

VILLAGE OF MONROE

Workshop
August 10, 2026

DRAFT – Subject to Change

Present: Chairman Parise; Members Iannucci, Karlich, Hafenecker and Kelly. Engineers Higgins, Peters, and Canning, and Attorney Bonet

Pledge of Allegiance.

On a motion made by Member Hafenecker and seconded by Member Kelly it was resolved to:
Open the Workshop Meeting

Aye: 5 Nay: 0

Site Plan Review & Special Use Permit – Project Supply Gravel Lot

Project Supply Rt 17M - (214-1-56.22)

Gravel Lot to be used for Storage and Sale of equipment and building materials

Present representing the applicant: Avi Weinberg, WeinbergLim Engineering

Mr. Weinberg gave a brief overview of the project and where it stands. They have presented a new survey and have clarified some items. It is an existing gravel lot and noted that all the easements have been resolved. The applicant is proposing to store materials with minimal traffic, no employees, no customers and no restrooms. Strictly storage of materials. They are proposing screening along the fire department and the 17M frontage. There was a comment about the concrete barrier and it will be removed. They also are proposing an emergency access gate to keep people from entering and exiting the site. Member Iannucci asked what type of materials and if there would be salt? Mr. Weinberg replied it would mainly be block, probably not gravel and no salt. Member Hafenecker asked about the access to the lot. Mr. Weinberg explained it was just for overflow and he does not foresee trucks going back and forth across the lot. He also said that a flood development permit is required as it is in the FEMA 100-year floodplain that that will not have an impact stating it is not in the floodway. Chairman Parise asked if it is for overflow, wouldn't a contractor picking up block or stone need to access the site. Mr. Weinberg clarified that the owner is a site contractor. He is not a supplier. His staff and trucks will be taking the product stored in this location. It was clarified that the product will be taken from the overflow site to the main yard and not directly out of the storage site. This is for holding and storage not for pickup. Chairman Parise is also concerned about tractor trailers accessing the site and Mr. Weinberg will clarify that and has no problem putting a restriction. Member Kelly asked how is the product being delivered now? Mr. Weinberg replied that the deliveries are on the main site now and could be by tractor trailer but there will not be deliveries directly to the overflow lot. The overflow will be moved to the overflow lot using their own trucks. Member Iannucci asked if there will be dump trucks and Mr. Weinberg said no, there will not be gravel and such. Chairman Parise said the board would need to know how the operation will work and what type of trucks and what time of the day they would be at the site. Engineer Higgins went over his review memo (attached). Mr. Weinberg asked how the Board felt about the screening with 8-10 foot Green Giant Arborvitae. The Board asked about the height of the current product and if there will be racking? There will be no racks and product will most likely be on pallets. Mr. Weinberg asked if the screening needed to be higher than the product to be stored and said he would look for a taller species of tree. Engineer Higgins suggested checking with the owner since there is also a lot of equipment stored in an adjacent lot located behind fencing. They would not want material to be

exposed for theft or access by children since anyone can walk onto the site. Member Iannucci also said you would want to think about safety concerns if the lot is not fenced in and anyone could access it. Chairman Parise asked if the owner was against fencing and Mr. Weinberg said the owner envisions just a gate to keep trucks from accessing the site. Chairman Parise said we are concerned with the safety aspect and kids potentially accessing the site. Mr. Weinberg showed the board on the plans where the access gate would be off of the fire department's driveway and Engineer Higgins asked if it is outside of the NYS DOT right of way. Mr. Weinberg replied that it is. Member Iannucci asked why have a gate without fencing and Mr. Weinberg replied it was to keep vehicles from accessing the lot and vehicles will be unable to go around the gate due to the trees on either side. Chairman Parise said the application would need to be sent to the County for 239GML review and the Board would have to Declare Lead Agency. It was decided that scheduling the Public Hearing could be voted on at the next meeting on August 25, 2026 and Mr. Weinberg or any representative of the applicant would not need to attend.

