

# VILLAGE OF MONROE

## Workshop Minutes

January 12, 2026

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

**Absent:** Members Umberto, Iannucci, Kelly, and Allen

**Pledge of Allegiance.**

### Site Plan Review – Proposed Accessory Apartment

105 Ramapo Street – (220-5-13)

Proposed 961 SF addition for apartment

**Present representing the applicant:** Sandy Fini, Daughter of Applicant

Engineer Higgins went over his comment memo (attached). He noted that the Building Inspector provided an updated letter confirming conformance to the building code (attached) and that the owner would have to file a covenant for the use of the accessory apartment. This is only for these owners and if the property is ever sold, the new owners would have to come before the board if they intend to use the apartment. He asked about parking and if there are any new cars. Ms. Fini said the only additional car would be hers and the driveway is wide and can easily accommodate. Attorney Cassidy mentioned that due to the IMA agreement we have with the County a 239GML will not be necessary. She is comfortable setting the Public Hearing for January 27, 2026. Ms. Fini was given the notice and addresses to send out mailings which would need to be done by January 16, 2026. The Planning Board Secretary confirmed that the notice could be published in the Times Herald Record on January 16, 2026.

### Application – Architectural Review for sign

Choco Cheese 562 Rt 17M – (220-4-5)

Located on 17M Directly across from Advance Auto Parts

Seeking to build a 1 story 1,855 SF addition for cold storage related to 1<sup>st</sup> floor bakery

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

Engineer Higgins went over his comment memo (attached). Attorney Cassidy will check if a 239GML is needed or if it falls under the IMA agreement. Engineer Higgins asked about the dimensions of the sign with regard to code compliance. Mr. Morgante explained that he was not including the vertical pedestal in the dimensions. Attorney Cassidy recommended Mr. Morgante get an interpretation from the Building Department especially since it will effect the setback. She said a Public Hearing is optional and she thinks it will be exempt from 239GML but will advise the Planning Board Secretary to submit if one was needed. Mr. Morgante will provide additional information regarding lighting and the pedestal dimensions and foundation. Attorney Cassidy noted that this is a Type II action under SEQRA.

### 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 his comment memo (attached). Mr. Morgante took no exception to any of the comments and will make any revisions as needed. Chairman Boucher noted that the variances granted by the Zoning Board (attached) were muddy. There are no finding statements or explanations and we are having trouble specifically with the fence in the front which is typically against the code. There is a variance for the set back but does not reference this code. Attorney Cassidy read the sections involved she was struggling to reconcile; §200-26.5 D a&b (highlighted on the attached). Due to this she recommends Mr. Morgante ask the Building Inspector if subsection B authorizes the Planning Board to authorize such fence in the front yard? If yes, we can continue on the current path. If no, does the determination of the ZBA modify that restriction? And if no, they will have to go back to the ZBA. Attorney Cassidy said that the ZBA said screening was needed and section A does not prohibit hedges. Mr. Morgante will take this information and go to the Building Inspector to get their determination and will take it from there. The Board reviewed the new submission showing the red from the sign incorporated onto the building and approved of the change. The size of the sign was discussed and it would have to be smaller per the code. Mr. Morgante agreed to make the change. Attorney Cassidy asked if the building mounted sign was the only sign and Mr. Morgante replied that it was. The fence along the front of the property was discussed and where exactly would the fence be extended to. There is an area that will be outside of the fence in front of the impound area and it was agreed that this spot would be left open with no parking. Attorney Cassidy would make it a condition of approval and Mr. Morgante agreed.

### 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 went over this review memo (attached) and items were discussed as follows:

#10 re correspondence from the DOT suggesting a shared access driveway. Mr. Morgante replied that the neighbor had no interest in doing this and he will provide that information to the DOT.

#4 Per Mr. Morgante they will continue to use the existing water service line and it was mapped and will be shown on the updated plans

#5 They are in the process of redesigning the structural curb

Attorney Cassidy did not prepare an updated memo. A DRAFT Negative Declaration was prepared and Attorney Cassidy read the highlights (attached) **this document is subject to change until adopted by the Planning Board.** She will try to have a draft approval resolution in advance of the January 27<sup>th</sup> meeting.

### Site Plan Review – Proposed 2 Story Commercial Building

424-434 North Main St – (202-1-1,2 &4)

Located next to the Monroe Fire Department HQ on Route 208

Proposed 55,434 SF 2 story mixed use building

**Present representing the applicant:** Mike Morgante from Arden Consulting Engineers and Joel Mann from Brach & Mann

Mr. Morgante gave an overview of the project noting that he reviewed the comments received from Lanc & Tully in the past and revised the site plan. Chairman Boucher asked if the building was the same size as when it was originally proposed. Mr. Mann replied that it is smaller now to conform to setbacks. Mr. Morgante said they met all of the zoning and parking requirements and there is a conceptual grading plan that appears to meet requirements. They will propose a storm water management system and they will be doing soil testing soon & catch basins are planned to catch the run off. They have ADA ramps proposed and will do a lighting plan. Chairman Boucher said that due to off site work it would probably be a Positive Declaration. Mr. Morgante said that there is limited off site work. Attorney Cassidy mentioned that this site location is in an area where there is a lot of potential future changes due to the 208 Business Center application that is currently before the Planning Board. Mr. Mann said he is aware of this project. Attorney Cassidy noted that this project will be impacted by the 208 Business Center project. Specifically, their traffic study will have to be done with the 208 project being competed & not completed. Engineer Higgins asked about the parking spaces shown on the access driveway and Mr. Morgante will address this. Engineer Higgins went over his comment memo (attached) and regarding item #2, per Mr. Mann they will have a meeting with the neighbor to discuss possible options. There were no other discussions or objections. Chairman Boucher feels a long EAF is needed. Attorney Cassidy went over the items on her memo (attached) not already covered by Engineer Higgins. She asked if Mr. Mann was a consultant or applicant and Mr. Mann replied he is both on this application. She noted that this appears to be an Unlisted action pursuant to SEQRA and due to the proposed grading in the adjoining Town of Monroe and impacts to Route 208 she is recommending a coordinated review. Regarding item #9, she would like a statement from the applicant that they are not planning any future development. Mr. Mann said that the only access to this property is via a shared driveway with neighboring property. Lastly, Attorney Cassidy mentioned that we are probably forwarding this project to our Traffic Consultant in case they wanted to have their traffic consultant reach out to them.

### Site Plan Review – Proposed addition / Condos

581 Route 17M - Monroe Pharm Plaza Condo (220-5-16.312)

Proposed 14,370SF 2 story office addition – condominiums

**Present representing the applicant:** Avi Weinberg, WeinbergLim Engineering

Engineer Higgins went over the new comments from his memo (attached). Chairman Boucher noted that the Planning Board needs material samples and confirmed with Mr. Weinberg that this will not be for Medical offices. Attorney Cassidy went over the outstanding items from her review memo (attached). She asked for a Title Block to be on future submitted plans and Mr. Weinberg agreed. She reviewed the Draft Negative Declaration (attached) **this document is subject to change until adopted by the Planning Board**. The applicant agrees to go to the ZBA for a variance on the dumpster location. The Planning Board feels the location is more suitable but if the ZBA denies the variance it will be reevaluated. She noted that sewer water was not included and she will make that change. She anticipates to have the Negative Declaration finalized by the January 27<sup>th</sup> meeting and the Public Hearing will be set for February 24<sup>th</sup>. The applicant can simultaneously go to the Zoning Board regarding the dumpster location and she said that February 3<sup>rd</sup> is the submission date for the March 10<sup>th</sup> ZBA meeting. She noted that the Planning

Board submission date for the February meeting is January 29<sup>th</sup> and the Architectural materials will need to be submitted so that they are available for the Public Hearing.

### 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:** Joel Mann from Brach & Mann Associates

Chairman Boucher noted that this applicant has been put on notice many times and that the Planning Board will not approve this project unless there are very significant changes. He said that the applicant has been unresponsive and uncooperative and his feeling is that the application should be denied. What the Planning Board expects a new submission with a drastically revised site plan by the February submission date. If this does not happen, the Planning Board will move to deny the application. Attorney Cassidy said that this application is a Special Use Permit and the applicant is in violation. They are trying to keep existing structures and it is not compatible with what is being proposed. Chairman Boucher said it is a mixed-use site. Per Attorney Cassidy the attempt to shoehorn all the different uses into the existing site is not working. Mr. Mann said they would make a new submission by the February deadline. He said the applicant purchased the property to relocate his construction material business and said that the applicant wants to comply. He noted that there were some issues due to the many different Building Inspectors he has had to deal with in the Village. He said that he spoke with Building Inspector Svrcek recently and was given a list of items to be fixed. Mr. Mann said that the applicant complied with Inspector Svrcek's recommendations and chalked a lot of the issues up to miscommunications. He said that nothing further will happen until the site is approved by the Planning Board. Mr. Mann is open to the Board's suggestions but said that the existing 2 dwellings are 100% permitted and the rest of the site configuration will be changed to comply. Chairman Boucher said that while he appreciates the explanations, they do not explain all the violations and activity that transpired after those violations were issued and numerous warnings were given. Nor does it excuse the total disregard for laws and code the applicant has shown. Mr. Mann reiterated that he believes much of this was due to the Building Inspector turnover at the Village and miscommunication. Attorney Cassidy said for the purposes for the Planning Board they are looking at the overall site and not making any decisions based on violations. If this site was never violated it would still be undesirable and the Planning Board comments would be the same. Mr. Mann said he is willing to design the site in a way that the board will be agreeable. Attorney Cassidy noted that the role of the Planning Board is not to design this site. She understands that the owner wants to keep the revenue from the existing residential buildings but that along with what the applicant wants to add makes the site not flow. Engineer Higgins said that this is a Special Use Permit and the use has to be in general harmony with the surrounding properties as well as on the site. He mentioned the conflicts of having a lumber yard and residential property sharing the same site and if this could be modified to be in harmony or if the 2 uses could not work together. Mr. Mann was unaware that this was a problem and may have to change the residential building to a commercial one. Attorney Cassidy replied that the building in the middle of the site at an odd angle is problematic and the best thing that could be done is a total redevelopment of the site. Chairman Boucher thinks that keeping the site with one use would be best. Mr. Mann said that they would like to keep the existing structures but would possibly change the use and realign the site. Chairman Boucher said that we had received a review letter from our Planner (attached) and the Planning Board Secretary will forward that memo. Attorney Cassidy stressed the importance of planting new trees on the site. She asked that the next submittal to the planning board be substantial and Mr. Mann agreed.

## Site Plan Review – Classification of 10 existing buildings with multiple uses

Threotel 324 Route 208 – (203-3-3.22)

Located between Millpond Pkwy, Rt 208 and Oak Street

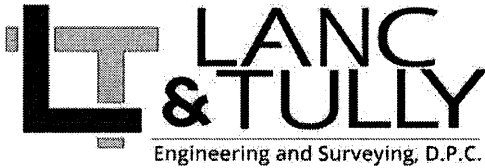
Existing buildings to be classified by zoning and building code use

**Present representing the applicant:** David Niemotko, from David Niemotko Architects

Attorney Cassidy went over her memo (attached) and noted per item #2 that the latest site plans were not submitted to the Planning Board. Mr. Niemotko stated that a lot of work was done and it took a while to get things resolved due to the evolution in the Village Building Department and offered his apology for neglecting to submit the up to date plan. Attorney Cassidy asked that particular attention be paid to the consistencies regarding names and their relationship to the project in the application. Mr. Niemotko agreed. Mr. Niemotko said that he had received Engineer Higgins' comment memo (attached) as well and he agreed with it. Engineer Higgins said that regarding item #4, he is unsure if the Building Department realized that certain set backs were not being met. He does not know if there were additions done without permits or if they are preexisting non-conforming. Chairman Boucher said that he understands there have been some challenges due to the changes in the Building Department but the Village just hired a new Building Inspector and hopes that things will be run smoother in the future. Engineer Higgins asked if the structures were preexisting. Mr. Niemotko replied that the reason the application is before the board is due to violations not due to new structures which believes have been standing for decades. The violations are all for interior work and there are no changes to the footprint. He said that he feels that this could have been handled with the Building Department but Attorney Cassidy countered that a change of use would have to come before the Planning Board. Chairman Boucher asked if the modifications were ever made from a previous application before the Planning Board that was never finalized. Attorney Cassidy replied that they dropped the application and the modifications were never made. She also noted that the use changed which triggered a Planning Board review. Engineer Higgins asked if the buildings were pre-existing and Attorney Cassidy replied that there is a filed subdivision plat that shows the buildings in the same locations so she is assuming they are preexisting, predate zoning or were built with permits. Mr. Niemotko said that they will continue working with Mr. Pace in the Building Department to follow up and resubmit documentation. He asked about item 7 regarding a parking agreement that was referenced. Engineer Higgins said that some of the issues may have been due to the most recent plan not being submitted. Mr. Niemotko will make corrections and resubmit updated plans.

**Village of Monroe Planning Board meetings may be viewed in their entirety at:**

<http://www.youtube.com/@monroevillagehall2935>



# Village of Monroe Planning Board Review

<b>Project:</b>	105 Ramapo Street
<b>Tax Lot No.</b>	220-5-13
<b>Reviewed by:</b>	David Higgins, P.E.
<b>Date of Review:</b>	1/9/2026
<b>Materials Reviewed:</b>	Planning Board Application with Owner's Endorsement and Authorization to Inspect Property; Short Environmental Assessment Form (EAF) dated November 3, 2025; Site Plan consisting of a single sheet entitled, "Site Plan for Vincenzo Fini & Fiorella Fini", dated December 29, 2025, prepared by John A McGloin, PLS; and architectural plans consisting of 9 sheets entitled "Addition to the Fini Residence" prepared by Turner Architecture, PLLC, dated October 24, 2025

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:**

Project involves the construction of a 961 square foot addition onto an existing single family residence to serve as an accessory apartment. The existing single family residence is located on a 0.862± acre lot located in the Suburban Residential (SR-10) zoning district where accessory apartments are permitted subject to a Special Use from the Village Planning Board. Accessory apartments are also regulated under §210-49 of the Village Code.

