the General Business (GB) District where general office is a permitted use.

We have the following comments on the plan:

1. A total of 234 square feet of disturbance is proposed within the wetland and 1,411 square feet in the adjacent area. A permit from the New York State Department of Environmental Conservation and the US Army Corps of Engineers is required prior to any issuance of Amended Site Plan approval.  
**The need for the permits is noted on Sheet 4. This note should also be included in the General Notes on Sheet 1.**
2. The plans have been revised to replace the two existing driveway entrances onto New York State Route 17M with a single new entrance located in between the existing two. Approval of plans from NYSDOT should be provided prior to any issuance of Amended

Site Plan approval. A permit from NYSDOT will be required prior to construction. Applicant has advised that plans have been sent to NYSDOT for review. **(Informational).**

3. A Landscaping Plan has been provided along with calculations demonstrating that 10% of the total required parking area has been devoted to landscaping in compliance with Village Code §200-45(J). Planning Board should consider the adequacy of the submitted landscaping plan. **(Informational).**
4. On Sheet 5 of 18, it appears from the grades shown and the labels that a curb is being proposed along the northern property line to serve as a short wall. Details of the curb for this use have been added on Sheet 20. However, no detail appears to show a drainage channel between the curb and it is unclear what the maximum height difference between the two curbs will be. Also, the T/W and B/W elevations on Sheet 5 are the same in some locations. Plan should be revised to clarify.
5. §200-34.D requires that all non-residential uses shall provide for a fire lane to allow access for emergency vehicles at all times. Plans provide a 3' wide fire lane along 3 sides of the building. Plans should be referred to emergency services for input. **(Informational).**
6. The proposed sewer connection shall be subject to review and approval by Orange County Department of Environmental Facilities. **(Informational).**
7. A 4" dia. Ductile iron water service is shown on the plan which appears to connect to an existing service. The size and material of the existing service shall be noted on the plan, or provisions made to replace the connection if necessary. **(Informational).**
8. Backflow prevention will need to be approved by the Orange County Department of Health prior to issuance of a building permit. **(Informational).**
9. A traffic impact study has been provided by Creighton Manning on behalf of the applicant and has been reviewed by the Village's traffic consultant, Kimley Horn. While they found most of the information contained within the provided traffic impact study to be agreeable, there were several comments including a request for a crash analysis which has been submitted for review. Also, the plans now include proposed sidewalks along the property frontage. Any approval should be conditioned upon whatever requirements NYSDOT may place on the applicant for its permit to make changes to the driveway.

10. A Stormwater Pollution Prevention Plan has been submitted. Regarding the submitted SWPPP:

- a. The proposed disturbance is 1.23± acres. The applicant will need to obtain coverage under a SPDES General Permit for Stormwater Discharge from Construction Activity from the New York State Department of Environmental Conservation. This should be a condition of any approval granted by the Planning Board. **(Informational)**.
- b. Personnel from Lanc & Tully office witnessed infiltration tests on July 29, 2025. These results should be included in the SWPP Report.
- c. Completed MS4 SWPP Acceptance Form should be provided.
- d. Appendix G of the SWPPP contains a Stormwater Management Facility Easement and Maintenance Agreement. This should be reviewed by the Planning Board Attorney. **(Informational)**.

11. Plans should be referred to Orange County Department of Planning under GML 239. **(Informational)**.

12. Sheet 20 includes details for a terra-crete retaining wall. It is unclear where this retaining wall is located on site plan. Retaining walls are subject to §200-65.

13. Application is subject to Architectural Review. Applicant to provide renderings and material samples.

14. A short EAF was previously provided and intent for Lead Agency was circulated. Upon satisfaction of complete application, the Board should consider making a determination of significance.