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

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

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

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

Present representing the applicant: Senior Geologist Jon Dahlgren from Tim Miller Associates

Mr. Dahlgren said that the FEIS construction management plan included a phasing plan that shows how the construction of the building could coincide with the offsite traffic improvements, which are required for the project to proceed. It is his understanding that this plan was sent to the Planning Board's Traffic Engineer Mr. Canning from Kimley Horn and they have not received any comments. They have received comments from H2M on some engineering issues and noted that H2M recommends that the Board take a close look at the construction management plan. Engineer Peters from H2M said that the majority of the comments in their memo (attached) were for inclusion in the finding statement however there are some regarding the construction management plan that he summarized (these items are highlighted in yellow on the attached). Chairman Parise noted that there is a lot outstanding and he was not present for most of it. He also said that there has been a time lapse since the applicant was last before the Planning Board. Engineer Peters noted that this is the 5th review that H2M has done and until all comments are sufficiently addressed, they remain outstanding. With a very large portion of this project, being traffic, they would want the traffic engineer to be happy with the response too. Chairman Parise feels that the project should go back to the Village Board, since there has been a turnover there, for consideration and review of the construction schedule. Member Iannucci said it was her understanding that the phasing plan was still up in the air and they would need to see a plan before agreeing to it. Member Hafenecker said he thought that there was not supposed to be a shovel in the ground until the traffic improvements were completed. Mr. Dahlgren replied that it would be beneficial for the board to hear from the Village and the applicant's traffic consultant as they have worked out the details of the phasing plan where the building and traffic implements were done simultaneously. Chairman Parise asked when this happened and Mr. Dahlgren answered it was last year. Member Kelly said that he understood that this was not agreed and still up for discussion and Mr. Dahlgren agreed. Chairman Parise noted that there is a new site plan that was submitted and Mr. Dahlgren explained that the loading dock location was changed to be further away from the YMCA. Chairman Parise also noted that there would be a sound barrier wall constructed he also feels that the board needs to review the new plan and wants to move forward since the project has been going around for a long time. He also noted that since there is a new Mayor and 2 new trustees they will also need to be brought up to speed. Mr. Dahlgren said that the site plan was thoroughly vetted by the Planning Board and the comments from tonight are not major and will be addressed. The biggest sticking point is the construction management plan and a major issue for the board to consider. Engineer Peters said that it was their understanding that the prior Board's strong

opinions were that they wanted the DOT work completed prior to a building permit issuance to start work on the site. This remains the largest outstanding item on the FEIS. Chairman Parise said the Planning Board should review the newest plan and if they approve it send it to the Village Board for review. Member Iannucci asked if we could have both traffic consultants come to a workshop and go over the construction plan. Chairman Parise thinks that this is necessary and wants to proceed this way. Engineer Canning said the analysis of the site plan and off-site improvements show that the new traffic plan would make things much better at the intersection. The next step is getting there. It is his belief that it should be a process where you ensure construction levels are not significant and construction is phased and you would put in measures to improve and offset your construction traffic. At the same time, you could get started on the improvements. He noted that the applicant has made it clear in the past that they are not going to wait until the traffic improvements are completed to start building the building because it would take much too long to complete in that case. The phasing plan that was put together allowed for overlap with milestones the idea being that they could run at the same time but staggered. Engineer Canning said that when he comes back next month with the applicant's traffic consultant, they can present to the board a chart showing the phasing and the impacts on the traffic at each step. He said the intent is to move the building and traffic projects along parallel with the building being slightly behind the traffic improvements. Chairman Parise asked if they board reviews the phasing plan and they are in favor of it, who will manage it and what do we do if there are issues? Engineer Canning replied that the traffic part has a NYS DOT construction inspector representative that the applicant is required to retain and pay to make sure they are building the DOT's product according to their standards. This person will review the work plans and ensure they are followed and work is done in a safe manner. Regarding the building construction the Village Building Inspector would be responsible for following the milestones and will release portions of the work as each phase is satisfactorily completed. The last part is bonding which the DOT requires. In the past either the Planning Board or the Village Board were concerned that this was not enough in part because they have no authority to execute the bond and the power lays with the DOT. Because of this there was a discussion about a letter of credit provided to the Village. Because of this issue, he suggested having the Planning Board's and the applicant's attorneys review this ensuring that there is a mechanism that if something happens the improvements will be completed noting that there are 2 aspects the building on the site and the traffic improvements. Chairman Parise said that his worry is that what was agreed to will be forgotten when the Planning Board is out of the picture. Engineer Canning noted that after the application is approved the Planning Board would be handing off the responsibility to the Building Inspector. Chairman Parise said he would want the Planning Board to be updated via written report to show that what was approved is occurring. Engineer Canning suggested an agreement that the applicant would have to come back to the Planning Board to prove that they are following what was approved. He suggested working with the Planning Board attorney to condition the finding statement that there would be phased thru construction monitoring and reporting. Chairman Parise said this is especially important due to the corridor and the currently failing intersection. It was agreed that the attorneys and traffic consultants for the applicant and the Planning Board will all attend the upcoming September 14th workshop.

