

# VILLAGE OF MONROE

Workshop

February 9, 2026

**Present:** Chairman Boucher; Members Allen, Karlich and Hafenecker (member Hafenecker had to leave the meeting before adjournment). Attorney Cassidy and Engineers Higgins

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

**Pledge of Allegiance.**

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

**Open the Regular Meeting**

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

## Site Plan Review – Minor Subdivision

105 High Street – (206-3-10)

Two lot minor subdivision

**Present representing the owner:** Isaac Stein, Ideal Design

Engineer Higgins went over his review memo (attached). Regarding item #8, the applicant understands the issue and had no objection. Engineer Higgins noted that some of the comments were repeated and Mr. Stein confirmed that they have not submitted a new site plan and many of the comments will be addressed when they submit a new site plan. Attorney Cassidy went over her comment memo (attached). She said that assuming the applicant makes a revised submission based on the reviews and comments, we would be in a position to do the Negative Declaration and then can schedule the Public Hearing. It was explained that due to it being a subdivision, there has to be a Negative Declaration prior to a Public Hearing. Mr. Stein questioned item 5 on Engineer Higgins memo. Engineer Higgins said that it should conform and Attorney Cassidy noted that the formula needs to be shown on the map.

## Site Plan Review – Proposed 2,000 SF addition

123-125 Elm Street – (207-1-2&3)

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

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

Engineer Higgins went over his review memo (attached). Regarding item 7, Mr. Morgante suggested putting “No Parking” signs on the fence. Chairman Boucher said that landscaping is preferred. Member Allen noted that road salt in the winter would be problematic with landscaping. The Board discussed the options and generally agreed that landscaping in that area would not work and it was decided to go with signs and striping. Mr. Morgante also agreed to put more landscaping around the building itself.

Attorney Cassidy will start drafting a Resolution. Chairman Boucher asked about the fire codes and per Attorney Cassidy that will be a condition of approval. Mr. Deutsch asked about parking spaces required and Mr. Morgante wanted to make sure the resolution was drafted with the correct parking specifications. Per the minutes from the 12/9/2024 the Board had voted to reducing the number of parking spaces in order for the dumpster to be in a more preferable location. Mr. Morgante asked to clarify if there were able to satisfy the parking onsite without the overflow leased parking that would keep him from having to go to Frontier regarding the lease. Attorney Cassidy said that she will make it a condition that it is incumbent on the applicant to notify the Board of the determination from Frontier. Code Enforcement officer Svrcek mentioned that Verizon had recently purchased Frontier and that leased parking lot may not be available to the applicant in the future. Attorney Cassidy noted that the Planning Board ensured that the site could operate independently from that overflow parking lot. It is incumbent upon the applicant to notify the Planning Board if the license ceases. The applicant agreed to make a new submittal addressing any changes in the next few days so that the resolution could be reviewed at the February 24<sup>th</sup> meeting.

### 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:** Michael Morgante from Arden Consulting Engineers

Engineer Higgins went over his comment memo (attached) and items discussed were as follows:

#2 – Per Mr. Morgante this is a multi-family apartment building with 4 units. He believes it is a total of 8 bedrooms. Engineer Higgins stated that in the narrative it must explain how the property is being used and how they intend to use it.

#5 – Mr. Morgante will get a layout of the site and the fence will be put on the plans

#11 – Mr. Morgante has been told the vehicles will be pick up trucks towing landscaping trailers and possibly some lite dump trucks

#13 – Mr. Morgante believes the residential refuse will be garbage cans but will advise

Regarding the Tree Plan – Mr. Morgante said on the existing plan it notes trees but he has not put a tree plan together yet. Attorney Cassidy said that they will have to use Ortho imagery. Engineer Higgins added that the trees have already been cleared. Mr. Morgante will put something together for a future submission.

Mr. Morgante takes no exception to any of the comments. Attorney Cassidy went over her memo (attached) highlighting items not covered by Engineer Higgins. She noted that this is subject to GML239 review and a Public Hearing is needed. This appears to be an unlisted action under SEQRA and the board will have to determine if they want a full EAF, which she recommends due to the tree clearing. In the future, a materials list and samples for review will be required. She reminded the applicant that regarding the storm water, trees, & landscaping they will rely on pre-clearance conditions not existing conditions. Mr. Morgante agreed and will do the SWPPP as pre-clearance. She would like a determination from the Building Department on the accessory structure in the front yard. Regarding wet lands Mr. Morgante will get all of the information and have it put on the plans. Mr. Morgante will clear up the traffic flow/patterns making all parts of the site accessible and separated. The general site was discussed specifically how to deal with the residential structure in the middle of the site and how to keep the two uses separated. Chairman Boucher feels that this site should not be mixed use and he would rather see