We have the following comments on the plans provided:

1. The Land Use Determination from the Building Department previously indicated that the proposed accessory apartment could not be approved as submitted due to the fact that the proposal exceeds the maximum permitted Floor Area Ratio (FAR) and increases an existing non-conformity. The applicant has provided an updated determination from the Building Department finding that the existing unfinished basement is not to be included as habitable space for the FAR calculation and that the existing residence and the proposed accessory apartment will comply with the maximum FAR. **(Informational)**

2. §200-49 of the Village Code regulates accessory apartments, outlined as follows:
- A- The lot must meet the requirements of its zoning district for a single-family dwelling, or if the lot is a preexisting nonconforming lot, the accessory apartment shall not increase the nonconformity of the lot. *(Based upon the map provided, the existing building provides for a 31.6 foot side yard which is greater than the 15 feet required. The proposed addition will decrease this side yard to 22.4 feet which is still greater than the required side yard setback.)* **(Informational)**
  - B. There shall be no more than one accessory apartment per existing single-family detached dwelling on a lot. *(Proposal appears to meet this requirement.)* **(Informational)**
  - C. Off-street parking spaces shall be provided for each dwelling unit in accordance with § ~~200-46~~. *(Plans have been revised to depict a single parking space. See comment 4 below.)*
  - D. Proof that adequate water supply and sewage disposal facilities are available. *(The existing building is connected to the Village water supply system and sanitary sewer collection system. Available capacity for the additional apartment is assumed.)* **(Informational)**
  - E. The accessory apartment, whether in the main dwelling or in an accessory structure, shall contain at least 600 square feet and not over 1000 square feet of habitable floor area, and as such shall not exceed the size of the primary residence. If the accessory apartment is proposed within the main dwelling, the primary residence shall be no less than 1000 square feet of habitable space. There shall be no more than one bedroom per accessory apartment. The design of the apartment will conform to all applicable standards in the health, building and other codes. *(According to the land use determination form, the accessory apartment will be 961 square feet which meets the Code requirements. The submitted floor plan proposes a single bedroom, a den, a living room, a kitchen, and a bathroom)* **(Informational)**
  - F. The owner of the property shall reside on the premises (either in the main portion of the house or in the accessory apartment). *(The property owner has advised that the proposed addition is for a family member serving as a live in caretaker which would meet this requirement.)* **(Informational)**
  - G. Each dwelling unit in the structure shall contain its own separate and private bathroom and kitchen wholly within each dwelling unit. The structure in which the accessory apartment is located shall have only one front entrance and only one entrance from any other façade of the structure. An entrance leading to a foyer with entrances leading from the foyer to the two dwelling units will be acceptable. *(The plan indicates a proposed egress door on the rear side of the building and one main entrance on the front face which appears to meet these requirements.)* **(Informational)**
  - H. The accessory apartment shall be designed so that the appearance of the building remains that of a single-family detached dwelling. Any new entrances

shall be located on the side or in the rear of the building, and any additions shall not increase the habitable space of the original house by more than 800 square feet beyond its size on the effective date of this section. Accessory apartments shall be clearly incidental and subordinate to the principal structure and shall not change the single-family residential character of the neighborhood. *(The architectural plans provide a calculation for habitable space indicating the proposed accessory apartment will increase the habitable space by 743 SF which meets these requirements.)* **(Informational)**

- I. If the accessory apartment is located above a garage, an air-to-air heat exchanger and a carbon monoxide detector shall be installed to reduce the risk of carbon monoxide poisoning. In the event the apartment is proposed for an accessory structure, the apartment must be wholly contained in the existing structure. Such structure shall have a dedicated water line and sewer line that are separate from the primary residence. *(The proposed apartment is not above the garage.)* **(Informational)**
  - J. A detailed floor plan drawn to scale, showing proposed changes to the building, shall be submitted along with the application for special use authorization. *(A floor plan has been provided with the application.)* **(Informational)**
  - K. Upon receiving special use authorization, the owner must file a covenant at the County Clerk's office and with the local assessor stating that the right to rent an accessory apartment ceases upon transfer of title. A copy of said covenant shall be provided to the Planning Board and Building Department. Upon a transfer of title, the local assessor shall notify the Building Department, who will then take the appropriate steps to ensure compliance with these provisions. ***(This should be a condition of any approval.)***
  - L. Purchasers of homes that have special use authorization for accessory apartments who want to continue renting those apartments must reapply for special use authorization. ***(This should be listed as a condition of the approval.)***
3. Upon approval from the Planning Board, full compliance with Chapter 158, Rental Property, shall be completed prior to occupancy of the new accessory apartment. ***(This should be noted in any resolution of approval.)***
  4. The site plan shows an existing two car garage and a single parking space for the proposed accessory apartment. It should be noted that a parking rate is not specifically listed in the code for single family dwellings nor for accessory apartments. In cases where parking rates are not specifically listed in the code, the parking generation rate is to be determined by the Planning Board [§200-46(A)]. In our opinion, a rate of two parking spaces for the existing single family residence and an additional parking space for the proposed accessory apartment should be sufficient. However, the Code also requires that all parking areas and driveways be designed in such a manner that vehicles can safely turn around and enter the street front first [§200-44(L)]. We note that the addition of a third vehicle will impede compliance with this requirement. We recommend the applicant consider expansion

of the driveway to provide adequate maneuvering space. Any proposed expansion should take into consideration §200-44(M) which limits the driveway width to a maximum of 20 feet within the required front yard.

5. A Short EAF has been submitted. Unless Attorney Cassidy advises otherwise, we believe this to be a Type II action.
6. In accordance with Village Code §200-72(E)(4), a public hearing is required.
7. Due to the projects proximity to NYS Route 17M referral under GML-239m will be required.

**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*  
7 Stage Road, Monroe, NY 10950

Tel: 845-782-8341

Bryan Berberena  
Assistant Building Inspector

December 19, 2025

**Property Address:** 105 Ramapo Street

**SBL:** 220-5-13

**Zoning District:** SR-10

Dear Fiorella Fini,

This letter is to provide an updated determination regarding the use of the basement at 105 Ramapo Street and its relevance to Floor Area Ratio (FAR), based on additional review and the site inspection conducted on December 18, 2025.

During the inspection conducted on December 18, 2025, the basement was observed to be finished and arranged in a manner consistent with the approved nonhabitable uses. No sleeping areas, bedroom-type setups, or cooking facilities were observed at the time of inspection. Based on the approved Certificate of Occupancy and conditions observed during the inspection, the Building Department determines that the basement is approved and utilized as finished, nonhabitable space and is not approved for use as habitable or livable area.

Pursuant to the Village of Monroe Zoning Code, Floor Area Ratio (FAR) is calculated using gross floor area, which includes livable (habitable) floor area only. The Code further provides that nonhabitable space contained within basements is excluded from gross floor area for FAR purposes. Based on the verified basement use, the FAR calculation is as follows:

Lot Area: 38,250 sq. ft.

Maximum Permitted FAR: 0.09

Maximum Allowable Gross Floor Area: 3,442.5 sq. ft.

Existing Gross Floor Area (above-grade habitable space): 2,232 sq. ft.

Proposed Addition: 961 sq. ft.

Total Proposed Gross Floor Area: 3,193 sq. ft.

**This results in a proposed FAR that is within the maximum permitted FAR of 0.09.**

If you have any questions regarding this determination, please contact the Building Department.

Sincerely,

Bryan Berberena  
Assistant Building Inspector

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

December 15, 2025  
Revised January 12, 2026

**MEMO**

TO: Village of Monroe, Planning Board  
Applicant

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

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of <sup>Fiorella Fini</sup>~~Marcia Rhone~~ for a dwelling unit accessory to an existing single family home located at 105 Ramapo Street, Monroe, NY  
SBL 220-5-13

I have reviewed the application of Fiorella Fini for special permit to authorize a dwelling unit accessory to an existing single-family home located at 105 Ramapo Street, Monroe, NY pursuant to § 200-49. This memorandum is intended to a running memorandum as revisions to plans are made. New material may be found in bold. **The instant submission includes the following:**

- **Letter of Patricia Turner AIA, dated December 22, 2025**
- **Revised sheet A201, Exterior Elevations & Building Section**
- **Revised Set A101, First Floor Plan**
- **Revised Site Plan prepared by John A. McGloin,, PLS, last revised December 29, 2025**

I offer the following comments:

Comment	Status
1. The Property is located in the SR-10 zoning district.	For Information
2. The proposed accessory apartment is subject to special permit and site plan approval pursuant to § 200-49. I refer	For Information

the Applicant and Board to § 200-49 for the requirements applicable to an accessory dwelling unit.	
3. Application is subject to GML 239 due to its proximity to NYS Route 17M. Page 8 of the application to be updated accordingly. <b>(Repeat Comment)</b>	For Information
4. I have reviewed the memorandum of David Higgins, dated December 12, 2025 and concur with the same	For Information
5. A public hearing is required.	For Information
6. Application is a Type II action pursuant to SEQ. 6 NYCRR 617.5(c)(11)	For Information
7. SEAF Comments:  This is a Type II action so an Short Environmental Assessment Form is not necessary.	For Information
8. §200-49 requires that A. <u>“The lot must meet the requirements of its zoning district for a single-family dwelling, or if the lot is a preexisting nonconforming lot, the accessory apartment shall not increase the nonconformity of the lot.”</u> The site plan to be updated to include a zoning table. Per the bulk table: Lot area – 10,000 square feet (complies) Lot Width – 100 feet (complies) Front Setback – 30 feet (complies) Rear Setback – 35 feet (complies) Side yard setback – 15 feet (complies) Lot coverage (max) - 25% <b>Sheet A101 indicates 8% compliance</b> Building Height (max) – 30 feet/2 stories <b>1 story proposed, complies.</b>  Applicant to demonstrate compliance with Floor Area Ratio as per § 200-24.1. It appears that a variance may be required. <b>By letter dated December 19, 2025, the</b>	

**building inspector issued a determination that the basement is not habitable space and should not be included within FAR calculations and further determined that the proposed addition is within the maximum FAR.**

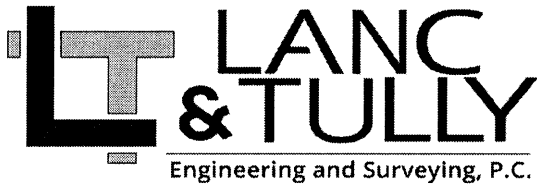
- B. “There shall be no more than one accessory apartment per existing single-family detached dwelling on a lot”.  
(complies)
- C. “Off-street parking spaces shall be provided for each dwelling unit in accordance with § 200-46.” Parking to be confirmed by applicant; parking to be marked on the site plan. **Revised site plan notes a separate space in addition to the existing two car garage. This is sufficient under the code.**
- D. “Proof that adequate water supply and sewage disposal facilities are available.” The site is already served by existing sewer and water with a minimal increase as a result of this project. Engineer Higgins to confirm adequacy of supply.
- E. “The accessory apartment, whether in the main dwelling or in an accessory structure, shall contain at least 600 square feet and not over 1000 square feet of habitable floor area, and as such shall not exceed the size of the primary residence. If the accessory apartment is proposed within the main dwelling, the primary residence shall be no less than 1000 square feet of habitable space. There shall be no more than one bedroom per accessory apartment. The design of the apartment will conform to all applicable standards in the health, building and other codes.” The proposed addition is listed as a 961 square feet which complies with this provision. The existing house is listed as 2232 square feet on property records. Applicant’s architect to verify.

- F. “The owner of the property shall reside on the premises (either in the main portion of the house or in the accessory apartment).” This will be listed as a condition of approval.
- G. “Each dwelling unit in the structure shall contain its own separate and private bathroom and kitchen wholly within each dwelling unit. The structure in which the accessory apartment is located shall have only one front entrance and only one entrance from any other façade of the structure. An entrance leading to a foyer with entrances leading from the foyer to the two dwelling units will be acceptable.”  
The proposed architectural floor plans comply with this requirement.
- H. The accessory apartment shall be designed so that the appearance of the building remains that of a single-family detached dwelling. Any new entrances shall be located on the side or in the rear of the building, and any additions shall not increase the habitable space of the original house by more than 800 square feet beyond its size on the effective date of this section. Accessory apartments shall be clearly incidental and subordinate to the principal structure and shall not change the single-family residential character of the neighborhood. Applicant to provide a calculation of habitable space to determine compliance. If the proposed addition is in excess of the 800 habitable square feet, the Applicant to seek an area variance.  
**Revised submission shows that the habitable space is 743 square feet and the submission would be in compliance with this provision. Architect to certify the same.**
- I. “If the accessory apartment is located above a garage, an air-to-air heat exchanger and a carbon monoxide detector shall be installed to reduce the risk of carbon monoxide poisoning. In the event the apartment is proposed for an accessory structure, the apartment must be wholly contained in the existing structure. Such structure shall

have a dedicated water line and sewer line that are separate from the primary residence.” – This provision is not applicable.

- J. “A detailed floor plan drawn to scale, showing proposed changes to the building, shall be submitted along with the application for special use authorization.” The applicant has submitted a detailed floor plan prepared by Turner Architecture, PLLC
- K. “Upon receiving special use authorization, the owner must file a covenant at the County Clerk's office and with the local assessor stating that the right to rent an accessory apartment ceases upon transfer of title. A copy of said covenant shall be provided to the Planning Board and Building Department. Upon a transfer of title, the local assessor shall notify the Building Department, who will then take the appropriate steps to ensure compliance with these provisions.” This shall be a condition of approval.
- L. “Purchasers of homes that have special use authorization for accessory apartments who want to continue renting those apartments must reapply for special use authorization.” This shall be a condition of approval.
- M. Upon approval from the Planning Board, full compliance with Chapter 158, Rental Property, shall be completed prior to occupancy of the new accessory apartment. This shall be a condition of approval.