Site Plan Review – Country Inn
236 High Street (Rest Haven)

Country Inn with a restaurant on the 1st floor, lodging on the 2nd, and private offices on the 3rd

Present representing the applicant: Tim Mitts, owner

Mr. Mitts requested copy of the draft traffic review and Chairman Parise said that the document was for the Board to review first and it would be discussed tonight. Chairman Parise also noted that he received a reporting of all incidents and accidents at the High Street intersections (attached). Engineer Canning went over his review (attached) saying that they broke their analysis in 2 doing a site parking access study and a traffic study that looked at off site traffic impacts. To do the study they did traffic counts but he doesn't want to review it now as the information was just forwarded today. He noted that is the easier part of the project. At most it will generate 60 trips per hour at the busiest time divided equally between

Gilbert St and Lakes Rd and increase delays by around 5 seconds. There were 11 crashes in 3 years which is not significant number but traffic safety will still be a concern. He noted that when you exit the site there is a 2-foot rise and they will need to make sure there are adequate site lines. Regarding site access, it is noted that large vehicles will have to come from the south and access the site via the exit driveway. This would mean that any deliveries will have to occur when the restaurant is closed. He is proposing a system using flip signs that will be changed as needed alternating between "One Way Do Not Enter" and "Authorized Vehicles Only Do Not Enter" and the other will be "Slow Proceed with Caution" and "Yield to Oncoming Traffic". He also proposed minor widening to the driveway. Member Iannucci asked what would happen in the event of a fire. Engineer Canning said there should be a fire emergency plan to get people out of the building and do not let them drive out of the parking lot and the fire department will have to approve this plan. Regarding parking and seating, an average 3,100 sf restaurant would generate 57 parked vehicles. Based on the square footage of this restaurant there would be 86 parking spaces required. The other option would be to base parking on seating. An average restaurant with 109 seats would require 51 parking spots so seating could be limited to the amount of parking available. Engineer Canning is proposing is a phased operation initially based on 80 (which also includes bar seating) seats and only have outdoor seating if you take away indoor seating and 3 months after opening do another study looking at the parking and number of patrons and make a case to increase the seating. At this point, the applicant will have to come back to the Planning Board. Mr. Mitts agreed with this phasing plan and is aware of the parking limitations and the potential need for valet parking in the future. Engineer Canning believes that valet parking can increase parking by 20 spots and the fire department must be agreeable to this plan. Mr. Mitts mentioned submitting a report from the TOAST program to show the board the occupancy and parking needs once the business is open. Mr. Mitts is asking for a plan that will be triggered automatically letting him know when they must switch over to valet parking. He also agreed to coming back to the Planning Board if he needed to add additional parking in the future. Chairman Parise asked if the valet parking plan could be approved by the fire department now to save time in the future if it is needed. Engineer Canning suggested approving the application for 80 seats, run the valet parking plan past the fire department for approval to be instituted if needed. Once approved if the applicant finds that the 54 spots are not sufficient he will be required to switch over to valet parking. Chairman Parise asked about special events. Engineer Canning said that it would have to be capped at the 80-person limit. Mr. Mitts asked about how he could add more seats if it is shown that the parking is more than sufficient and if he switched over to valet parking how many more seats could he add? Engineer Canning said that the study was done for up to 150 seats. If SEQR was also done for 150 people the only issue to increase from 80 people would be parking. If additional seating was requested, the applicant would come back with a study showing that the number of seats could be increase with the current number of parking spaces. Also, the applicant would have to submit a new application if they wanted to increase the number of parking spots on the site. Mr. Mitts asked how soon additional seating could be added if it is shown that would be possible utilizing the current parking. Engineer Canning said the applicant would have to come to the board with studies and have a traffic engineer do a parking survey on 2 evenings that the business was open. Mr. Mitts clarified that the seating will be at 80 – regardless of if valet parking was utilized or not - unless he comes before the board with studies showing it could be increased with the current onsite parking. Member Kelly said the only way we will know the exact ratio needed is after the restaurant is open and we have the actual data. Mr. Mitts concern is that if he needs to increase the seating, the process is smooth and can be approved quickly without a lengthy delay. Engineer Canning said that if the board found the data provided was satisfactory it could be approved the same day because SEQR would not have to be reopened and any studies must be done at peak hours. Engineer Canning also noted that he based his numbers on the 85th percentile to be most conservative in the beginning. Engineer Higgins thought this plan establishes a control based on a set number of seats and if it turns out there is more than enough parking the seating can be increased. Attorney Bonet agreed with the proposed plan as well. Mr. Mitts asked for a copy of the draft report and the Board Secretary will forward to him. Engineer Canning said that the Board would have to determine delivery hours with the flip sign plan and if the system works and the applicant would want to open for lunch the delivery and garbage pickup would have to be considered. The applicant will not be opening for lunch in the beginning and will determine that in the future. Chairman Parise suggested 7-11 for deliveries and Mr. Mitts agreed. Member Hafenecker asked about the size of the signs and vendors