the residential building be used for offices. Children living in the midst of a business site is problematic with trucks and forklift moving on the site. Mr. Morgante asked if, aside from the use issue, does the plan work? Chairman Boucher said preliminarily it looks like it could work without the residence. However, there will be a lot of truck traffic with a lumber company and fence company on the site which is not conducive to children living there. Chairman Boucher also sees potential issues with the children accessing the site and equipment outside of the business operating hours. Chairman Boucher had concerns with delivery drivers not expecting a residence with children to be in the middle of a business site. Member Allen brought up the noise from the movement and beeping of vehicles on a work site next to a residence. Mr. Morgante asked about the location and screening of the loading dock considering per Village code it must be 200' from a residential zoned property. Attorney Cassidy believes that it is more than 200' and Mr. Morgante will confirm. Mr. Morgante would like to come to a layout that the board is agreeable to before moving forward. Chairman Boucher and Member Allen said that preliminarily the site will work if the residential building was not in the middle of the site. Attorney Cassidy said there is a significant drainage issue along the back of the property with a block wall that was erected which may be affecting the drainage. Chairman Boucher said that per the residents, prior to the block wall there was no issue with flooding. Mr. Morgante will look into this situation and discuss the residential building in the middle of the site with the applicant. Chairman Boucher suggested that the Planning Board do a site visit to get a better understanding of the current conditions. Per Attorney Cassidy this project will be referred to Greenplan Inc. for review.

Regarding the next meeting scheduled for February 24, 2026, 123-125 Elm Street and the Public Hearing for 581 Rt 17M will be on the agenda.

Mr. Solomon from Airmont NY inquired about 56-58 Still Rd across from the Golf Course that is currently for sale. He is considering the property for a 55+ community and had a question about the code. The verbiage states affordable senior housing and he was asking if it is senior housing or if it has to be affordable senior housing. Attorney Cassidy said that this is a question for the Village Attorney and she suggests he reach out to the Village Clerk and request a pre-application meeting and an escrow may be required to cover the attorney's time. Attorney Cassidy will let the Village Clerk know that Mr. Solomon will be contacting her.

Chairman Boucher suggested a site visit to 386 Route 17M with the Planning Board and Engineer Higgins.

On a motion made by Member Allen and seconded by Member Karlich it was resolved to:

**Adjourn the Meeting**

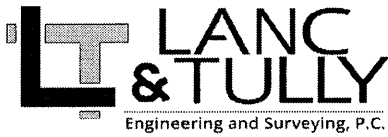
**Aye: 3**

**Nay: 0**

**Absent: 4**

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

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



## Village of Monroe Planning Board Review

Project: 105 High Street Subdivision  
Tax Lot No. 206-3-10  
Reviewed by: David Higgins  
Date of Review: February 6, 2026

**Materials Reviewed:** Boundary and Topographic Survey entitled “105 High Street” dated April 2, 2025 and revised December 28, 2025 as prepared by Heritage Land Surveying P.C., Plans entitled, “Preliminary Proposed 2-Lot Subdivision”, dated January 1, 2026 as prepared by Heritage Land Surveying P.C.;

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

### **Project Description**

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

We have the following comments on the submission:

1. The Bulk Table notes a front yard of 20.9’ for proposed lot A which is less than the required front yard of 30’. The bulk table includes a note indicating this as a pre-existing non conforming condition. The notation should indicate that the condition is unchanged as a result of the application.
2. The Bulk Table lists a side yard of 12.0’ for proposed lot A which is less than the required side yard of 15’. This appears to be a pre-existing non-conforming condition that is unchanged as a result of the application and should be noted as such on the bulk table.

3. In the bulk table, the lot area is subject to §57-21.1, which states that such phrase shall be deemed to be based upon net acreage following the exclusion of environmentally constrained lands such as wetlands, steep slopes, easements, etc. A note should be added to the plans stating that this has been addressed when calculating the lot area, meaning that any existing environmentally constrained lands have been subtracted from the total.
4. Based upon the Bulk Table, the area of Lots 1 and 2 total 26,849 sq.ft. (0.62 +/- acres). Site Specific Note #5 indicates the Lot Area to be 0.67+/- acres. Project surveyor should revise for consistency.
5. The Bulk Table should be revised to include requirements and confirm conformance with §200-24.1 (Floor Area Ratio for Single-Family and Two-Family Detached Dwellings).
6. The note under the Bulk Table denoted with the asterisk should indicate that the lot width is the measured distance between side lot lines measured at the required minimum front yard depth.
7. The plan notes that the submitted Sheet is Sheet 1 of 6, however we are not in receipt of the other 5 Sheets of the plan set. The entirety of the plan set should be included in future submissions.
8. The code only permits parking in the required front yard of a residential lot if it is on a single driveway no more than 20 feet wide [§200-44M]. The parking areas shown on the proposed driveways appear to exceed 20 feet in width. Unless the Planning Board prefers to waive this requirement, we recommend relocating the parking spaces to be outside of the required front yards.
9. On the previously submitted Sheet 2 (Existing Plan), there appears to be dashed lines (see area just above the "MDC" label). It is unclear what these lines are intended for. **(Repeat Comment)**
10. The previously submitted Sheet 5 indicates the total disturbance area is 5,161 sq.ft. which is less than the ½ acre threshold for requiring preparation of a full SWPPP. **(Informational)**
11. Regarding the submitted Short EAF form:
  - a. Question 12 indicates that the project contains or is substantially contiguous to a building, archeological site, or district which is listed on the National or State Register of Historic Places or has been determined as eligible for listing on the State Register of