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



# Village of Monroe Planning Board Review

<b>Project:</b>	562 Route 17M- Choco Cheese
<b>Tax Lot No.</b>	220 – 4 - 5
<b>Reviewed by:</b>	David Higgins, P.E.
<b>Date of Review:</b>	January 9, 2026
<b>Materials Reviewed:</b>	Letter of Transmittal dated December 2, 2025 as prepared by Arden Consulting Engineers, PLLC; Village of Monroe Planning Board Application with Owner's Endorsement dated December 2, 2025; Short Environmental Assessment Form (EAF) dated December 2, 2025; Sign Drawings; and Amended Site Plan dated December 2, 2025, as 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:**

The project is an Amended Site Plan for the addition of a freestanding sign. The property consists of approximately 1 acre of land, located in the GB District, with access to NYS Route 17M.

We have the following comments on the plans provided:

1. As indicated in the Land Use Determination Letter provided by Building Inspector Cocks, the proposed use is a Neighborhood Shopping Center and is an existing permitted use. **(Informational)**
2. The plans propose a freestanding sign. The property is located within Signage District #3. Freestanding signs are permitted a maximum area of 36 square feet plus 1 square foot for every 10 parking spaces up to 1,000 spaces in project; not to exceed 50 square feet [§200-42(C)]. The project proposes 41 parking spaces allowing a maximum sign area 40 square feet. The provided sign plans appear to indicate a single sided sign composed of two pieces. A 7' by 4'-4" piece with the name "chococheese" on it for an area of 30.3 square feet, and a 10' by 5' piece with the street address "562" on it for an area of 50 square feet. We recommend you discuss with the Village Building Inspector if, under the

Village Sign Code, both sign pieces are to be considered part of the gross sign area. Future submissions should include a calculation of the gross sign area and clearly define the area included in the calculation.

3. Applicant should provide construction details for the proposed sign that include sign dimensions, materials used, lighting (if any), bury depth for posts, and any other information relevant to the signs construction.
4. A sign permit issued by the Village Building Inspector will be required [§200-38.1].
5. Based upon a review of the submitted Short EAF, the application may be considered a Type 2 Action and would be exempt from further SEQRA review.
6. The Planning Board Attorney should advise if a public hearing will be required.
7. The plan is subject to review by the County Department of Planning under GML 239.

**This concludes our comments at this time. Our office shall continue with a review of the plans as more information is provided. If you have any questions please 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

January 12, 2026

**MEMO**

TO: Village of Monroe, Planning Board  
Applicant

CC: Terri Brink, Planning Board Clerk  
Dave Higgins, Village Engineer

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of  
Amended Site Plan Application – 562 Rt 17M LLC  
562 NYS Route 17M  
SBL 220-5-4

I have reviewed the application of 562 Rt 17M LLC for amended site plan application to authorize a sign. Previously amended site plan approval was granted on December 9, 2024 with the resolution filed on December 30, 2024, authorizing a single story addition to an existing neighborhood shopping center. The proposed sign was not considered as part of that application. In preparation of this memorandum, I have reviewed the following:

- Transmittal Letter
- Planning Board Application, signed December 2, 2025
- Sign Plan prepared by Arden Consulting Engineers, PLLC dated December 2, 2025
- Short EAF
- Sign Diagram

I offer the following comments:

Comment	Status
1. The subject property is located in the GC zoning district and is permitted as a Neighborhood Shopping Center and is an existing use. Neighborhood Shopping Center requirements are found in § 200-50 of the Village's Code.	For Information
2. This proposed action is a Type II action and not subject to SEQR review. See 6 NYCRR 617.5(C) (9)	
3. Signs are regulated by Article X, "Signs" of the Village of Monroe Zoning Code.	

<p>4. Applicant to demonstrate that the proposed sign complies with the requirements as set forth in § 200-40.4 which is copied below.</p>	
<p>5. Maintenance of sign as required by § 20-40.6 shall be a condition of approval.</p>	For information
<p>6. Applicant to demonstrate compliance with § 200-41 that requires signs on a state highway to conform to the state code. Engineer Higgins to confirm.</p>	
<p>7. The proposed signage is located in Signage District # 3 and subject to the limitations set forth on the Signage District Regulations (See § 200-42(C)). The maximum sign area is 40.1 Square Feet with a maximum height of 15 feet. The proposed sign is listed as 7' by 4'- 4" for a total area of 30.33 feet. It is unclear from the submitted diagram whether this includes the support and given the nature of the support whether that is to be included in the calculation. See § 200-40.4(G)(4) (Essential supporting framework (brackets, posts, standards) shall not be included in sign area calculations. However, illuminated embellishments on such essential supporting framework shall be included in the calculation of sign size.)</p>	
<p>8. Per § 200-40.3, No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance. Further, no sign shall be erected upon a right-of-way, or interfere with pedestrian or vehicular traffic flow, nor shall any sign interfere with any door, window, ventilation system, fire escape or other emergency exit, nor shall any sign be placed on a public sidewalk or at curb side.</p>	
<p>9. Per 200-42(C)(FN 2), No sign may be located closer than 10 feet to any property line, designated street line, or existing street line, whichever is a greater distance from the center line on the public street abutting the lot in question, plus an additional one foot for each two square feet of sign area in excess of 36 square feet. Assuming the sign is</p>	For Information.

<p>30.33 feet as per comment 7 above, the sign is located 15 feet from the street line and is in compliance with this provision.</p>	
<p>10. The application is subject to architectural review pursuant to § 200-73 (C)(1).</p>	<p>For Information</p>
<p>11. The terms and conditions of the approval resolution as filed on December 30, 2024 shall remain terms and conditions of site plan approval granted in connection with the instant application. Applicant to confirm no other changes to site plan are requested.</p>	

These comments reflect an initial review. Our office reserves the right to provide additional comments upon receipt of further submissions.

**§ 200-40.4. Regulations for all districts.**

The regulations contained in this section shall apply to all signs and all zoning districts, regardless of designation, of the Village of Monroe. Nothing herein shall be construed so as to allow the placement or installation of a sign on property other than the parcel or lot associated with the sign or the notice provided on the sign.

A. All freestanding signs shall require site plan approval by the Planning Board prior to installation. Any freestanding sign which is over 10 feet in height shall be constructed to withstand winds of 100 mph, and such shall be certified by a professional engineer or architect.

B. Any modification or alteration (except repairs and identical replacement) to a freestanding sign, a wall sign, or a projecting sign shall be approved by the Planning Board prior to issuance of a permit by the Building Inspector or Code Enforcement Officer.

C. The use of a dark background with lighter color(s) for lettering is preferred over the use of a white or light-colored background and dark lettering.

D. All sign lighting shall be shielded and directed in such a manner that the light source is fixed and is not directly visible from, and does not cast glare or direct light from artificial illumination upon, any adjacent public right-of-way, surrounding property, residential property or motorist's vision. Ground-mounted spotlights used to illuminate a sign shall be fully shielded. Any device lighting a sign shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent or moving light or lights. A string of lights consisting of more than three bulbs shall not be permitted as part of a sign or separate from a sign.

E. ~~Wall signs shall be affixed flat against the building facade.~~ Not Applicable

F. No sign shall have more than two sides.

G. All signs shall be measured in accordance with the following methods:

(1) Sign measurement shall be based upon the entire area of the sign, with a single rectangular perimeter enclosing the extreme limits of the actual sign surface.

(2) For a sign fixed to a building, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a color different from the natural color of the finish material of the building.

(3) For a sign consisting of individual letters or symbols attached to a surface, canopy, awning, building, wall or window, the area shall be considered to be that of the smallest rectangle which encompasses all of the letters and symbols.

(4) Essential supporting framework (brackets, posts, standards) shall not be included in sign area calculations. However, illuminated embellishments on such essential supporting framework shall be included in the calculation of sign size.

(5) For signs with two faces or sides, the area shall be taken as the area of either face, provided that the faces are back to back.

H. All illuminated signs shall bear the Underwriters Laboratories, Inc. seal in conformance with U.L. 48 or shall be inspected and certified by a state-authorized electrical inspection company.

I. All signs, including wall signs and projecting signs, shall be securely anchored.

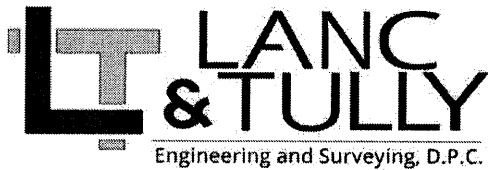
J. All signs shall be constructed of durable materials and shall be maintained in good condition.

~~K. Projecting signs shall have no more than two faces. The exterior edge of a projecting sign shall extend not more than 36 inches from the building face or 1/3 the width of the sidewalk over which it is suspended, whichever is less. No part of a projecting sign shall extend into a vehicular traffic area. A projecting sign suspended over a sidewalk or pedestrian traffic area shall have a vertical clearance of not less than eight feet. No sign shall project from an awning.~~ Not Applicable.

~~L. On multistory buildings, projecting signs shall be attached to the building above first-story windows and below second-story windowsills. On one-story buildings, projecting signs shall be attached above first-story windows and below the roofline. The size and location of a projecting sign shall complement neighboring signs.~~ Not Applicable.

~~M. No wall sign shall be higher than the building to which it is attached.~~ Not Applicable.

N. All wiring to a freestanding sign shall be underground and/or concealed within the sign structure.



# 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:** 1/9/2026  
**Materials Reviewed:** Letter of transmittal dated December 2, 2025, prepared by Arden Consulting Engineers, PLLC; Comment Response Letter dated December 2, 2025, prepared by Arden Consulting Engineers, PLLC; Site Plan Cost estimate dated December 1, 2025; electronic correspondence with Village of Monroe DPW dated October 28, 2025; electronic correspondence with Monroe Joint Fire District Chief dated December 2, 2025; and Plan Set entitled, "Site Plan & Lot Consolidation Plan for 123-125 Elm Street", last revised November 28, 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. **(Repeat Comment)**
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 following changes have been made to the plans as was discussed at the November 25, 2025 Planning Board meeting:
  - a) Removed the vehicle storage "spots" that were permanently delineated in the vehicle storage yard.
  - b) Added notes that the lease area is for employee parking only.
6. A construction cost estimate has been submitted. We have the following comments:
  - a) The estimate notes 160 linear feet of silt fencing; the plans appear to show ~520 linear feet of silt fencing.
  - b) The estimate notes one handicap parking sign and striping; the plans show two handicap parking spaces which will require a total of four signs (one ADA parking and one no parking each).
  - c) The estimate notes 210 linear feet of concrete curbing; the plans appear to show ~120 linear feet of concrete curbing.
  - d) The estimate notes 3 precast curb bumpers; the plan appears to show 4 precast curb bumpers.
  - e) The estimate notes 98 linear feet of 6' chain link fence with privacy slats; the plans appears to show 315 linear feet of 6' chain link fence with privacy slats.
  - f) The estimate notes 4 building mounted lights; the plan appears to show 20 building mounted lights.
  - g) The estimate does not appear to include a cost for the proposed utility pole with lighting and electrical manhole.
7. The architectural plans depict a 2'-6" by 8'-6" sign that reads "Upstate Collision" that is shown to be a building-mounted sign hung parallel to the building. The property is located in Signage District 2. In Signage District 2, building-mounted signs hung parallel to the

building are permitted maximum vertical dimension of 2 feet [§200-42(C)]. The proposed sign has a vertical dimension of 2'-6". The proposed sign should be revised otherwise a variance will be required.

8. Any proposed signs are subject to a sign permit issued by the Village Building Inspector [§200-38.1].
9. The plans were sent to the Orange County Department of Planning for referral under GML 239. The County Department of Planning determined this to be a Local Determination and offered several comments including comments on previous SEQR documentation, Stormwater Hotspot, Visual Impact, and Area Variances. We believe that these comments have been appropriately addressed. **(Informational)**
10. 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.

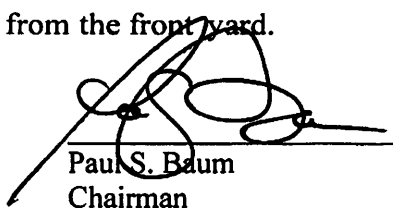
Storage of vehicles in required yard, with the exception of the front yard unless appropriate screening of the car storage area is provided.

**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

## Chapter 200. Zoning

### Article VII. Supplementary Regulations for Accessory Structures and Uses

#### § 200-26.5. Fences and retaining walls.

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

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

**FENCE**

Any structure, regardless of composition, except a living fence, that is erected or maintained for the purpose of enclosing a piece of land or to divide a piece of land into distinct portions.

**FRONT YARD**

Applies to that portion of the yard within and extending the full width of the lot between the front line of the principal building and the front line of the lot.

**HEIGHT**

The distance measured from the existing grade to the top of the fence.

**REAR YARD**

Applies to that portion of the yard within and extending the full width of the lot between the rear line of the principal building and the rear line of the lot.

**SIDE YARD**

Applies to that portion of the yard extending from the principal building to the side lot lines and extending from the front yard to the rear yard, or where no front yard exists, from the front lot line to the rear yard.

**RETAINING WALL**

A wall that holds back earth or water and is greater than two feet in height.

B. Approval required. No fence, wall or other type of construction shall be erected without a building permit issued by the Building Inspector. The Building Inspector shall secure approval of the Department of Public Works Superintendent and the Bureau of Fire Prevention, where applicable.

C. Application for permit; issuance.

(1) Any person or persons, corporation, firm or association intending to erect a fence shall, before any work is commenced, make application to the Building Inspector on a form provided by the Building Inspector. Said application shall be accompanied by a survey showing the proposed location of any fence, location of easements, if any, the materials proposed to be used therein, which must be in accordance with this chapter and any other pertinent local law regulating construction within the Village, and be accompanied by an appropriate fee. Upon approval by the Building Inspector, a permit shall be issued which will be in effect for a period of one year

from the date thereon. Said permit shall be available on the job during the progress of the work so that it may be inspected by proper Village officials.

- (2) Notwithstanding the provisions of this section, the Building Inspector may issue a permit for the construction of a security fence for commercial and industrial properties, upon due application to and approval by the Building Inspector of the Village of Monroe. The Building Inspector may deny such application if it is found that the application for such fence is not appropriate and unnecessary. Upon such denial, the applicant may appeal the Building Inspector's decision to the Zoning Board of Appeals of the Village of Monroe by notice to the same within 30 days of such denial. In the event that the Zoning Board of Appeals substantiates the denial of the Building Inspector, the applicant may resort to proper legal proceedings according to the statutes of the State of New York.