possibly missing them. Engineer Canning said they are standard DOT size. Members Hafenecker and Iannucci were both concerned with the emergency services plan and Mr. Mitts will be responsible for that and stated that he takes full responsibility and will be directing traffic in the event of any emergencies. Engineer Canning noted that Mr. Mitts must prepare an operations management plan and emergency management plan. Engineer Higgins suggested that those plans should be sent with the valet parking plan to the fire department for review and approval. Mr. Mitts was concerned that this would delay the process and Engineer Canning stated he would supply the files for Mr. Mitts to use for the plans. Engineer Higgins said that to send the valet parking layout without the other plans could result in the fire chief having questions due to missing information. Engineer Canning summarized there will be initially 80 seats with 54 parking spots that would increase to 74 with valet if needed, 7-11 for deliveries, and lunch possibly at a later date. He continued that Mr. Mitts will prepare operations and emergency management plans and along with the valet parking plan will be submitted to the fire department but he does not think the fire department needs to review the traffic study. Mr. Mitts may apply to the board for lunch or increased seating at a later date. The Board authorized the new traffic study to be forwarded to Mr. Mitts. Member Iannucci mentioned the swale is higher than the neighbor's yard and is worried about water going onto the neighbor's property. Mr. Mitts said that the County report said it was not a problem and Chairman Parise said that report was advisory only. Engineer Higgins clarified that what his comment said was to either show a connection so that he is not increasing the amount of runoff to the street or the neighbor's property or have his engineer provide an analysis showing that the amount of water that is going to be going there is not substantially above what it is today. It needs to be quantified to determine how much of an issue it could be. Mr. Mitts asked Engineer Higgins to send him a description of exactly what is required. Engineer Higgins said he needs a quantifiable analysis of what the increase would be. Chairman Parise said there would be an increase in the run off now with all the blacktop and we are just asking for the calculations. He also noted that the county was requested a 1:1 tree replacement and tree removal could only be done from 11/1 to 3/31 due to endangered species. He also noted that the application was under review by an architectural historian. Engineer Higgins said that a Public Hearing was required at some point and the Board felt that it was too early to schedule it.

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

Aye: 5 Nay: 0



Village of Monroe Planning Board Review

Project: St. Rt 17M Project Supply (Gravel Lot)
Tax Lot No. 214-1-56.22
Reviewed by: David Higgins
Date of Review: August 5, 2026

Materials Reviewed: Completed application package; Project Narrative by WeinbergLim Engineering dated July 30, 2026; Map entitled, "Layout Plan", dated November 26, 2025 as prepared by WeinbergLim Engineering; Map entitled, "548 Route 17M Section 213 Block 1 Lot 50 section 214 Block 1 lot 56.22 situated in the Village of Monroe, Town of Monroe, Orange County, New York", dated 06-11-2026 as prepared by Clear point Surveying, DPC.; Planning Board Response to Comments dated July 30, 2026, Planning Board Application entitled "Village of Monroe Planning Board 7 Stage Road Monroe, NY 10950" prepared by Planning Board.