---

15. A public hearing is required.  
**(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. §

LAW OFFICE OF ELIZABETH K. CASSIDY, PLLC  
7 GRAND STREET  
WARWICK, NEW YORK 10990  
P: 845.987.7223 | F: 888.549.3886  
WWW.EKCASSIDYLAW.COM

---

November 21, 2024  
Revised February 4, 2025  
Revised June 9, 2025  
Revised July 7, 2025  
Revised September 8, 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  
573 Route 17M, LLC

---

I have reviewed the latest submission of 573 Route 17M, LLC seeking site plan approval to authorize the demolition of the existing veterinary office and kennel and for the construction of a two-story 23,342 sq. foot office building. New material is in bold. I offer the following comments:

Comment	Status
1. Building Inspector Cocks issued a Land Use Determination dated October 16, 2024 that the proposed use is a classified as an “Office” use as defined by the Village of Monroe Zoning Code.	For Information
2. Application is subject to site plan review subject to § 200-72.	For Information
3. Application is subject to GML 239 et seq. review due to its proximity to NYS Route 17M	For Information
<b>9-8-2025 – Response from OCPD dated July 15, 2025. Applicant to address the comments set forth in that letter.</b>	
4. Application is subject to a public hearing.	For Information
<b>5. <u>SEQR:</u></b>	

<p>Applicant submitted a short form environmental assessment form dated October 15, 2024. The proposed action is an unlisted action pursuant to SEQR. Interested and involved agencies include: NYS DOT (curb cut onto NYS Route 17M); NYS DEC (wetlands), SHPO</p> <p>Applicant to complete question 8 b and 8 c.</p> <p>Applicant to address yes answer in question 12a. Referral to SHPO is recommended.</p> <p>Applicant to address yes answer to question 13 a.</p> <p>Applicant to address yes answer to question 17.</p> <p><b>2-4-2025</b> – Applicant has provided a revised EAF and we consider this comment complete. With that said, the Planning Board should be evaluating impacts to wetlands (question 13) and impacts associated with drainage (question 17) as part of its overall SEQR analysis.</p> <p><b>7-7-2025</b> – Revised EAF submitted. Planning Board to evaluate impacts to wetlands and drainage. Application requires outside agency approvals and a coordinated review is appropriate. Planning Board to declare intent to be lead agency and circulate to NYS DOT, NYS DEC, ACOE, Orange County Environmental Facilities/Sewer District # 1, and SHPO.</p> <p><b>9-8-2025 – Notice of intent to be lead agency has been circulated and no objection has been received. Planning Board to assume lead agency.</b></p>	
<p>6. Applicant to address traffic impacts of the proposed action. Given the site's location on Route 17M, its proximity to the fire house and ambulance building, a traffic study is recommended.</p> <p><b>6-9-2025</b> Traffic study prepared by LaBella, dated April 24, 2025 has been submitted. Recommend referral to John Canning at Kimley Horn for review and comment.</p> <p><b>9-8-2025 – By memorandum dated July 13, 2025, Kimley Horn provided its review and comment. The applicant made revisions to the traffic study dated August 7, 2025 and provided a response to comments dated August 11, 2025. I defer to Kimley Horn as to the adequacy of the proffered response.</b></p> <p><b>Engineer Canning noted (Comment 4 and 10) the traffic differences between traditional office vs. medical office and that the presented traffic analysis accounts for traditional offices, not medical offices. This should be incorporated into any approval.</b></p>	<b>Pending</b>
<p>7. Wetlands/Stream. SEAF and site analysis identify presence of water courses both on and in the vicinity of the project site. Applicant to</p>	<b>Pending</b>