Historic Places. Applicant has provided correspondence from SHPO indicating no potential impact on historic resources. **(Informational)**

12. Water and sewer service connections have been shown in the previously submitted Sheet 4. However, the separation provided between the water and sewer services is shown to be less than the 10 foot requirement. **(Repeat Comment)**
13. Connection of the sanitary sewer is subject to review and approval by Orange County Environmental Facilities. **(Informational)**
14. Property is within 500 feet of a State Highway and was referred to the Orange County Department of Planning under GML 239. A letter was received from the County dated November 12, 2025 which had no comments other than to indicate that the matter is a local determination. **(Informational)**
15. A public hearing will be required for the subdivision. **(Informational)**

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

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

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September 8, 2025  
Revised November 10, 2025  
Revised February 5, 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 Yoel Friedman for a two-lot minor  
subdivision located at 105 High Street  
SBL 206-3-10

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

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

- **Revised Application dated January 28, 2026**
- **Orange County Department of Planning Response dated 11-21-**
- **Minor Subdivision Plat prepared by Heritage Land Surveying P.C. last revised January 26, 2026 consisting of 6 sheets**
- **Survey dated April 2, 2025 prepared by Heritage Land Surveying P.C., last revised December 12, 2025**

I note that the applicant has replaced the proposed subdivision plat prepared by CJC Consulting Engineers with a plat prepared by Heritage Land Surveying. The submission appears to only contain the first sheet of six sheets of the plan set. The remaining sheets do not appear to have been updated to be consistent with the revised subdivision plat. In the future, Applicant is to submit a complete plan set so that the sheets can be reviewed for consistency

I offer the following comments:

Comment	Status
1. The Property is located in the SR-10 zoning district	For Information
2. The applicant seeks a two-lot residential subdivision, with direct access to Knight Street. The Planning Board to classify as a minor subdivision which is defined as “Any subdivision containing not more than four lots fronting on an existing street not involving any new street or road or the extension of Village facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the master plan, Official Map, if such exists, or Chapter <b>200</b> , Zoning, or this chapter.” See § 175-1. The process for approving a minor subdivision is set forth in § 175-4.	For Information
3. Application is subject to GML 239 due to its proximity to NYS Route 17M  <b>2-9-2026 By letter dated November 21, 2025, OCPD indicated the matter was one of local determination with no advisory comments.</b>	Comment Satisfied.
4. A public hearing is required. See § 175-4 (I). Public Notice to be in accordance with § 200-72E(4)(b)	For Information
5. Application is an Unlisted action pursuant to SEQR. The Board is reminded that unlike site plans, SEQR must be complete prior to holding the public hearing.	For Information
6. SEAF Comments: <ul style="list-style-type: none"> <li>a. SEAF to be updated to reflect Yoel Friedman as applicant.</li> <li>b. #2 to be corrected to Village of Monroe Planning Board.</li> <li>c. # 12 – Applicant to address Yes answers in connection with archaeological and historic sites.</li> <li>d. # 15 – note the yes answer; consideration of Northern Long Eared bats to be included in any approval.</li> </ul> <p>11-10-2025 – The applicant submitted a revised application to address comments 6a&amp;b. Applicant provided a letter of no impact from SHPO dated October 27, 2025. In the future, Applicant is directed to clearly mark all revised documents with a revision date.</p>	Comment Satisfied.