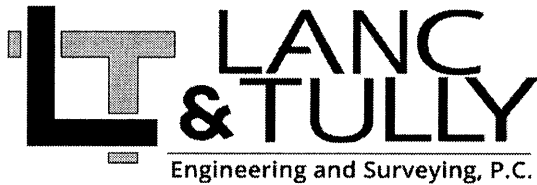
D. Height limitations and restrictions. All fences or walls must be erected within the property line, and none shall be erected so as to encroach upon a public right-of-way or interfere with vehicular or pedestrian traffic or interfere with visibility on corner lots and/or other structures or vehicles, whether stationary or transitory, on private or public property. On any corner lot, no wall, fence or other structure, and no hedge, shrubbery or other growth taller than three feet shall be erected, installed or maintained within a sight triangle with legs beginning at the intersection of the lots two street lines and proceeding to points along the street line 25 feet distant, as shown below. The Code Enforcement Officer is hereby empowered to order the removal of any such structure or growth within the triangle which, in his or her opinion causes a danger to traffic or public safety.

- (1) Residential height limitations and restrictions:

- (a) Rear yard: no fence shall be more than eight feet in height.
- (b) Side yard: no fence shall be more than six feet in height.
- (c) Front yard: no fence shall be more than four feet in height. Any fence erected in a front yard shall be placed at least one foot back from the sidewalk, but in no event may it be less than one foot back from the front line and/or property line. Further, no fence shall be erected in a front yard in a residential district or along a public right-of-way unless the fence is uniformly less than 50% solid.

- (2) Commercial height limitations and restrictions:

- (a) Fences around industrial, manufacturing and commercial uses for security purposes, screening or containing hazardous materials are permitted up to eight feet in height and may be located along any side or rear lot line or within any side or rear required yard or setback, but may not be located along the front line or within any front required yard or setback.
- (b) In any commercial or industrial district, a fence wall or evergreen hedge of a height not less than six feet nor more than 10 feet may be required by the Planning Board to screen the view of an adjoining or neighborhood residence property. The design and location of such screening shall be approved by the Planning Board.



## Village of Monroe Planning Board Review

Project: 573 Route 17M  
Tax Lot No. 220-5-19  
Reviewed by: David Higgins  
Date of Review: January 9, 2026

**Materials Reviewed:** Cover Letter prepared by Brach & Mann Associates dated December 2, 2025; Transmittal Letter prepared by Arden Consulting Engineers, PLLC dated December 2, 2025; Response Letter prepared by Arden Consulting Engineers, PLLC dated December 1, 2025; Site Plan Cost Estimate dated December 1, 2025; Stormwater Management Facility Easement and Maintenance Agreement; Site Plan set entitled, "Amended Site Plan for 573 Route 17M", last revised November 18, 2025 consisting of 23 sheets as prepared by Arden Consulting Engineers, PLLC; Stormwater Pollution Prevention Plan entitled "Stormwater Pollution Prevention Plan Prepared for: 573 17M LLC" last revised December 1, 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. 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 a Stage 2 Perm 33 application has been submitted to the NYSDOT. **(Informational)**.

2. 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 reviewed the landscaping at their December 15, 2025 meeting and the members seemed satisfied with the landscaping. **(Informational)**.
3. The proposed sewer connection shall be subject to review and approval by Orange County Department of Environmental Facilities. Applicant has noted that an application has been submitted. **(Informational)**.
4. The applicant has indicated in their comment response letter that the proposed 4" dia. Ductile iron water service will connect directly into the existing watermain on NYS Route 17M, however the applicant has also indicated in their comment response letter that the existing water service line may continue to be used once it is located and mapped. If applicant intends to continue use of the existing water service then the size, material, and location of the existing water service line should be shown on the plans. If the applicant intends to connect directly to the watermain on NYS Route 17M, then we recommend noting as such on the grading and utility plan. **(Repeat Comment)**
5. The proposed structural curb is shown to have areas with a 30" drop over 18", this will likely be too steep for slope stabilization. Plans should address areas of structural curb with steep slopes. **(Repeat Comment)**
6. The structural curb detail should include the timber guide rail as proposed. **(Repeat Comment)**
7. As discussed at the December 15, 2025 Planning Board meeting, the plans should be revised to provide stripping on the southern side of the building in the location of the previously removed parking space to prevent that location from being improperly utilized for parking.
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. We defer to John Canning for review and comment. Any approval should be conditioned upon whatever requirements NYSDOT may place on the applicant for its permit to make changes to the driveway. **(Repeat Comment)**

10. Electronic correspondence from the NYSDOT on December 18, 2025 suggested a shared access driveway for both 573 NYS Route 17M and 577 NYS Route 17M in order to limit the number of conflict points along NYS Route 17M. Applicant to discuss.
11. 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 and the results of other soil tests should be discussed in the SWPP Report. **(Repeat Comment)**
  - c. Appendix B of the SWPPP report under the WQv calculations for the Underground Infiltration (I-4) the RRv provided is identified to be 0 cf. We recommend revising the calculations to indicate the RRv provided by the practice. **(Repeat Comment)**
  - d. Appendix G of the SWPPP contains a Stormwater Management Facility Easement and Maintenance Agreement. This should be reviewed by the Planning Board Attorney. We note that a map was included as Schedule A of the maintenance agreement. We defer to Attorney Cassidy as to whether a metes and bound description is also required. **(Repeat Comment)**
  - e. A stormwater maintenance agreement has been provided. The maintenance agreement should be revised to provide for a maintenance guarantee per §168-7(B), along with a schedule and cost estimate for maintenance.
12. A construction cost estimate has been submitted. We have the following comments:
  - a. The estimate notes two linear feet of ADA crosswalks, the plans appear to show ~120 LF.
  - b. The estimate notes 1582 LF of concrete curbs. This estimated amount does not appear to take into consideration the concrete curbing around the proposed building. In total, the plans appear to show ~2050 LF of concrete curbing.
  - c. The estimate notes 274 LF of timber curbing. This appears to be for the structural curb to the north of the parking area. We note that the timber guide rail to the south of the parking area does not appear to be accounted for.
  - d. The estimate notes 527 LF of 12" HDPE stormwater pipes. The plan notes 684 LF of 12" HDPE stormwater pipes.
  - e. The estimate notes 138 landscaping shrubs. The plans appears to show 81.
  - f. The underground stormwater chambers do not appear to be included in the cost estimate.

13. Plans have been referred to Orange County Department of Planning under GML 239. The Orange County Department of Planning has determined that there will be no significant intermunicipal or countywide impacts from this project's approval. They have also provided several advisory comments summarized below:
- a. Environmental Constraints: The project is in an area known to contain habitat suitable for Northern Long-Eared Bats.
  - b. Traffic Impact Analysis: The project is likely to result in an increase in traffic during peak weekday hours. The project will also require an encroachment permit from the NYSDOT. The applicant and the Village should coordinate with the NYSDOT on the traffic impact analysis and on any necessary mitigation measures.
  - c. Stormwater Pollution Prevention Plan: Due to the area of disturbance exceeding 1 acre, preparation of a SWPPP will be required. Proposed tree removal and increase in impervious surfaces is likely to result in a significant increase in stormwater runoff on site. The applicant has proposed the use of Stormtech subsurface stormwater storage chambers which the County supports as the proposed stormwater management for the project site.
  - d. Wetland Survey: The project will impact approximately 1,645 square feet of land within the wetlands and the 100-foot wide buffer area. The applicant should conduct a wetland survey with a qualified wetland biologist and the wetland boundaries resulting from this survey should be provided on the plan.
  - e. Lighting: The applicant has proposed ten building-mounted light fixtures at 18 feet high. The lighting plan at construction should include the following measures: fixtures located only where needed, with energy-efficient LED bulbs; fixtures that comply with International Dark Sky Association (IDA) guidelines for shielding; a lighting curfew that reduces lighting levels for areas that are not in use at a particular time; and lighting fixture height that is scaled to pedestrians and appropriately sized for the specific location.
  - f. Sewer Capacity: The Village should ensure that capacity existing in the wastewater treatment system to adequately treat the proposed wastewater flows. A capacity audit, a statement from the Orange County Department of Public Works, or other similar assurances should be obtained before this project is allowed to proceed.

We believe that the applicant has adequately addressed all of the Orange County Department of Plannings comments. **(Informational)**

14. Application is subject to Architectural Review. Applicant has provided renderings and material samples.

15. A short EAF was previously provided and intent for Lead Agency was circulated. At their December 15, 2025 meeting, the Planning Board authorized preparation of a draft negative declaration. **(Informational)**

16. A public hearing was opened and held on October 28, 2025 and extended until December 15, 2025 at which time the public hearing was closed. **(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.

**617.7**  
**State Environmental Quality Review (SEQR)**  
**Negative Declaration**  
Notice of Determination of Non-Significance

**Date of Adoption:** \_\_\_\_\_

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Monroe Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** 573 Route 17M Site Plan Approval

**SEQR Status:** Unlisted

**Conditioned Negative Declaration**      No

**Description of Action:** The action consists of the demolition of an existing veterinary office and kennel and for the construction of a two-story 23,342 sq. foot office building together with related site improvements including 55 parking spaces

**Location:** 573 Route 17M, Monroe, NY 220-5-19

**Reasons Supporting This Determination:**

1. The Village of Monroe Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).

2. After reviewing the Environmental Assessment Form (EAF) for the project dated October 15, 2024 revised June 17, 2025, the Planning Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

3. The proposed action will require connection with community water and sewer services. Water and sewer use are expected to be approximately \_\_\_\_\_ per day (gpd) utilizing water saving fixtures. The Village Engineer has reviewed the proposed water service connections and the proposed sanitary sewer connections and determined that both can be safely accommodated. The applicant proposes to connect to existing infrastructure located in Route 17m. Any approval will be subject to capacity at the Harriman Sewage Treatment Plant. The proposed connection is subject to review by Orange County Department of Environmental Facilities.

Commented [EK1]: Confirm sewer and water needs.

4. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the New York State Department of Environmental Conservation (DEC) issued SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001, January 2020). The proposed stormwater management system consists of an underground detention and infiltration system, hydrodynamic separator, porous asphalt, drainage pipes and catch basins. The SWPPP provides for attenuation of peak rates of runoff, water quality treatment and means and methods for erosion and sediment control. The Planning Board finds that the proposed stormwater improvements will mitigate current drainage conditions.

5. Landscaping/Tree preservation –.

The Planning Board requires all applicants to maintain landscaping buffers in perpetuity as a condition of the site plan approval.

6. Endangered species. The site area generally is known to provide habitat for a State listed Threatened species, the Northern long-eared bat. The site contains mature trees that will need to be removed prior to or during construction activities. If any of these trees do need to be removed, they will be removed in accordance with State recommended restrictions on ground disturbance activities to protect bats between the period from April 1 to October 31. This means that tree removal and the felling of trees that may be habitat for listed bat species will be avoided during the growing season by restricting the felling of trees to the period from November 1 to March 31. If this is not possible, the trees will be field checked by a qualified biologist prior to felling to ensure they do not provide suitable habitat for the State listed species. If they do, further consultation may be necessary with the DEC prior to any trees identified as habitat.

7. Historical Preservation – The site is located across Route 17M from the Monroe Cemetery which is part of the listed Monroe Village Historic District. The application was referred to the New York State Parks, Recreation and Historic Preservation (SHPO) for review and comment. Per correspondence from SHPO, dated July 29, 2025, given the site is located more than 90 feet from this cemetery a construction protection plan is not required.

8. Traffic – The applicant presented a Traffic Impact Study dated April 4, 2025, as revised August 7, 2025 prepared by LaBella PC (hereinafter "Study") which was reviewed by Kimley Horn on behalf of the Village of Monroe. The Study identified existing traffic patterns in the area surrounding the site, calculated the traffic generation expected from the proposed office and then analyzed the impacts of increased traffic on the identified intersections and streets. The proposed site improvements include reducing the driveway entrances from two entrances to one. The study indicated that the site will operate at acceptable levels of service following construction with a stop-control on the driveway approach. The site distance exceeds the recommendations of AASHTO's A Policy on Geometric Design of Highways and Streets, 2018. In addition, the Applicant's consultants evaluated whether a left turn lane on Route 17M was warranted. Although the proposed project meets the warrant for a left turn lane, there are other considerations such as consistency with the corridor, operations, and sight distance that should be taken into account when determining if a mainline left turn lane is needed at the intersection. Along the NYS Route 17M corridor, exclusive left-turn lanes for unsignalized driveways are not provided. The level of service analysis for the intersection indicates that the westbound approach will operate at a LOS A during both study peak hours. Furthermore, the queuing will be minimal (0.1 vehicles) for the westbound left-turn movement, which indicates that the westbound through movement will not be impeded by left-turning vehicles. Finally, the available westbound stopping sight distance exceeds the recommended stopping sight distance based on the observed operating speed, which indicates that westbound vehicles will have adequate time to observe and respond to a vehicle stopped performing a left-turn into the Site Driveway. Based on these other considerations, a westbound left-turn lane is not needed for this project.

The traffic analysis specifically assumes that the project is offices and not medical offices which tend to generate greater traffic impacts. The project will be specifically limited to offices. Should the applicant wish to develop medical offices further review is required. In addition, given the site's location on NYS Route 17M, alterations to the driveway require approval from New York State Department of Transportation. This approval is expressly conditioned on such approval. In the event, NYSDOT as a condition of approval require alterations to the site, including but not limited to the installation of a left turn lane, the Applicant shall return to the Planning Board for further review.

The project site is currently accessed via two full-movement driveways on NYS Route 17M. Vehicular access to the subject site will be improved by consolidating the two existing full-movement driveways to one full-movement driveway that will be designed and constructed in compliance with NYSDOT standards. The predominant circulation pattern of the site is counterclockwise with a two-way circulation on the western drive aisle and one-way circulation on the eastern drive aisle. The subject site is required to provide 2.79 off-street parking spaces for each 1,000 square feet of floor area. Therefore, the proposed project is required to provide 55 parking spaces and proposes 55 parking spaces, inclusive of three ADA-accessible spots; thus, the number of proposed parking spaces meets the Village's parking requirements.