<p>address impacts of the proposed project on said water courses. Hudson Valley Natural Resource Mapper indicates potential wetlands on site. Recommend a study confirming the location of wetlands. Presence of wetlands may require deductions pursuant to § 200-20.1</p> <p>6-9-2025 – Applicant indicates lot area calculations have been revised to reflect area wetlands. I defer to David Higgins as to the accuracy of such calculations.</p>	
<p>8. Site Maneuverability. Applicant to demonstrate turning radii for emergency vehicles and trucks. The site turning appears very tight. Engineer and Building Inspector to determine one way with parallel parking provides adequate fire access.</p> <p>6-9-2025 – Maneuvering plan has been submitted. Planning Board and Village Traffic Engineer to evaluate.</p> <p><b>9-8-2025 – Applicant to address July 14, 2025 email of Chief Rich Lenahan, Monroe Joint Fire District.</b></p>	<i>Pending</i>
<p>9. Lot coverage/landscaping. The proposed application seeks to clear the entire lot. The initial plan does not identify any landscaping or trees anywhere on site. The applicant is referred to requirements of § 200-32 including but not limited to F(1) which requires trees to be planted around the perimeter of the parking area where there are more than five vehicles. Parking lots shall devote 10% of the total required parking area to landscaping. See 200-45(J).</p> <p>6-9-2025 – A landscaping plan has been submitted. Planning Board to review and evaluate for sufficiency.</p>	<i>Pending</i>
<p>10. Architectural Review. Application is subject to Architectural Review pursuant to § 200-73 of the Village Code. See § 200-73C.</p> <p><b>7-7-2025 – Architectural Plans and Elevations are included in the submission. The Applicant to provide specific material samples and specifications. Recommend renderings be provided</b></p>	<i>Comment outstanding</i>
<p>11. Plans identify a rock wall. If said rock wall is a retaining wall, Applicant to demonstrate that the proposed retaining wall complies with § 200-26.5.</p> <p>Per response letter dated January 27, 2025, the applicant indicates the wall is a rock wall and not a retaining wall.</p>	<i>Comment Satisfied</i>
<p>12. Applicant to address waste removal and dumpster enclosure.</p>	<i>Pending</i>

6-9-2025 – Detail has been provided	
13. Applicant to address signage.	<i>Pending</i>
6-9-2025 – Detail has been provided	
14. 6-9-2025 – Stormwater maintenance agreement to be provided for review and approval prior to signing of the site plan.	
<b>9-8-2025 – Stormwater maintenance Plan has been provided. I defer to David Higgins as to adequacy. The Stormwater Management Facility Easement and Maintenance Agreement (Exhibit G) is acceptable as to form, subject to the following:</b> <ul style="list-style-type: none"> <li>• <b>Applicant to provide a Schedule A to be reviewed and approved by Planning Board Attorney</b></li> <li>• <b>Applicant to correct typo (loose “n”) in paragraph 9.</b></li> </ul>	
15. 7-7-2025 – By letter dated June 24, 2025, OPRHP requests a construction protection plan. This should be incorporated into any SEQR determination (findings statement or negative declaration) and should be a condition of approval.	<b><i>Comment Satisfied.</i></b>
<b>9-8-2025 – conformation email on file from Ashley Barrett dated July 29, 2025 indicating if no construction within 90 feet of cemetery, no construction plan is required</b>	

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

**Recommended Action – Assume lead agency**

## Planning Board Secretary

---

**From:** Planning Board Secretary  
**Sent:** Tuesday, November 25, 2025 12:08 PM  
**To:** ecassidy; David Higgins; Jeff Boucher  
**Subject:** FW: 573 Route 17M

---

**From:** Chief <[chief@monroejointfireristrict.com](mailto:chief@monroejointfireristrict.com)>  
**Sent:** Friday, October 31, 2025 12:58 PM  
**To:** Planning Board Secretary <[pbsecretary@villageofmonroe.org](mailto:pbsecretary@villageofmonroe.org)>  
**Cc:** Jeff Boucher <[pbchair@villageofmonroe.org](mailto:pbchair@villageofmonroe.org)>  
**Subject:** Re: 573 Route 17M

**Caution:** This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Yes, there was a slight change to the 2/3 corner to make more room and a change to the placement of the hydrant on 17m

Rich Lenahan  
Chief  
Monroe Joint Fire District



---

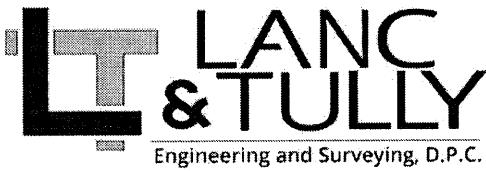
**From:** Planning Board Secretary <[pbsecretary@villageofmonroe.org](mailto:pbsecretary@villageofmonroe.org)>  
**Sent:** Friday, October 31, 2025 12:53 PM  
**To:** Chief <[chief@monroejointfireristrict.com](mailto:chief@monroejointfireristrict.com)>  
**Cc:** Jeff Boucher <[pbchair@villageofmonroe.org](mailto:pbchair@villageofmonroe.org)>  
**Subject:** 573 Route 17M

Good afternoon,

Chairman Boucher wanted me to confirm that you are satisfied with the turning radius at 573 Route 17M after the site meeting.