<p>7. Lot A is a corner lot and must comply with 200-18 as it relates to yards and site lines. Bulk table to include front yard setbacks for both High Street and Knight Street. High Street yard to be treated as a front yard with a 30' front yard setback.</p> <p><b>2-9-2026 – Bulk table to be updated to identify the Knight Street front yard</b></p>	
<p>8. The “Existing Plan” identifies two different lot lines based upon an apparent unrecorded survey. The plan further notes pins located along that same line. Per 200-16, “All required front setback depths shall be measured from the designated street line, front lot line or existing street line, whichever is a greater distance from the center line on the public street abutting the lot in question.” Applicant to demonstrate that it has legal title to the street line for purposes of measuring setbacks. Applicant to provide title insurance policy for review by Planning Board Attorney.</p> <p><b>2-9-2026 – While the revised subdivision plat addresses this comment, the revision has not been carried over to the remaining sheets of the plan set.</b></p>	<p><b>Remains Outstanding</b></p>
<p>9. Application and SEQR materials to reflect demolition of existing garage.</p> <p>11-10-2025 – SEQR EAF was updated but application materials were not.  <b>2-9-2025 – Comment Satisfied</b></p>	<p><b>Comment Satisfied</b></p>
<p>10. Subdivision Plat to be signed and sealed by licensed land surveyor.</p> <p><b>2-9-2026 – The applicant has submitted a subdivision plat prepared by Heritage Land Surveying PC. With that said, the applicant submitted only the first sheet of 6. Upon information and belief, the applicant intends to rely on the remaining 5 sheets prepared by CJC</b></p>	<p><b>Comment Addressed</b></p>

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>	123 - 125 Elm Street
<b>Tax Lot No.</b>	207-1-2
<b>Reviewed by:</b>	David Higgins, P.E.
<b>Date of Review:</b>	2/6/2026
<b>Materials Reviewed:</b>	Letter of transmittal dated February 2, 2026, prepared by Arden Consulting Engineers, PLLC; 123 Elm Street Lease Area description; and Plan Set entitled, "Site Plan & Lot Consolidation Plan for 123-125 Elm Street", last revised February 2, 2026, 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. 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 provided a metes and bounds description of the license area as was previously discussed. **(Repeated comment)**
3. In line with the decision of the Building Inspector's January 30, 2026 letter, the fence along the vehicle storage area has been revised to be located outside of the front yard setback established by the Zoning Board of Appeals as 11.2-feet.. (Informational)
  4. The dashed line designating the outdoor storage of vehicles (which now extends beyond the proposed fence) should be adjusted to be within the fenced in area.
  5. The gate for the vehicle impound yard should be shown.
  6. Is there a gate proposed between the storage yard and the rear area of the garage? As Elm Street was recently changed to be a one-way street, the applicant should consider relocating the sliding gate to the northwest side to avoid having to navigate the entire block to move vehicles from the storage yard to/from the building.
  7. During the January 12, 2026 Planning Board meeting, the Board discussed prohibiting parking along the road in front of the fenced in area. We recommend making this a condition of any action. We also recommend the board consider if any preventive measures (eg. Striping, bollards, landscaping, etc) should be provided between the fence and the street line to prevent parking.
  8. 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)**
  9. A construction cost estimate was previously submitted. We have the following comments **(Repeat Comment)**:
    - 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.
  10. 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. **(Repeat Comment)**

11. Any proposed signs are subject to a sign permit issued by the Village Building Inspector [§200-38.1]. **(Repeat Comment)**
12. 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)**
13. The public hearing for this project was held on February 25, 2025. **(Informational)**

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

February 27, 2024  
Revised May 9, 2024  
Revised September 9, 2024  
Revised October 7, 2024  
Revised December 9, 2024  
Revised January 13, 2025  
Revised November 10, 2025  
Revised February 9, 2026

## MEMO

TO: Village of Monroe, Planning Board  
Applicant

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

FROM: Elizabeth K. Cassidy, Esq.

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

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

The latest submission includes revised plans with a revision date of February 2, 2026

I offer the following comments<sup>1</sup>:

Comment	Status
1. The applicant has submitted a site plan and lot consolidation plan entitled "123-125 Elm Street," and dated January 3, 2024. The plan identifies three (3) separate tax lots: 207-1-2, 207-1-3 and 207-1-5. It is not clear from the submitted plans if it is intended that lot 207-1-5 is intended to be part of the application. At present, it appears to be included. Applicant to identify the purpose of including 207-1-5 or	Comment satisfied.

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<sup>1</sup> New material is in bold.