The Application analyzed turning radius based upon a 100' spartan/smeal mid-mount tower ladder with an overall length of 44.5 feet and was further referred to emergency services including the Monroe Joint Fire District for review and comment. Based upon their review, the site provides sufficient access for emergency response.

9. Lighting. The applicant has proposed ten-building-mounted light fixtures at 18 feet high and has submitted a lighting plan showing that light will not. As a condition of approval, the applicant will be required to utilize fixtures which comply with International Dark Sky Association guidelines for shielding.

10. Wetland Disturbance – NYSDEC Freshwater wetlands were delineated by Michael Fraatz, NYSDEC on March 19, 2025, mapped by Edward T. Gannon, PLS on March 20, 2025. Said map has been validated by NYSDEC effective March 19, 2025 through March 19, 2030. A total of 234 square feet of disturbance is proposed within the wetland and 1,411 square feet in the adjacent area for stormwater improvements and a dumpster enclosure. Site plan approval is subject to the issuance of the requisite permits from the NYS DEC and the US ACOE is required prior.

Commented [EK2]: Check note on plan - which has permits prior to amended site plan vs subject to

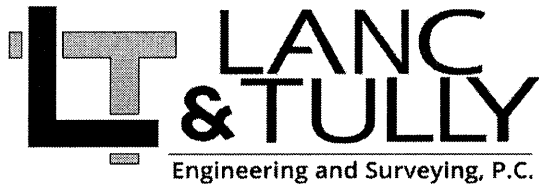
Based upon the above, the Planning Board finds that the proposed project does not result in an adverse environmental impact as defined by SEQR.

**For Further Information:**

Contact Person: Terri Brink, Secretary  
Address: Village of Monroe Planning Board  
7 Stage Road  
Monroe, NY 10950  
845.782.8341

**A Copy of this Notice Filed With:**  
Village of Monroe Planning Board  
7 Stage Road  
Monroe, NY 10950

Village of Monroe Department of Public Works  
Orange County Sewer District #1  
NY State Department of Environmental Conservation, Region 3  
NY State Environmental Notice Bulletin (ENB@dec.ny.gov) for Notice



# Village of Monroe Planning Board Review

<b>Project:</b>	424 – 434 North Main Street
<b>Tax Lot No.</b>	202 – 1 – 1; 202 – 1 – 2; 202 – 1 – 4
<b>Reviewed by:</b>	David Higgins, P.E.
<b>Date of Review:</b>	January 9, 2026
<b>Materials Reviewed:</b>	Letter of Transmittal dated December 29, 2025 as prepared by Brach & Mann Associates; Comment Response Letter dated December 26, 2025 as prepared by Arden Consulting Engineers, PLLC; Short Environmental Assessment Form (EAF) dated December 29, 2025; Basement Height Calculations dated October 24, 2024 as prepared by Brach & Mann Associates; and Site Plan dated December 22, 2025, as 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:**

The project includes the demolition of three dwellings and associated accessory structures for the construction of a two-story office building with basement storage on three tax parcels totaling 55,434 square feet (+/- 1.27 acres) in the LI Zoning District with access to NYS Route 208/North Main Street.

The Land Use Determination Letter provided by the Village Building Inspector indicates that the proposed use is a professional office. The property is located in the LI Zoning District where professional offices are permitted. Per Village Code §200-72(C)(1)(a) the erection of all buildings in the LI district requires site plan approval.

We have the following comments on the plans provided:

1. Basement height calculations have been provided. Unless the Building Inspector advises otherwise, we believe that, as proposed, the bottom floor meets the Code definition for a basement. We note that the grade plane (shown at 626.75) is shown exactly at the minimum elevation to still be defined as a basement (6 feet below the finished floor elevation of the floor above). Should the proposed bottom floor not meet the definition of a basement, a variance for exceeding the maximum number of permitted floors will be

required. We recommend site plan approval be conditioned on the bottom level meeting the code definition of a basement.

2. Where buildings are to exceed 30 feet in height, the NYS Fire Code requires two means of site access. The plan shows a potential connection to the adjoining commercial property (202-1-3). This would require the adjoining property owner's approval and reconfiguration of parking on that lot as well as a cross-easement agreement for parking.
3. We recommend the limits of disturbance be shown on the plans.
4. The plans indicate that the building will have a 7,981 SF basement, a 10,658 SF first floor, and a 12,943 SF second floor. The plans show a building footprint of 7,905 SF. The plans should show the extents of the upper floors. All the setbacks should be measured from the maximum extents of the proposed building.
5. The location of the proposed dumpster enclosure should be shown on the plans.
6. The proposed grading is shown to extend into the adjoining Lot 202-1-7.21 in the Village of Monroe and Lots 1-1-79 and 1-1-96.8 in the Town of Monroe. This will require a grading easement and may require approval from the Town of Monroe Planning Board.
7. Any and all easements affecting the property should be shown on the plans.
8. Applicant should provide a signed and sealed survey or have the plans signed and sealed by a licensed surveyor.
9. Once the broader issues are resolved, a full plan set will be required including detailed grading and utility plans, retaining wall design, erosion and sediment control, landscaping and lighting.
10. The EAF indicates that 1.27 acres are to be physically disturbed. This is greater than the 1-acre threshold requiring coverage under the NYSDEC SPDES General Permit for stormwater discharge. A SWPPP will be required.
11. The project location is in a high traffic area and near a busy intersection. We recommend the Planning Board consider requiring the applicant to provide a traffic study/evaluation.
12. The plans propose a connection to the adjoining property Lot 202-1-3. However, the access drive serving Lot 202-1-3 appears to be about 9 feet wide which is inadequate for vehicular turning movements and emergency access. The parking area on lot 202-1-3 should be reconfigured if it is to be used as access for the site.
13. A Short EAF has been provided as part of this submission. The submitted form appears to not have been prepared using the NYSDEC EAF mapper. The applicant should complete the form using the EAF mapper and resubmit.
14. EAF question 2 indicates that permits or approvals will be required from the DOT, the OCSD #1, and the OCP (239-GML). Based on the amount of disturbance, a SPDES permit from the NYSDEC will be required.
15. EAF question 9 indicates that the proposed action will not meet or exceed the state energy code requirements. Unless the Building Inspector advises otherwise, we understand

adherence to the state energy code will be required for issuance of a building permit. Question 9 should be answered yes.

16. EAF question 15 indicates that the site of the proposed action contains species of animals, or associated habitats, that are listed by the State or Federal government as threatened or endangered. We understand these species to be the Indiana Bat and the Northern Long Eared Bat. Plans should include a note limiting tree clearing to a period from November 1 through March 31.
17. In accordance with Village Code §200-72(E)(4) a public hearing will be required.
18. The plan will require referral to the Orange County Department of Planning under GML 239.

**This concludes our comments at this time. Our office shall continue with a review of the plans as more information is provided. If you have any questions please contact our office.**

January 12, 2026

**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  
424 – 434 N. Main Street, LLC  
SBL 202-1-1, 2 and 4

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The instant application seeks to merge three existing lots located at 424, 430 and 434 North Main Street, remove the three existing structures and replace the structures with one two-story professional office building totaling 30519 square feet with a footprint of 10,658 square feet. The applicant last appeared in January of 2024. Given the age of the application together with the 2023 zoning changes, I have treated my review as if it was a new application.

The following materials have been reviewed:

- Revised application, signed December 22, 2025
- Short Form Environmental Assessment Form Dated December 29, 2025
- Site Plan Set prepared by Arden Consulting Engineers, PLLC, dated December 22, 2025 consisting of 5 sheets:
  - Title Sheet
  - Existing Conditions Plan
  - Demolition Plan
  - Site Plan
  - Grading & Utility Plan
- Letter of Arden Consulting Engineers, dated December 26, 2025

I offer the following comments:

<i>Comment:</i>	<i>Satisfied?</i>
1. The project site was rezoned to Light industrial through the adoption of Local Law 12 of 2023 on September 14, 2023. Professional office (excluding medical/dental and business) is a permitted use subject to site plan approval. The Land Use Determination attached to the application predates the zoning amendment. Applicant to obtain updated LUD from the building department.	
2. Applicant to provide a narrative as to the intended use to confirm that the proposed use is in conformity with the Code. Prior iterations of the project provided for a mix of retail and office space which is no longer permitted under the code.	
3. The project is subject to 239 review due to the proximity to the Town of Monroe border and NYS Route 208. Referral must be made to the Orange County Department of Planning, the Town of Monroe, New York State Department of Transportation and NYS DEC	
4. I have reviewed the comment memorandum of David Higgins dated January 9, 2026 and concur with the same.	
<b>Application Comments</b>	
5. Applicant to clarify role of Joel Mann. If Mr. Mann is a consultant, the property owner should be listed as the applicant.	
6. The application materials refer to work on adjoining parcels. For example, the site plan provides parking calculations for lot 202-1-3. Owners of any such parcels must join in the application and provide consents and disclosures. All application materials including SEQR to be updated accordingly. See Comments 8, 11, 12	
<b>SEQR</b>	
7. The proposed action appears to be an unlisted action pursuant to SEQR. In light of proposed grading and improvements in adjoining Town of Monroe and impacts on NYS 208, I am recommending that a coordinated review pursuant to SEQR 6 NYCRR 617.6(b)(3). Involved agencies include Town of Monroe Planning Board, OCSD #1, NYSDEC and NYS DOT.	
8. The Applicant has submitted a short form environmental assessment form, dated December 29, 2025. Given the scale of the project, a long form environmental assessment form is appropriate. The Long Form EAF together with the results from the NYS DEC Mapper tool to be provided.	
9. The existing conditions plan, demolition plan and parking calculations give the appearance that the proposed project is part of a larger project extending to adjoining parcels within both the Village and the Town. Applicant to confirm the extent of the project so as to avoid impermissible segmentation under SEQR. In the event adjoining lots are to be part of the project and are within the Village, the property owner must join the application.	
<b>Plan Comments</b>	
10. Applicant to verify total square footage of building and footprint. There appear to be some inconsistencies across application documents.	

<p>11. Bulk Table: Minimum Frontage to be amended to Lot Width Add total side setback</p>	
<p>12. Applicant is on notice that significant road improvements are being proposed for the NYS 208/Main Street/Schunnemunk corridor. I recommend that the Planning Board require a traffic study and refer the application to our traffic consultant to confirm consistency and potential coordination with said proposed plans. Applicant to address anticipated change in traffic from current site improvements to proposed office improvements.</p>	
<p>13. Proposed site plan identifies traffic interconnections between subject site and the adjoining lots (SBL 202-1-3 to the south east and SBL 1-1-79 to the northwest). Applicant to provide consent of the adjoining property owners to such interconnection. Appropriate easements acceptable to the Village to be recorded prior to signing of the site plan shall be a condition of any approval.</p>	
<p>14. The proposed curb cut and driveway interconnection located at the northern end of the site are within the Town of Monroe and are subject to approval by the Town of Monroe Planning Board. Consent of the owner of SBL 1-1-79 shall be required.</p>	
<p>15. Site plan sheets to be updated to reflect current ownership (See Existing Conditions Plan &amp; Demolition Plan)</p>	
<p>16. Applicant to address signage in accordance with Article X. (Signage District #3)</p>	
<p>17. Applicant to demonstrate compliance with Article XI Parking and Loading. I draw the applicant to specific provisions noted below.</p>	
<p>18. 200-44 (I) Setback from residential use. No off-street open parking areas containing more than four parking spaces shall be located closer than 10 feet from an adjacent lot zoned or used for residential purposes. Loading spaces shall be located not less than 200 feet from any residential district boundary.</p> <p>SBL 202-1-7.2 is within the SR-10. Applicant to demonstrate compliance</p>	
<p>19. 200-44(J) - Screening. Parking lots and loading spaces shall be screened visually from adjoining properties. The screening plan shall be approved by the Planning Board.</p>	
<p>20. 200-45 (B) - Location of curb-cuts. Entrance or exit drives connecting a parking or loading area shall not be permitted within 25 feet of the intersection of two public streets.</p> <p>Applicant to demonstrate compliance. The proposed curb cut appears to be at or near the intersection of NYS Route 208 and North Main Street. I defer to Engineer John Canning as to suitability of the proposed location.</p>	
<p>21. 200-45 (G) - Pavement. Parking lots, including parking spaces and loading spaces and roads, shall be paved for proper drainage and shall have a</p>	

dustless all-weather surface, excluding gravel, and shall be delineated with curbing. The use of porous pavement is permissible where the subgrade conditions are acceptable for infiltration. Porous pavement must be designed and installed in accordance with the Design Manual described in Chapter <b>168</b> , Article <b>II</b> . Said drainage shall be approved by the Village Engineer.	
22. 200-45 (H) Illumination. Parking lots and loading spaces to be used at night shall be illuminated with lights so shaded and directed as to prevent glare on adjoining residential properties or the creation of a traffic hazard.	
23. 200-45 (I) Signs shall not be located in any parking or loading area, except as necessary for the orderly operation of traffic movement, such as guiding traffic, entrance and exit signs at access points, freight entrances and the like. Such signs shall not be a part of the permitted advertising space.	
24. 200-45 (J) - Parking lots shall devote 10% of the total required parking area to landscaping, which shall meet the provisions of § <b>200-32</b> , Trees and landscaping.	
25. Applicant provides a parking lot calculation for SBL 202-1-3. It appears this is for the purpose of demonstrating the proposed interconnections can be achieved while maintaining sufficient parking. Applicant to confirm that no other changes to SBL 202-1-3 are proposed.	
26. Applicant to submit a landscaping plan in compliance with § 200-32, Trees and Landscaping. The Applicant has identified existing trees on the existing conditions plan.	

This is a preliminary assessment and subject to change upon receipt of further submissions. Applicant to provide written responses to comments.