Thank you,

Terri Brink | Planning Board Secretary | Village of Monroe  
7 Stage Road Monroe, NY 10950  
(P) 845-782-8341 ext. 145  
In Office Hours: Tuesday & Thursday 12-4



## Village of Monroe Planning Board Review

<b>Project:</b>	123 - 125 Elm Street
<b>Tax Lot No.</b>	207-1-2
<b>Reviewed by:</b>	David Higgins, P.E.
<b>Date of Review:</b>	11/7/2025
<b>Materials Reviewed:</b>	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.**

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.

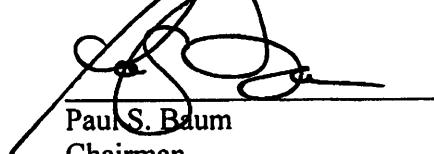
Storage of vehicles in required yard, with the exception of the front yard unless appropriate screening of the car storage area is provided.

**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

LAW OFFICE OF ELIZABETH K. CASSIDY, PLLC  
7 GRAND STREET  
WARWICK, NEW YORK 10990  
P: 845.987.7223 | F: 888.549.3886  
WWW.EKCASSIDYLAW.COM

---

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 comments<sup>1</sup>:

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.

---

<sup>1</sup> 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"> <li>• 207-1-3 – 123 Elm Street – 123 Elm Street. LLC (GB District)</li> <li>• 207-1-2- 125 Elm Street – 125 Elm Street LLC (GB District)</li> <li>• 207-1-5 – 20 Anderson Place – Ephraim Goldberger (SR10).</li> </ul> <p>Ownership must be consolidated into one entity/individual upon approval for consolidation.</p>	Comment Satisfied
<p>9-9-2024 – Planning Board Secretary to confirm receipt of disclosures and authorizations by all three property owners.</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>	For Information
<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><b>2-25-2025 -Planning Board adopted negative declaration.</b></p>	6-10-24 – Resolution to declare intent  9-24-2024 – Assumed Lead Agency and completed Part II
<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"> <li>• 200-51N – Motor vehicle shop within 200 feet of recreation area. <b>(Granted)</b></li> <li>• Front yard setback <b>(50 feet to 11.2 ft Granted)</b></li> <li>• 200-64(A)(b) – Local Law 20 of 2023. Increase of non-conforming bulk <b>(Rendered moot by interpretation of the Building Inspector)</b></li> <li>• Lot Size <b>(40,000 square feet to 39,518 square feet Granted)</b></li> </ul>	Comment Satisfied

<ul style="list-style-type: none"> <li>• Rear Yard Setback (4.9 feet for garage structure, and 16.2 feet for principal building)</li> <li>• <b>Variance from 200-51 (I) Storage of vehicles in front yard granted subject to fencing.</b></li> </ul> <p>10-7-2024 – Applicant has indicated that they will also seek a variance from the restrictions as set forth in § 200-51(o). <b>(Denied)</b></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>	Comment Satisfied.
<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><b>11-10-2025 – Signed agreement received.</b></p>	Comment Satisfied
<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>	

<b>11-10-2025 – Awaiting revised agreement per comments.</b>	
9. Applicant to address requirements of § 200-51 (O).	
10-7-2024 – See comment 5 above.	
<b>11-10-2025 – ZBA denied variance. Applicant agreed to comply per narrative dated October 29, 2025. To be made a condition of approval.</b>	
10. Applicant to address parking.  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.	Comment Satisfied.
11. Applicant to close out New York State DEC Spill 1303159 prior to approval.	Comment Satisfied
12. Orange County Planning Department issued a 239 response dated July 2, 2024. I note the advisory comments of the Department	For Information
13. 10-7-2024 – Parking License Comments  The applicant has provided a parking license for the use of the parking lot located across the street. <ul style="list-style-type: none"><li>• 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.</li><li>• The licensed parking area should be for the parking of staff vehicles only, not vehicles under repair.</li><li>• 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.</li><li>• 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.</li></ul> 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.	

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

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