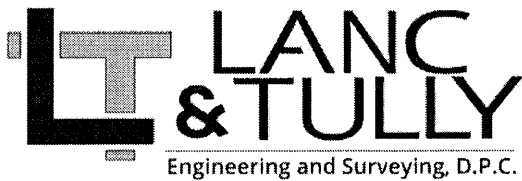
<p>revise the plans to reflect 207-1-5 as an adjoining parcel only. If 207-1-5 is not to be included in the project, Applicant to affirm that no other development is planned for lot 207-1-5 to avoid impermissible SEQR segmentation.</p> <p>5-9-2024 – Applicant cover letter advises that 207-1-5 is expressly excluded from the application.</p>	
<p>2. Applicant to submit a complete application reflecting the current ownership of all parcels included in the application and provide the necessary corporate disclosures and authorizations.</p> <ul style="list-style-type: none"> <li>• 207-1-3 – 123 Elm Street – 123 Elm Street. LLC (GB District)</li> <li>• 207-1-2- 125 Elm Street – 125 Elm Street LLC (GB District)</li> <li>• 207-1-5 – 20 Anderson Place – Ephraim Goldberger (SR10).</li> </ul> <p>Ownership must be consolidated into one entity/individual upon approval for consolidation.</p> <p>9-9-2024 – Planning Board Secretary to confirm receipt of disclosures and authorizations by all three property owners.</p>	<p>Comment Satisfied</p>
<p>3. I note the comments of Building Inspector Cocks, dated February 20, 2024 and the comments of Engineer David Higgins, dated February 12, 2024. I join in those comments.</p> <p>Please see Dave Higgin’s memorandum dated October 7, 2024, November 22, 2024, and January 10, 2025</p>	<p>For Information</p>
<p>4. Applicant to submit an Environmental Assessment Form. It is anticipated that this will be an unlisted action. I am recommending a coordinated review with the Zoning Board of Appeals pursuant to SEQR.</p> <p><b>2-25-2025 -Planning Board adopted negative declaration.</b></p>	<p>6-10-24 – Resolution to declare intent</p> <p>9-24-2024 – Assumed Lead Agency and completed Part II</p>
<p>5. The application will require variances from the Zoning Board of Appeals. I recommend a coordinated review under SEQR.</p> <p>Variances required:</p> <ul style="list-style-type: none"> <li>• 200-51N – Motor vehicle shop within 200 feet of recreation area. <b>(Granted)</b></li> <li>• Front yard setback <b>(50 feet to 11.2 ft Granted)</b></li> </ul>	<p>Comment Satisfied</p>

<ul style="list-style-type: none"> <li>• 200-64(A)(b) – Local Law 20 of 2023. Increase of non-conforming bulk (<b>Rendered moot by interpretation of the Building Inspector</b>)</li> <li>• Lot Size (<b>40,000 square feet to 39,518 square feet Granted</b>)</li> <li>• Rear Yard Setback (4.9 feet for garage structure, and 16.2 feet for principal building)</li> <li>• <b>Variance from 200-51 (I) Storage of vehicles in front yard granted subject to screening.</b></li> </ul> <p>10-7-2024 – Applicant has indicated that they will also seek a variance from the restrictions as set forth in § 200-51(o). (<b>Denied</b>)</p> <p><b>2-9-2026 – The Notice of Determination with the Planning Board is an abbreviated summary. A more detailed order was prepared in draft. Signed order to be provided to the Planning Board prior to signing of the plans.</b></p> <p><b>Building Inspector Wallner issued an interpretation dated February 2, 2026 as to the requirements of screen in connection with vehicle storage in the front yard. The current submission appears to address the determination by moving the fencing for the proposed vehicle storage area to the line.</b></p>	
<p>6. Building Inspector Cox issued a land use determination (LUD) dated March 30, 2022 as to only 125 Elm Street. LUD indicates that a Motor Vehicle Repair and Paint shop is a permitted use subject to special permit. The special permit requirements for a motor vehicle repair shop are located in § 200-51. BI Cox indicates a variance from § 200-51(N) is required. Building Inspector to confirm the status of the Land Use Determination Form and if a new form is required in light of the changes to and age of the existing applications.</p>	<p>Comment Satisfied.</p>
<p>7. Site plan shows encroachments onto County lands (Heritage Trail). Removal of these encroachments should be addressed as a condition of any approval.</p> <p>10-7-2024 – Applicant advises that Orange County DPW has indicated a preference that the existing encroaching fence. Applicant to provide license agreement indicating County consents to continued encroachment.</p> <p>1-9-2025 – awaiting confirming correspondence. Per email correspondence with the County Attorney’s office, discussions remain pending and an agreement has yet to be reached.</p> <p>11-10-2025 – Signed agreement received.</p>	<p>Comment Satisfied</p>