## Village of Monroe Planning Board Review

Project: 581 Route 17M  
Tax Lot No. 220-5-16.312  
Reviewed by: David Higgins  
Date of Review: January 9, 2026

**Materials Reviewed:** Amended Site Plan titled “581 Route 17M”, as prepared by Weinberg-Lim Engineering. Revisions dates of plan sheets 1, 2, 4, 6, and 9 being December 29, 2025; and revision date of plan sheet 7 being November 10, 2025; Minor Subdivision Plat prepared by Weinberg-Lim Engineering last revised December 29, 2025; two comment response letters from Weinberg Lim Engineering dated December 29, 2025; and Condominium Unit Plans;

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**

Project involves the construction of a new 7,185 square foot two-story office building (14,370 total floor area with basement for storage only) on a (1.63 acre parcel in the GB Zoning District. The property is currently developed with a retail shopping center with parking and access off Route 17M. The area being developed for the proposed building is currently a paved parking lot.

The Land Use Determination Letter provided by the Village Building Inspector indicates that the proposed building meets all setback requirements and number of stories with basement storage only and that the application requires an amended Site Plan approval with the plan showing the addition of a drive-thru for the pharmacy dated 2/12/2018.

We have the following comments on the plan:

1. The proposed dumpster enclosure is shown to be located 5 feet away from both the rear and side lot line. Village Code §200-34(H)(3)(h) prohibits locating dumpster enclosures

within any required setbacks. Applicant has requested a variance for the dumpster location.

2. The proposed area to be disturbed is 14,519 square feet (0.333 acres). Because the area of disturbance is less than 1 acre, filing is not required under the NYSDEC General Permit GP-0-25-001; and because the area of disturbance is less than 0.5 acres preparation of a SWPPP is not required in accordance with specifications in Article I and Article II of Village Code chapter 168. **(Informational)**
3. Landscaping calculations have been shown on Sheet 2 and demonstrate compliance with Village Code §200-45 J. At the August 11<sup>th</sup> Planning Board meeting, the Board discussed landscaping to which the design engineer indicated he would review the possibility of adding landscaping along the rear of the proposed building. Landscaping has been added along the rear of the proposed addition and the rear property line. The Planning Board should review the updated landscaping plan for adequacy.
4. A revised lighting plan has been submitted and shall be revised to comply with Village Code §200-34 A.(5). House-side shields or similar light-directing fixtures shall be modeled with lighting direction and foot-candle values provided.

Code §200-34 A.(5) is as follows:

- a. Light sources, including bulbs and LED arrays, must not be visible from public rights-of-way or neighboring residential properties.
- b. All outdoor lighting must be fully shielded to prevent any light from being emitted above the horizontal plane, with no more than 10% of the lamp's lumens allowed at or above an 80° angle.
- c. LED lights must have a color temperature of 3,000 Kelvin or lower (This has been addressed.)
- d. Light levels measured along any property line adjacent to a vacant or residential lot must not exceed 0.2 footcandles.
- e. Individual lighting fixtures shall not emit more than 3,000 lumens.

The plans provided show light levels greater than 0.2 footcandles at the property lines Applicant has indicated that all lighting will be provided with custom made house side shields to provide total cutoff of light at property lines. If this is acceptable to the Planning Board, we would recommend making this a condition of any action. **(Repeat Comment)**

5. The project is subject to architectural review by the Planning Board. Renderings showing the general appearance of the proposed building addition were previously provided by the applicant. Board should consider the proposed building addition appearance and applicant shall provide colors and materials of construction. **(Repeat Comment)**

6. Submitted documents include plans for dividing the buildings into individual condominiums. Approval of condominium projects is subject to Chapter 175 of the Village Code (Subdivision of Land). I defer to the Board's legal counsel with regards to procedure for review and approval of the condominium plan, maintenance agreements, etc... The following comments are offered relative to the submitted Subdivision Plat:
  - a. Map should include the seal and signature of a licensed surveyor. **(Repeat Comment)**
  - b. Metes and bounds must be provided for the perimeter of common area. **(Repeat Comment)**
  - c. As the map will require filing in the Orange County Clerk's Office, it is recommended that the applicant submit the plan to the County for preliminary review and comment so that any required notes or other information needed may be shown. **(Repeat Comment)**
7. In accordance with §200-72(E)(4)(d) of the Zoning Code, the applicant will be required to file with the Village Board a performance bond, letter of credit, or cash deposit sufficient to cover the full cost of all improvements or treatment. A site plan cost estimate should be provided for review and acceptance.
8. The Board adopted a resolution to declare Intent for Lead Agency on February 25, 2025. The Board has authorized preparation of draft negative declaration. **(Informational)**
9. The plans were sent to the Orange County Department of Planning for referral under GML 239. The County Department of Planning determined this to be a Local Determination and did not offer any recommendations. **(Informational)**
10. A public hearing is required. **(Repeat Comment)**

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.

November 21, 2024  
Revised 1-9-2025  
Revised 2-6-2025  
Revised 5-6-2025  
Revised 6-9-2025  
Revised 7-7-2025  
Revised 8-8-2025  
Revised 12-15-2025  
Revised 1-12-2026

## **MEMO**

TO: Village of Monroe, Planning Board  
Applicant

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

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of  
Yoel Weisz/BSD Y&U Realty LLC – 581 Route 17M

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I have reviewed the application of Yoel Weisz/BSD Y&U Realty LLC seeking amended site plan approval to construct a 14,370 square foot 2 story office addition with unfinished basement storage attached to an existing 2 story office retail and further seeks subdivision approval to convert the property into commercial condominiums. New materials since our last comment memorandum is in bold.

### **Submission materials include:**

- **Correspondence dated December 29, 2025 of WeinbergLim Engineering re Attorney Comments.**
- **Correspondence dated December 29, 2025 of WeinbergLim Engineering re Engineering Comments.**
- **Minor Subdivision Plat, prepared by WeinbergLim Engineering dated May 26, 2025, last revised December 29, 2025**
- **Condominium Plan (no date)**
- **Site Plan prepared by WeinbergLim Engineering dated January 14, 2024 last revised December 12, 2025 consisting of eight sheets**

I offer the following comments:

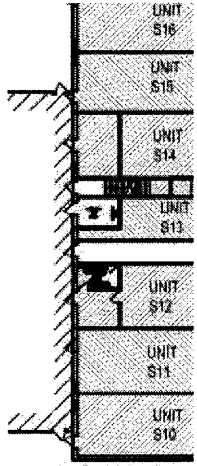
Comment	Status
1. Building Inspector Cocks issued a Land Use Determination dated February 7, 2024 that the proposed use is classified as an "Office" use as defined by the Village of Monroe Zoning Code.	For Information
2. Application is subject to site plan review subject to § 200-72.	For Information
3. Application is subject to GML 239 et seq. review due to its proximity to NYS Route 17M	For Information
5-6-2025 – Local determination by letter dated February 27, 2025	
4. Application is subject to a public hearing.	For Information
5. 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.	For Information
<p>6. Application materials to be updated and resubmitted to identify the property owner BSD Y&amp;U Realty LLC as applicant.</p> <p>2-6-2025 – repeat previous comment: 1-9-2025 – Although a revised application was submitted to reflect the subdivision, this comment has yet to be addressed.</p> <p>5-6-2025 – Application still reflects Usher Weiss as applicant. In some areas the application has been updated using PDF software. Any revisions should be reflected by a new signature and notary of an individual with authority.</p>	Comment Satisfied 6-9-2025
<p>7. <u>SEQR</u>:</p> <p>Applicant submitted a short form environmental assessment form dated March 8, 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 address no answer to question 9. Applicant to address yes answer in question 12a. Referral to SHPO is recommended. Applicant to address yes answer to question 13 a.</p> <p>2-6-2025 – Revised EAF submitted. Engineer's response to comment indicates "no items of historical significant value are located on the project site" but does not provide citation. Given the proximity to various know</p>	Comment Satisfied.

<p>historically significant sites, referral to SHPO is recommended. No response was received in connection with question 13a.</p> <p>2-25-2025 – Applicant has submitted a revised EAF. Although the applicant has provided a discussion of historical sites, referral to SHPO is recommended. Board has declared lead agency at its February 25, 2025 meeting.</p> <p>8-8-2025 – Applicant indicates SHPO response to be provided under future submission.</p> <p>12-15-2025 – Per letter dated December 10, 2025, SHPO indicated no adverse impact.</p>	
<p>8. Applicant to address parking and its request for fewer spaces than set forth in the code. Applicant to traffic impacts of the proposed action. Response to comment letter indicates 87 parking spaces while plan set indicates 96. Applicant to correct for consistency.</p> <p>1-9-2025 – Planning Board discussed reduced parking based upon the ITE calculations provided by Colliers Engineering. While the Board generally accepted the calculations as presented by Colliers pursuant to its authority found in § 200-46, applicant must update plans for consistency and provide appropriate landscaping (See comment 12). I note Engineer Higgins’ comments regarding parking in his most recent memorandum.</p> <p>2-6-2025 David Higgins to confirm plans have been made consistent I note the parallel spaces on the west side of the property appear to show only 4 spaces instead of the 5 noted.</p>	<p>Comment Satisfied</p>
<p>9. Applicant to correct bulk table (Lot Width, side yard setback)</p>	<p>Comment Satisfied</p>
<p>10. Wetlands/Stream. SEAF identify presence of water courses both on and in the vicinity of the project site. Applicant to 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>2-6-2025 – Response to comments indicates a study by EcolSciences, Inc. on December 19, 2024 shows no wetlands on site but that study is not found in the file. Applicant to submit the study.</p> <p>2-25-2025 – Study has been submitted.</p>	<p>Comment Satisfied</p>

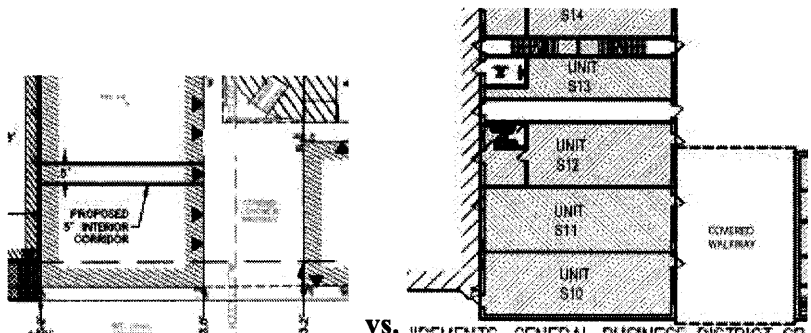
<p>11. Site Maneuverability. Applicant has included turning radii for emergency vehicles. Engineer to evaluate. It appears the turning radii jump the curb in the southwest corner of the proposed addition.</p> <p>2-6-2025 – revised plans show revised turning movements. Engineer to evaluate for sufficiency.</p>	
<p>12. Lot coverage/landscaping. 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). See also 200-44(J).</p> <p>2-6-2025 – A landscaping plan has been submitted. Planning Board to evaluate.</p>	
<p>13. Architectural Review. Application is subject to Architectural Review pursuant to § 200-73 of the Village Code. See § 200-73(C).</p> <p>2-6-2025 – Renderings of the addition have been provided. The applicant does not address any architectural changes to the front of the building. Planning Board to evaluate.</p>	
<p>14. Applicant to address any changes to signage.</p> <p>2-6-2025 – applicant indicates no alteration to existing site signage. Any approval shall incorporate sign review for future alterations of signage.</p>	<p>Comment Satisfied</p>
<p>15. Applicant indicates a lighting plan and stormwater plan will be submitted. Such plans are not included in this submission.</p> <p>2-6-2025 – Lighting Plan has been submitted. Dave Higgins to advise as to sufficiency</p>	<p>Remains Outstanding</p>
<p>16. The dumpster enclosure has been relocated to the northwest corner of the lot. The proposed dumpster enclosure is shown to be located 5 feet away from both the rear and side lot line. Village Code §200-34(H)(3)(h) prohibits locating dumpster enclosures within any required setbacks. Engineer Higgins recommended “Either the proposed dumpster location should be changed to be within the setbacks or a determination should be made as to whether this requirement is not applicable due to the location of the existing dumpster enclosure which is to be removed being within 5 feet from the property line.” The Building Department issued an interpretation dated August 16, 2025 indicated that a variance would be required.</p>	

<b>1-12-2026 – Applicant has indicated intent to apply for a variance.</b>	
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<b>Subdivision Comments:</b>	
17. Subdivision is governed by Chapter 175 of the Village Code which defines subdivision as “The division or any parcel of land <b>or structure</b> into two or more lots, blocks, sites <b>or units</b> , with or without streets or highways. Such divisions shall include resubdivision of parcels of land for which an approved plat has already been filed in the office of the County Clerk and which is entirely or partially undeveloped.”	For Information
18. The applicant is to submit a sketch plan in accordance with § 175-3. The required elements are identified in subsection “C.”	For Information
19. The subdivision as proposed appears to be a major subdivision as defined by your code: “Any subdivision not classified as a minor subdivision, including, but not limited to, subdivision of five or more lots, or any size subdivision requiring any new street or extension of Village facilities.” The Planning Board should adopt a resolution to classify as a major subdivision and follow the procedure as set forth in § 175-6 of the Village Code.  5-6-2025 – Building Inspector issued a determination that the project is to be classified as a minor subdivision. Planning Board is awaiting submission of a sketch plan.  6-9-2025 – The applicant has submitted a proposed minor subdivision plat. Please refer to comments 22- 29 below.	Comment Satisfied.
20. Applicant to address the maintenance and management of common area elements such as the parking lot and provide a declaration setting forth the same.  6-9-2025 – Applicant indicates that “maintenance and management of common areas will be unchanged from the current maintenance setup.” At present, the property is owned by one entity responsible for maintenance. Upon conversion to condominium, there were will be several owners. The applicant to provide a declaration setting forth the responsibility of those owners and whether there will be an association to operate the common areas.  8-8-2025 – Applicant has submitted a draft Declaration and By-Laws. Comments may be found below.	<b>Pending</b>
21. Condominiums are subject to the Martin Act. Applicant to obtain required approvals from the New York State Attorney General.	<b>Pending</b>