<p>8. Applicant to address landscaping and screening. Lot adjoins SR10 zoning district and will need required buffer between residential and commercial zoning districts.</p> <p>1-9-2025 – The Applicant has submitted a proposed landscaping easement in lieu of providing a vegetative buffer on site whereby the buffer would be maintained on the adjoining parcel. I offer the following comments:</p> <p>Para. 2 – states the purpose is to maintain the easement area in its current natural condition. The purpose to be amended to reflect the maintenance of a vegetative buffer.</p> <p>Para. 3 (f) prohibits the removal of vegetation living or dead unless it presents a hazard. To be amended to reflect that the grantor may maintain vegetative buffer including replacing dead vegetation.</p> <p><b>11-10-2025 – Awaiting revised agreement per comments.</b></p>	
<p>9. Applicant to address requirements of § 200-51 (O).</p> <p>10-7-2024 – See comment 5 above.</p> <p>11-10-2025 – ZBA denied variance. Applicant agreed to comply per narrative dated October 29, 2025. To be made a condition of approval.</p>	<p>Comment Satisfied</p>
<p>10. Applicant to address parking.</p> <p>5-9-2024 – Applicant is proposing additional spaces across the street on a leased lot (SBL 207-2-9). Applicant to update Application and EAF to reflect the same.</p>	<p>Comment Satisfied.</p>
<p>11. Applicant to close out New York State DEC Spill 1303159 prior to approval.</p>	<p>Comment Satisfied</p>
<p>12. Orange County Planning Department issued a 239 response dated July 2, 2024. I note the advisory comments of the Department</p>	<p>For Information</p>
<p>13. 10-7-2024 – Parking License Comments</p> <p>The applicant has provided a parking license for the use of the parking lot located across the street.</p> <ul style="list-style-type: none"> <li>• The license term is for 10 years through 2034 with a renewal option of an additional 5-year term. Applicant to address mechanism in the event leased parking is no longer available. Applicant to identify potential parking to be banked in anticipation of such scenario.</li> <li>• The licensed parking area should be for the parking of staff vehicles only, not vehicles under repair.</li> <li>• The agreement calls for the installation of a fence separating the licensed parking area from the rest of the property. The fence to be</li> </ul>	

<p>shown on the site plan. Fence to include slats to screen along side and rear lot lines.</p> <ul style="list-style-type: none"> <li>The license agreement provides that the licensor has the right to terminate the parking license in its sole discretion upon 90 days' notice. Notice of such termination to be provided to the Village. Paragraph 14 of the lease to be updated to reflect the same.</li> </ul> <p>1-9-2025 – Revised plans show 24 stacked spaces in a space labeled outdoor storage of vehicles. These spaces are for vehicle storage and should not be included in the parking space count. The plan identifies 24 spaces located across the street by virtue of a license agreement. In addition, the plan identifies 21 parking spaces on the site for purposes of demonstrating adequate parking in the event that the proposed licensed agreement is terminated in the future.</p> <p>The leased parking area is now labeled as vehicle storage area. Awaiting revised agreement per earlier comments.</p>	
<p>14. 10-7-2024 – Landscaping Plan</p> <p>Planning Board to review and evaluate landscaping plan for conformity with the Village Code.</p>	
<p>15. 10-7-2024 – Architectural Review</p> <p>Applicant has provided renderings. <b>Planning Board to evaluate samples.</b></p>	
<p><b>16. It is not clear where the entrance to the existing impound area is – applicant to clarify movement in between the two enclosures. Recommend landscaping in front of the fence, perhaps in planters.</b></p>	
<p><b>17. The applicant is reminded that Elm Street is one way and that vehicles will not be permitted to turn left out of the two enclosures. Given its current configuration, vehicles will need to be drive to North Main Street (i.e. around the block) to be brought into the proposed repair facilities.</b></p>	
<p><b>18. As a condition of approval, applicant shall demonstrate the site will operate in conformity with the New York State Fire Code (2025)</b></p>	

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



# Village of Monroe

## Planning Board Review

Project: 386 Rt 17M  
Tax Lot No. 217-3-12  
Reviewed by: Dave Higgins, PE  
Date of Review: 2/6/26

**Materials Reviewed:** Cover Letter prepared by Arden Consulting Engineers, PLLC dated January 29, 2026; Site Plan titled "386 New York State Route 17M" consisting of three sheets prepared by Arden Consulting Engineers, PLLC dated 1/25/2026

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 50'x100' building to be used for the sale and storage of lumber and building materials, as well as a 30'x40' 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 the Building Inspector 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 so long as no changes are proposed to the buildings.

### **Preliminary Comments:**

1. As noted in the Land Use Determination Form provided by the Building Department, Sale and Storage of Lumber and Building Materials is permitted under a Special Permit following §200-48. Accordingly, the Planning Board may approve the special use permit application, provided that it finds that all of the following conditions and standards have been met [§200-48.2]:

- A. The location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- B. 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.
- C. 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.
- D. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.
- E. Existing municipal facilities are adequate for the proposed use, or plans for the immediate or reasonably near-term expansion of such facilities are adequate to provide for such use.
- F. The property will be suitably landscaped to protect the neighborhood and adjacent property.

The applicant should provide a narrative describing the existing and proposed uses, and sufficient information to address the criteria for issuance of a special permit.