<p>8-8-2025 – Offering Plan was accepted by AG’s office on July 11, 2025. Applicant to provide written confirmation of the same. Subject to recording of declaration.</p> <p>12-15-2025 – Per applicant response to comments, revised offering plan matching the approved subdivision plan will be submitted to the AG’s office upon subdivision approval.</p>	
<p>22. Applicant to address whether proposed conversion to condominiums will result in any building alterations not shown on the site plan.</p> <p>6-9-2025 – Applicant indicates that no interior construction is proposed.</p>	<p>Comment Satisfied.</p>
<p>23. The units and existing interior walls appear to be defined utilizing the same line style making it challenging to see where each individual unit is included. It appears that areas of the building including potentially shared bathrooms are to be common areas. Applicant to clearly define interior and exterior common areas.</p> <p>8-8-2025 – lines have been made more clear.</p>	<p>Comment Satisfied.</p>
<p>24. Condominium Plan and subdivision plat shows windows and doors where the proposed addition is to be constructed. Applicant to confirm that is the intent. Applicant to further address the treatment of interior staircases terminating at proposed addition.</p> <p>8-8-2025 – The comment regarding the stairs has been satisfied. The revised drawings continue to show unit exits into another unit verses entering into a common space.</p> <p>12-15-2025 – Response to comments indicate that plans have been revised to show unit exit doors to common areas. However, doors still appear to be entering into private unit. Applicant to confirm if that is the intent.</p>	<p>Comment Satisfied.</p>
 <p>1-12-2025 – Applicant confirmed this was the intent</p>	

25. 5' proposed interior corridor shown on the site plan is not carried over into the subdivision of units. Is such corridor to be a common area or part of a defined unit.  8-8-2025 – Comment Addressed	Satisfied
26. Recommend that the orientation of condominium plan be oriented so that North arrows match to facilitate review and coordinate of condominium plan and site plan.	Comment Satisfied
27. Condominium floor plan appears to show portions of stairs within individual condominium areas. Is this an under-stair space or actual stairway? 12-15-2025 – Plans have been revised to show stairs as common area.	Comment Satisfied
28. Condo Unit S13 has an area identified as both common space and as a commercial unit. Applicant to clarify designation.  1-12-2025 – Unit S13 is now clearly designated.	Comment Satisfied
29. Applicant to add measurements to units S15 and S16 as well as clarify linework to make condo consistent with the rest of the plan set.  1-12-2025 – Linework on condo layout and subdivision plat is now consistent.	Comment Satisfied
30. Unit N 20 to be added to subdivision plat.	Comment Satisfied
<b>Declaration Comments</b>	
1. Cover page to be updated to reflect correct address including the correct Village and Town.	Comment Satisfied
2. Page F-1, #4 – the description of 17 retail units and 2 office units does not match the floor plans which are 13 retail units and 4 office units. The description further describes 1 “land unit” which appears to be the area for the proposed 2 story office building addition. The land unit appears to be treated as a limited common element for Unit S 16 elsewhere in the document. Unit L or Land Unit is not listed as a unit in Exhibit “B”. Applicant to discuss the treatment of the proposed office addition once constructed under the condominium documents. Condominium documents and planning documents to be made consistent.  12-15-2025 – While the units were corrected, the treatment of unit L remains unchanged. See Exhibit B.  1-12-2026 (repeat comment)	Remains Outstanding
3. Page F-3 # 8(a) – Declaration references yard assigned to Unit S16 with reference to floor plans but no “yard” is shown on the floor plans. Applicant to clarify.  1-12-2026 (repeat comment)	Remains outstanding

4. Page F-4 - # 10(3) – Declaration makes reference to treatment of unit if subdivided. Declaration shall be revised to reflect that subdivision is subject to further review by the Village of Monroe Planning Board.	Comment Satisfied.
5. Page F-5 # 15(a) – I note that the proposed floor plan requires potential access through various units. The declaration provides for an easement in that regard. While not necessarily a planning issue, I question the marketability of such approach.	Comment Satisfied
6. Page F-6, # 17, remove reference to resident Superintendent.	Comment Satisfied
7. Page G-5 – there appears to be a number issue. Applicant to confirm.	
8. Page G-5 (B)(i) – change “time or recording” to “time of recording”	Comment Satisfied
9. Page G-16, 5.2 – Further subdivision of units to be subject to Village of Monroe Planning Board review.	Comment Satisfied
10. Page G-20 – 5.6 – remove references to residents. This is a strictly commercial property. See also 5.7 (B), eliminate references indicating or implying residential occupancy; See also Page G-39, #7	Comment Satisfied
11. Page G-22, 5.11 City Collector to be amended to Receiver of Taxes.	Comment Satisfied
12. Revised floor plans have been submitted. However the unit designations have been removed and it difficult to identify whether requested changes have been made. <b>1-12-2026 – revised condo layout has been submitted which is more clear. Applicant to include a title block and date for reference as a condition of approval and prior to signing plat.</b>	Comment Satisfied
13. Site plan and subdivision layout are different with respect to the five foot corridor.   <p>VS. REVISIONS GENERAL PURPOSE FLOOR PLAN</p> <b>1-12-2026 – revised submission appears to provide consistence between site plan, subdivision plat and condo layout.</b>	Comment Satisfied

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

**617.7**  
**State Environmental Quality Review (SEQR)**  
**Negative Declaration**  
Notice of Determination of Non-Significance

**Date of Adoption:** \_\_\_\_\_

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Monroe Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Site Plan Approval and Minor Subdivision of 581 Route 17M

**SEQR Status:** Unlisted

**Conditioned Negative Declaration**  YES  
 NO

**Description of Action:** The action consists of an amended site plan application and special use permit application submitted by YOEL WEISZ/BSD Y&U REALTY LLC for the construction of a 14,370 square foot 2 story office addition with unfinished basement storage attached to an existing 2 story office retail together with related site improvements. The applicant further seeks minor subdivision approval for purposes of converting the existing building into condominium ownership.

**Location:** 581 Route 17M (SBL 220-5-16.312)

**Reasons Supporting This Determination:**

1. The Village of Monroe Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form (EAF) for the project dated March 8, 2024, revised February 6, 2025, the Planning Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. Parking – The Applicant submitted a memorandum prepared by Colliers Engineering & Design seeking a reduction in required parking as set forth in the code. That memorandum discussed the Institute of Transportation Engineers (ITE) Parking Generation Manual, 6<sup>th</sup> Edition recommended parking rates together with the fact that the spaces are shared, that the proposed 95 parking spaces would be adequate to serve the proposed development. Colliers indicated that at the highest peak time of 2 p.m. the site would likely use 66 spaces.

The existing parking lot will be reconfigured to (1) allow traffic to circumnavigate the building, provide buffering and provide for better spacing of parking aisles. No change is proposed to the entrance on NYS Route 17M. The applicant has provided turning diagrams to demonstrate that fire equipment (Smeal Mid Mount 100' Tower and Pumper Truck) can adequately traverse the

site. The application was also reviewed by the Monroe Joint Fire District and found to be acceptable.

4. Dumpster – The site is presently served by an enclosed dumpster located at Southeast corner of the site. The dumpster location does not comply with § 200-34(H)(3)(h) which prohibits locating a dumpster in a required setback. The current location which is in the side yard set back is permitted as a preexisting. The applicant proposes to relocate the dumpster enclosure to the southwestern corner of the site. This location permits greater opportunity for landscaping and a more direct access for dump trucks to service the dumpster. The new location requires a variance from the Zoning Board of Appeals. The Planning Board believes the proposed location is a more suitable location. Should the Zoning Board of Appeals denies the variance, this topic will need to be reevaluated.

5. Historic District – The EAF identified a potential impact on historic resources (Question # 12a). The application was referred to SHPO, who by letter dated December 10, 2025 indicated that the project would not have an adverse impact.

6. Lighting – The Applicant has prepared a lighting plan. Although the lighting plan identifies light levels greater than 0.2 footcandles at the property lines, the applicant is proposing custom house side shields to provide a total cut off at the property lines. Because these shields cannot be accurately modeled, the applicant has agreed to an inspection prior to the issuance of a certificate of occupancy of the shields. In the event the shields do not achieve a light level of 0.2 foot candles at the property line, the applicant shall install alternative lighting. Lighting shall be in conformance with § 200-34A(5) of the Village of Monroe Code.

7. Wetlands – The SEAF indicated the potential for impacts to state or federal wetlands or waterbodies. EcoSciences, Inc. conducted a field evaluation on December 19, 2024 and determined that no wetlands or other regulated waterbodies are present within the property. By virtue of the foregoing, the Planning Board finds that the project will have no adverse environmental impact on wetlands.

8. Endangered Species – The EAF identified the potential presence of the Northern Long-eared Bat. Given the site's existing development, tree clearing is anticipated to be extremely limited if at all. As a condition of approval, tree clearing shall be conducted from November 1<sup>st</sup> through March 31<sup>st</sup> when the bats will be hibernating. As such, the project will have no adverse environmental impact on endangered species.

9. Stormwater - The proposed area to be disturbed is 14,519 square feet (0.333 acres). Because the area of disturbance is less than 1 acre, filing is not required under the NYSDEC General Permit GP-0-25-001; and because the area of disturbance is less than 0.5 acres preparation of a SWPPP is not required in accordance with specifications in Article I and Article II of Village Code chapter 168

**The Planning Board reserves the right to reopen SEQR in the event new information is presented that identifies an adverse environmental impact not previously considered by the Planning Board.**

**For Further Information:**

Contact Person: Terri Brink, Secretary

Address: Village of Monroe Planning Board  
7 Stage Road  
Monroe, NY 10950  
845.782.8341

**A Copy of this Notice Filed With:**  
Village of Monroe Planning Board  
7 Stage Road  
Monroe, NY 10950

Village of Monroe Department of Public Works  
NY State Department of Environmental Conservation, Region 3  
NY State Environmental Notice Bulletin (ENB@dec.ny.gov) for Notice

DATA

# GREENPLAN

## MEMORANDUM

**To:** Jeff Boucher, Chairman  
Village of Monroe Planning Board

**From:** J. Theodore Fink

**Date:** January 12, 2026

**Subject:** 386 Route 17M Review

GREENPLAN INC.  
302 Pells Road  
Rhinebeck, NY 12572-3354  
T 845.876.5775  
E [JTfink@greenplan.org](mailto:JTfink@greenplan.org)

The above application requiring Site Plan review and approval and a Special Use Permit has been reviewed and comments prepared below. The applicant seeks to further develop a ± 2.505 acre parcel with an existing “1 story block building”, a “1 ½ story stone dwelling”, a “2 story frame dwelling”, a paved driveway and paved parking, and other improvements on the parcel, located at 386 Route 17M. The documents below have been reviewed:

- Survey Map for 386 Route 17M, dated September 16, 2024. The survey was prepared by Civil Tec Engineering & Surveying PC.
- Layout Plan, dated October 30, 2025 and Truck Turning Analysis dated October 30, 2025. Both drawings were prepared by WeinbergLim Engineering.
- Short Environmental Assessment Form (EAF) dated 10/29/25 provided in paper form. The EAF document found on the Board’s OneDrive for the project, but the one with a filename of “2025-10-30 386 Rt 17M SEAF.pdf,” appears to post date the paper copy but was not used in my review since it was not certified no signed with attribution.
- 386 Route 17M Proposed Storage Building Addition Plans consisting of building elevations and building layouts dated 08/12/25. 386 Route 17M Proposed Storage Building-Plans consisting of building elevations and building layouts dated 08/07/2025. Both documents were prepared by Brach & Mann Associates.
- Correspondence between the Village Code Enforcement Officer and the Planning Board reciting the recent history of Code Violations and Stop Work Orders issued for the property.
- Comments by the Planning Board’s other professionals.
- The applicant’s response to comments provided in an October 28, 2025 letter response from WeinbergLim Engineering.

This review is provided for the Planning Board's workshop meeting on January 12, 2026. I may have additional comments as further information is provided. The applicant should provide a written response to the comments below (in addition to the Planning Board Engineer's and Planning Board Attorney's comments) in a future submission.

1. **Short EAF.** The following are my comments on the SEQR process:
  - a. The Short EAF form was provided and last certified by the applicant in a 10/29/2025 revision. My comments on the EAF below are in addition to those provided by the Planning Board's other consultants.
  - b. A Full EAF is warranted and recommended in this case for a number of reasons. According to the New York State Department of Environmental Conservation's (DEC) environmental databases, the site is located in and may contain important environmental resources that require additional consultation with State agencies and further assessment during the SEQR review process. The project site includes and has been mapped by New York State agencies for the following designations, each of which will require further information provided by the applicant:
    - Known Important Area for Rare Aquatic Animals
    - Significant Biodiversity Area in the Hudson River Valley
    - Important Bat Foraging Area, identified on the Short EAF Mapper Summary Report as the "Northern Long-eared Bat", classified as both a State and Federal Endangered Species
    - FEMA 100 and 500 year Flood Hazard Zones (see also FEMA Flood Map Service Center)
    - National Wetlands Inventory Riverine habitat
  - c. The site is within an area identified as an "Archaeological Buffer" according to the New York State Cultural Resource Information System (CRIS). This means that the site is located "around recorded archaeological resources" and may be archaeologically sensitive, therefore requiring further consultation with the State Historic Preservation Officer (SHPO). Consultation should be initiated once the applicant has provided the Part 1 Full EAF.
  - d. I am in agreement with the Planning Board Attorney that the proposed action should be classified as an Unlisted Action. A Coordinated Review is recommended because there are other agencies involved and/or interested. Route 17M is a State Highway and the applicant states in the October 30, 2025 WinbergLim Engineering letter to the Planning Board that the site driveway entrance "has been widened." The NY State Department of Transportation should be included in the list of required approvals. The NY State DEC should be included in the list since the October 30, 2025 WinbergLim Engineering letter to the Planning Board indicates that a SWPPP "will be prepared for a future submission." The presence of probable "waters of the United States" consisting of federal jurisdictional wetlands may require consultation with the US Army Corps of Engineers and potentially a Water Quality Certification from the DEC for any filling of the wetland. The presence of 100 and 500 year floodplains on the site, that will be

impacted by the proposed new 60' x 90' building and the installation of the six landscape material bins, means that a Floodplain Development Permit from the Town Building Inspector/Code Enforcement Officer is required. Development within FEMA floodplain areas requires that an assessment under SEQR be conducted. The Orange County Planning Department should be included because of the required referral of the two applications to the County agency pursuant to Section 239 of General Municipal Law. The Full EAF and on-site environmental surveys are needed to determine the potential impacts of the proposed project on identified resources. This includes a "Tree Plan" and survey of existing trees as required by Section 200-32.E of the Zoning Law (see also Lanc & Tully Engineering and Surveying, P.C. review comments dated March 10, 2025).

- e. A coordinated review using the Full EAF is warranted. When multiple other agency approvals are required, a coordinated review will streamline the process and create one environmental review process for the proposed action. Once the applicant submits a Full EAF, then the coordinated review process can commence following the Planning Board's classification as an Unlisted Action and the Board's declaration of its intent to be lead agency.
2. **Preliminary Environmental Issues.** The following have been identified from the Short EAF and proposed Site Plans as potential issues to be further addressed in the SEQR review process, once the applicant submits a Full EAF and the coordinated review process has been completed. There may be additional issues identified once a Full EAF has been submitted.
- a. The above noted November 10, 2025 correspondence from the Code Enforcement Officer to the Planning Board indicates that earthmoving activities have been conducted on the site without required approvals. Since the Planning Board is responsible for ensuring that proposed development complies with the existing Zoning Law, if there are outstanding violations, it may be an indication that the site is presently in non-compliance with the Village Code as well as State and Federal rules that must be incorporated into the review process.
  - b. The applicant should provide documentation of the work completed to date that has been cited for violation so the Planning Board can determine whether the proposed project could pose a risk to public health and safety as a result of the work completed. The applicant should discuss if the work involved any areas of the 100 and 500 year floodplains, the potential federal Jurisdictional wetlands identified on the site as shown on the 10/30/2025 Layout Plan, and/or other affected areas of the site.
  - c. The Short EAF states that "Wetlands are not to be disturbed." However, as noted above, the applicant's engineer stated in its October 28, 2025 letter that "the entrance has been widened." The entire driveway is shown on the Site Plan as proposed for widening and since the entrance to the site includes a structure over a tributary to the Ramapo River that is noted above as a "Riverine wetland." This area may be considered waters of the United States and may be subject to further review and enforcement. On the 10/30/2025 Layout Plan, a "Wetland Limit Line" is shown and a note indicates the

wetlands were delineated on August 30, 2024. Did the earthmoving work occur subsequent to the Wetland delineation or prior to?

- d. The wetlands report completed for the delineation by Mike Nowicki should be submitted for review. The applicant should also discuss how the delineation was conducted, whether it was under Federal and/or State criteria, whether the widening involves proposed fill in the wetlands or whether such fill has already occurred in relation to the October 28, 2025 statement, and such other information that will be required to conduct an assessment of the impacts on the wetland's functions and values.
- e. Since the wetlands area is also part of the FEMA 100 and 500 year floodplains, this information may be needed for purposes of the Floodplain Development Permit. It appears as if only the 100 year floodplain has been shown on the proposed Site Plans and does not include the 500 year floodplain area shown on the Survey Map for 386 Route 17M. Applicant to explain.

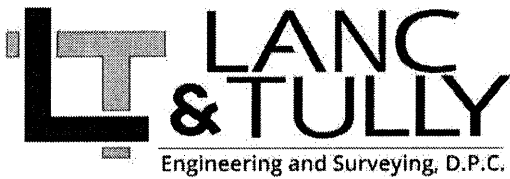
### 3. Zoning and Site Plan

- a. The written response to this Memo needs to include a list of all information required by Section 200-72.I and whether it has been included on the proposed Site Plans. Any requests for a waiver from the requirements of such Section must be requested along with the reasons for a requested waiver.
- b. The applicant should explain why the proposed parking spaces to be provided are more than that required by the Zoning Law.
- c. The application is subject to Section 200-32, Trees and landscaping. As stated in this section: "It is the purpose of this section to ensure that the greatest number of trees possible are preserved and left standing before, during and after the subdivision, site plan and construction process...[and]...It is the intent of this section to have the developer provide for additional landscaping which goes beyond the replacement of trees removed..." [see 200-32.A]. The "Tree Plan" requirements are in addition to the landscape plan and details provided on the Site Plans. The applicant should review and become familiar with these additional requirements. A "tree plan" needs to be submitted along with the Site Plan drawing and provided in an upcoming submission as part of the SEQR review process.
- d. The proposed landscaping of the site will be especially relevant to the existing residential uses on the site in addition to the existing adjoining residential uses northeast of the site. A special use permit condition requires that: "The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings." The Planning Board must reach a "Finding" that this condition has been met. [see Section 200-48.2.B of the Zoning Law].
- e. Since the proposed use involves and expansion of a landscaping business with daily truck activity, loading and unloading of trucks and trailers, and required use of audible backup warning on commercial vehicles, an issue that will be relevant to both the SEQR

review process as well as the issuance of the special use permit will be the extent of the proposed project's affects on the existing residents and the adjoining residences to the northeast of the site in terms of the: "Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted use not requiring a special use permit." The Planning Board must reach a "Finding" that this special use permit condition has been met.

- f. The Planning Board's other consultants have called for additional details to be provided to demonstrate compliance with the Zoning Law and the applicant has stated that this information will be forthcoming. I may have further comments when such revised plans have been submitted for review.

cc: Elizabeth Cassidy, Esq.  
David Higgins, PE  
Ronald Svrcek, Code Enforcement Officer



# 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(I) 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(I)(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.

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

December 15, 2025

**MEMO**

TO: Village of Monroe, Planning Board  
Applicant

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

FROM: Elizabeth K. Cassidy, Esq.

RE: Attorney comments on application of Threetel Holdings for site plan approval and special use permit.  
324 NYS Route 208  
SBL 203-3-3.22

I have reviewed the application of Leo Markowitz of Threetel Holdings seeking site plan approval for "classification of existing buildings". The submission included the following materials:

- Planning Board Application dated August 27, 2025.<sup>1</sup>
- Land Use Determination dated December 29, 2025
- Short Form Environmental Assessment Form signed September 3, 2025
- Cover Letter of David Neimotko Architects date September 3, 2025
- Site Plan prepared by David Niemotko Architect dated September 3, 2025

I offer the following comments:

Comment	Status
1. The Property is located in the LI zoning district.	For Information
2. Per the Land Use Determination, Inspector Pace on December 29, 2025, has indicated that light industry and warehousing are both permitted uses in the LI zone. Both uses require a special use permit pursuant to § 200-48. With that said, the application materials differ from the plans	For Information

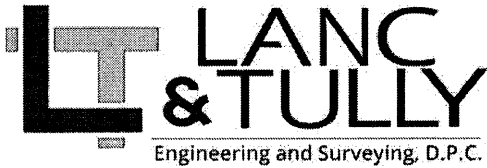
<sup>1</sup> The One Drive contains what is labeled as a revised application. All revised applications are to be redated so that the Planning Board and its consultants can distinguish which is the applicable document.

<p>submitted to the Building Department for purposes of the LUD. Specifically, the plans submitted to the Planning Board identifies the whole site as warehousing and does not identify light industry as an intended use. Moreover, the Environmental Assessment for project description identifies office, retail and autoshop uses. The applicant to provide a written narrative clearly describing the proposed uses of the building and where such uses are within the building. Applicant to further update all documents including application, environmental assessment form and plans for consistency.</p>	
<p>3. Application is subject to GML 239 due to its proximity to NYS Route 208 and the Heritage Trail. Page 8 of the application to be updated accordingly.</p>	For Information
<p>4. I have reviewed the memorandum of David Higgins, dated January 9, 2026 and concur with the same</p>	For Information
<p>5. A public hearing is required. See 200-72(E)(4).</p>	For Information
<p><b>Application Comments</b></p>	
<p>6. The application is facially incomplete. See Page, 8 and Submission checklist unsigned. Entity disclosure is then signed by Soloman Markovitz, not the applicant who is listed as Leo Markowitz. On some forms, it is signed by Lipa Markowitz. This is to be corrected prior to any further action by the Planning Board.</p>	
<p>7. The application stated that the application is for “classification of existing buildings” but offers no narrative or other indication as to what the existing or intended uses are and the intensity of those uses. The Planning Board understands that a significant amount of work was performed without Planning Board or Building Department. Uses or structures that are not installed legally cannot be treated as pre-existing non-conforming uses under the code. Applicant to obtain a determination from the building department as to which structures/uses of the premises are either pre-existing non-conforming structures/uses or have a certificate of occupancy and clearly identify pre-existing structures and uses on the plan.</p>	
<p>8. Application lists David Niemotko Architect PC as the applicant. Upon information and belief, David Niemotko is a consultant and not the</p>	

applicant. Applicant to confirm or update the application to name the property owner as the applicant.	
<b>SEQR Comments:</b>	
9. SEAF to reflect the correct applicant.	
10. Project description to be made consistent with plans and LUD submission.	
11. Applicant to address yes answer to Question 12b. Referral to SHPO is recommended.	
12. Applicant to address storm water discharge (Question 17) in narrative.	
<b>Plan Comments</b>	
13. Site plan to provide the elements as set forth in § 200-72(I)(1)(b)	
14. Applicant to provide a written narrative addressing the special permit criteria set forth § 200-48.2	
15. Bulk Table to be updated to reflect all existing and proposed uses located on site. I note David Higgins' comment # 4.	
16. Parking Analysis – Applicant to provide a use-by-use parking analysis.	
17. The Plans reference 61 parking spaces on the adjoining property.	
<p>The site is the subject of a reciprocal parking easement dated March 17, 2017 (Liber 14210, Page 1820). A note identifying the easement and recording information to be included in the plans. Applicant to identify the parking demand for adjoining site and address whether the change to uses has any impact on the existing parking demand for either site. Changes to the agreement are specifically subject to Village of Monroe Planning Board of Approval.</p>	

<p>Again, given the changes to the uses within the building without authority, the parking conditions cannot be treated as a pre-existing non-conforming use. See also David Higgins comment #7.</p>	
<p>18. The Applicant is on notice that an application to the Planning Board does not stay code enforcement proceedings and that the applicant must advance the application in good faith. The Village of Monroe reserves all rights afforded under NYS Law and the Village of Monroe Code.</p>	

This memorandum is based upon a preliminary review of the application. Additional submissions may generate further comment. Applicant to provide a written response to each comment.



# Village of Monroe Planning Board Review

<b>Project:</b>	324 NYS Route-208 - Threetel
<b>Tax Lot No.</b>	203-3-3.22
<b>Reviewed by:</b>	David Higgins, P.E.
<b>Date of Review:</b>	1/9/2026
<b>Materials Reviewed:</b>	Cover Letter of transmittal dated September 3, 2025, prepared by David Niemotko Architects, PC; Planning Board Application with Owner's Endorsement and Authorization to Inspect Property; short Environmental Assessment Form (EAF) dated September 3, 2025; and Site Plan consisting of a single sheet entitled, "Site Plan Mixed Use Development", last revised September 3, 2025, prepared by David Niemotko Architects, PC;

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.

We have the following comments on the plans provided:

1. Based on the Land Use Determination form, Site Plan review will be required along with Special Use Review for the Light Industry and Warehouse uses. **(Informational)**
2. Along with the uses identified in the Land Use Determination form and correspondence from the applicant, the EAF project description identified retail and auto shop uses. Retail Uses are not a permitted use in the LI District. Motor vehicle repair has greater setback requirements than light industry and warehousing as well as regulations specific to motor vehicle repair shops (see Village Code §200-51). We recommend the applicant confirm whether or not there will be any retail or motor vehicle repair uses and update the plans and EAF form accordingly.
3. The proposed uses of Warehouse and Light Industry are subject to Special Permit approval when located in the LI District. As outlined in §200-48.2 of the Code, certain criteria (e.g. traffic, noise, landscaping, etc.) must be addressed before a special permit may be issued. We recommend the applicant provide a project narrative outlining the historical use of the property, recent modifications made, and demonstrating compliance with the standards and conditions for special permit approval.

4. Based on the site plan, no new buildings or expansions are proposed. The plans zoning table shows that the front, rear, and single side yard do not meet the minimum setback requirements listed in the code. The Planning Board should solicit input from the building inspector to advise if these are pre-existing legally non-conforming conditions or if a they require a variance.
5. The applicant should advise how they propose to address the two buildings that have been determined by the Building Department to be unsafe. We note that the Building Department has requested an engineering analysis for the two unsafe buildings.
6. The plans provide a Zoning Table that includes the required setback dimensions for warehouse uses. The Zoning Table should include the required setback dimensions for all proposed uses.
7. The plan indicates 61 space parking lot on the adjacent property which is being utilized to meet the required number of parking spaces. The zoning code permits off-street parking to be located on a separate lot within 500 feet of the subject property with an easement [§200-44(D)]. If this is meant to serve as parking for the premises, then it should be shown fully on the plans and a parking agreement with the adjacent property should be provided.
8. The plans have provided a parking calculation based on a parking rate of 0.5 spaces per 1,000 gross square feet (gsf) which is the rate prescribed in the code for warehouse uses. As noted previously, the project proposes multiple uses (light industry, professional office, etc.) which have different parking requirements. The parking calculations should be revised to calculate parking based on the area of each distinct use.
9. The plans show no ADA accessible parking. Plans should be revised to include ADA accessible parking. Plans should also include ADA parking details.
10. The plans do not appear to show a dumpster enclosure. The applicant should address refuse collection.
11. Pursuant to Village Code §200-72(l)(1)(b) the following will need to be provided on or along with the site plan unless waived by the Planning Board:
  - Existing school, zoning, and special district boundaries within 100 feet of the tract
  - Details and turning calculations for all existing and proposed means of vehicular access and egress from the site.
  - Location of all off-street parking and loading areas
  - Existing and proposed landscaping
  - A detailed lighting plan showing proposed location, direction and type of outdoor lighting.
  - Existing and proposed contours with intervals of two feet.
  - Boundaries and identification of existing soil types as may be found in the Soil Survey of Orange County, New York.
  - 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.
  - Details of dumpster enclosure(s).

- A note specifying hours of operation

12. In accordance with Village Code §200-72(E)(4) a public hearing is required.

13. Due to the projects proximity to NYS Route 208 and the Heritage Trail referral under GML-239 will be required.

**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.**