2. It is unclear if the existing two-story frame dwelling is a single-family or multi-family/apartment building. Plans should clarify.
3. The bulk table notes the proposed rear yard as 51.6-feet. Since the existing 1 ½ story dwelling is proposed to be removed, the proposed rear yard should be 54.1-feet. We recommend the bulk table be revised for consistency.
4. The proposed side yard for the 50'x100' storage building is shown as being exactly 20.0 feet, which meets the requirements. However, it would provide zero tolerance for construction of the building. It is recommended that the building side yard be increased somewhat to allow for construction tolerances and avoid any need for a variance.
5. Previous revisions of the plan included a fence around the rear of the residential buildings meant to separate the residential uses from the commercial uses. The fence does not appear to be shown on this revision of the plans, applicant to discuss.

6. 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.
7. The limits of the floodplain should be shown on the existing conditions plan.
8. Disturbance within the floodplain will be subject to a Floodplain Development Permit to be obtained from the Village Building Department in accordance with Chapter 107 of the Village Code.
9. Plans should note who delineated the on-site wetlands and when the delineation was performed. Applicant should confirm the jurisdiction of the wetlands by U.S. Army Corps of Engineer sand New York State Department of Environmental Conservation. Disturbance of wetlands will be subject to permitting requirements by the U.S. Army Corps of Engineers and/or New York State Department of Environmental Conservation.
10. 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. A loading dock has been provided on the plan that appears to have been shown within the 20- foot offset. Unless the loading areas are relocated, a variance will be required.
11. The plan proposes perpendicular parking with two directional flow with 24-foot wide maneuvering lanes. Village Code requires a minimum maneuvering lane width of 26 feet (§200-45.E). We also note that the plans propose 25-foot by 10-foot trailer and truck parking spaces. Applicant should advise what types/sizes of trucks these spaces will serve. These spaces may require greater maneuvering space.
12. The parking calculations indicate 10 parking spaces required for the residential use and 5 parking spaces for the lumber yard use for a total of 15 spaces. Although the parking calculations table indicates a total of 27 parking spaces are provided, a total of 48 spaces are shown, inclusive of the trailer and truck parking. Table should be revised for consistency.
13. Two dumpster enclosures have been shown on the plan in the vicinity of the commercial buildings. The proposed dumpster enclosures must be located outside of the required building setback per §200-34.H. The applicant should address refuse collection for the residential dwelling that is to remain.
14. Existing and proposed utilities shall be shown on the plans. **(Repeated comment)**

15. 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)**
16. A turning analysis should be provided.
17. Sight distances for the driveway shall be provided. **(Repeated comment)**
18. 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:
  - a. Existing school, zoning and special district boundaries within 100 feet of the tract.
  - b. Location of all existing and proposed waterlines, valves and hydrants, all sewer lines and other utilities.
  - c. A detailed lighting plan showing proposed location, direction and type of outdoor lighting.
  - d. Existing and proposed contours with intervals of two feet.
  - e. Boundaries and identification of existing soil types as may be found in the Soil Survey of Orange County, New York.
  - f. 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.
  - g. Details of dumpster enclosure(s).
  - h. A note specifying hours of operation
19. The plans do not identify the existing pipe racks and covered storage as to be removed. The applicant should advise if these are to remain, as the proposed landscape buffer will likely impair their use.
20. 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)**
21. 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)**

22. The limit of disturbance should be shown on the plan. **(Repeated comment)**
23. Details shall be provided.
24. An EAF was previously provided indicating the potential presence of endangered species/habitat (northern long eared bats). Plan should include appropriate mitigation measures (eg. Limiting tree clearing between April 1<sup>st</sup> and October 31<sup>st</sup>)
25. The previously submitted EAF form should be resubmitted for consistency with the current plan. Any agencies from which permits or approval are required should be identified in question 2 of the EAF.
26. The project is subject to Architectural Review per §200-73.
27. 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)**
28. A public hearing will be required. **(Repeated comment)**

This review should be considered preliminary in nature. Further comments will be provided pending receipt of additional information. 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.

February 9, 2026

**MEMO**

TO: Village of Monroe, Planning Board  
Applicant

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

FROM: Elizabeth K. Cassidy, Esq.

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

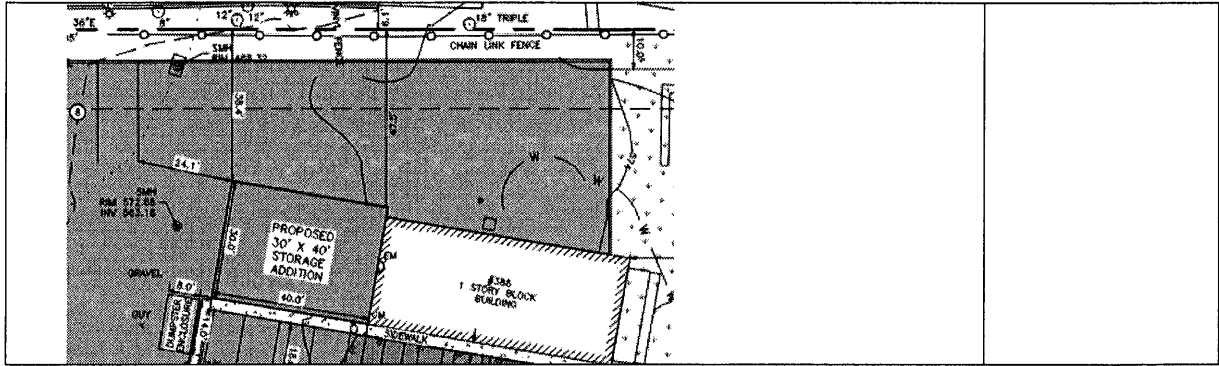
I have reviewed the most recent submission in connection with the application of 386 Route 17M LLC for amended site plan approval and special use permit approval to operate a sale & storage of lumber and building materials facility. The instant submission is presented as a conceptual plan and as such I have not undertaken an in-depth review. I would like to make the following comments.

I offer the following comments:

Comment	Status
1. The project site is located in the GB zoning district. The applicant seeks to expand existing landscaping office with an addition to the office and adding a 50'x100' storage building. The pre-existing non-conforming multifamily remain unchanged. The existing single family home would be demolished. By Land Use Determination dated September 25, 2024, the Building Inspector has classified the proposed use as "Sale & Storage of Lumber and Building Materials."	For Information
2. The project is subject to Site Plan review and Special Use Permit. See § 200-48 and § 200-72. Applicant to address the special use permit standards set forth in § 200-48.2.	For Information
3. The project is subject to GML 239 due to its proximity to 17M. Referral to include OCDP and NYSDOT.	For Information

4. A public hearing is required because it is a special use permit.	For Information
5. SEQR. The proposed action appears to be an unlisted action. Board to determine whether a Full Environmental Assessment Form is appropriate.	
6. Applicant to provide materials list and architectural samples for review	<b>Remains outstanding</b>
<b>Site Plan Comments</b>	
7. <b>I recommend the applicant prepare a narrative addressing the special use permit criteria</b>	
8. The property adjoins a residential zone. Planning Board to address adequate buffering and the required parking and loading setback. See § 200-44(I). The proposed concept plan appears to have a significantly wider landscaping buffer between the adjoining residential use and the proposed facility.	
9. Applicant appears to be paving the bulk of the site. Applicant to address impact of additional impervious surface on stormwater. Applicant to include previously disturbed areas for purposes of calculating disturbance.	
10. Applicant to address impacts on floodplain.	
11. Source of any imported fill and testing of fill to be test to the satisfaction of the Village Engineer. See requirements of § 200-31, "Land Disturbance."	
12. Applicant to address traffic flow both internal and external to the site including onsite maneuvering and site distance	
13. Applicant to address signage. Property is located in signage district 3. See Article X.	
14. Applicant to address landscaping and buffering. See § 200-44(J), § 200-45(J), § 200-32  Applicant effectively cleared the lot without appropriate approvals. Applicant to identify the number of trees cleared using orthoimagry and provide for replacement as required by 200-32.	

<p>15. Per 200-26.2 an accessory structure shall not be located in the front yard. Applicant to obtain a determination from the building inspector as to whether the materials storage bins can be located in the front yard.</p>	
<p>16. Applicant to delineate and identify wetlands on the site and identify any impacts to such wetlands. The Applicant to provide net development calculation as required by Local Law 4 of 2024, "Constrained Lands" and confirm compliance. I understand that Michael Nowicki has previously delineated the wetlands.</p>	
<p>17. Dumpster area to be enclosed and otherwise comply with § 200-34 (H). Dumpster may not be located in a required yard.</p>	
<p>18. Plan to be signed and sealed by a licensed Land Surveyor</p>	
<p>19. Prior iterations of the application appeared to use "warehouse" and "Sale &amp; Storage of Lumber and Building Materials" interchangeably. Applicant to clarify intended use so that the Planning Board can ensure use specific standards are addressed during the review process.</p>	
<p>20. The site appears to contain multiple uses. The bulk table must identify and account for each of the uses in calculating the minimum lot area required.</p> <p>For example:  Warehouse = 40,000 square feet of lot area  Sales and storage of lumber and building material = 40,000 square feet  Existing Residential = 20,000 square feet each</p>	
<p>21. The conceptual plan shows an area of pavement behind the existing building with no apparent purpose – it dead-ends and provides little room to turn around. I would suggest that if there is no purpose that such pavement be removed to reduce impervious coverage.</p>	



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