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 regularly scheduled meeting. If you need further assistance, feel free to contact our office.

Project Description

The project is located on a vacant lot on State Route 17M and is just west of the Mombasha Fire Company. The applicant is seeking to use the site for the storage and sale of equipment and building materials. The submitted narrative indicates that access to the site is from an existing shared driveway with the Mombasha Fire Company and that no new structures are proposed. The property totals 17.8± acres and is located in the GB District and is permitted subject to issuance of a Special Permit from the Planning Board. The storage of equipment and materials is proposed to occur within the existing gravel area.

SEQRA STATUS

Type-1 Type-2 Unlisted

EAF Form Submitted? Short EAF Submitted dated April 20, 2026

Lead Agency Status? Pending

Referral to Orange County Department of Planning required? Yes

Date referred? Pending

Response letter received? Pending

Local determination or mandatory comments? Pending

Public Hearing Required? Yes

Date of Public Hearing Opened: Pending

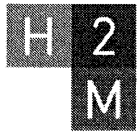
Date Public Hearing Closed: Pending

We have the following comments on the submission:

1. A project narrative has been provided by the applicant. The applicant seeks to utilize the existing gravel area for storage of equipment and materials only and in connection with their facility located adjacent to the project site. No retail sales, customer activity or employees are proposed at this location. **(Informational)**
2. According to the submitted EAF, the property may contain regulated wetlands. As no disturbance to the site is proposed and the only request is to place equipment and materials on the existing gravel surface, there is no requirement to delineate and show the limits of regulated wetlands. Based upon a review of historical aerial imagery, it appears that the gravel has been on property for at least the last 10 years. A note shall be added to the plans stating that equipment and materials shall not be stored outside of the designated gravel area and that no disturbance to the site is permitted without approval by the Village Planning Board.
3. According to the submitted EAF, portions of the property are within the 100-year floodplain. The Site Plan map provides the location of the floodway and floodplain. Any construction or development within any areas of special flood hazard would be subject to a Floodplain Development Permit as outlined in §107 of the Village Code. §107-4 (Definitions) states that development includes the storage of equipment or materials. A Floodplain Development permit will be required as stated in §107-11.
4. As the project is located within 500 feet of a State Highway, referral to the Orange County Department of Planning is required per GML 239.
5. Applicant should advise if any fencing will be provided to secure the storage area. In addition to site security, fencing may also delineate the extents of the storage area and prevent the expansion of the storage area outside of the existing gravel area.

6. The plan should depict the zoning district boundaries of lots in the area of the site. (Several adjacent properties are zoned SR-10 and URM.).
7. §122-19.F (Design Requirements) requires a minimum of 24 feet access aisle width for 90-degree parking. The location of the existing concrete barriers results in an access aisle width of only 20± feet for several of the parking spaces serving the Mombasha Fire District. The concrete barriers should be relocated to provide the minimum 24-foot width.
8. Landscaping consisting of 10 Green Giant Arborvitae is proposed along two sides of the existing gravel area. Planning Board should review adequacy of proposed screening.
9. A public hearing is required for the Special Permit.

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.



architects + engineers

2 Executive Boulevard, Ste 401
Suffern, NY 10901 | tel 845.357.7238

M E M O R A N D U M

TO: Gary Parise, Chair & Planning Board

FROM: Sean F Peters, P.E., Conflict Planning Board Engineer
Kayla M. Kubinski, Staff Engineer

SUBJECT: 208 Business Center, LLC – **FEIS Review (FIFTH)**
File No. 201-3-3, 4, 7 & 8; Memo 110-26-001

DATE: August 6, 2026

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

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

Background/SEQRA Process – On October 14, 2020, you classified this project as a Type 1 action. On February 23, 2021, as Lead Agency you adopted a Positive Declaration of environmental impact requiring preparation of an Environmental Impact Statement (EIS). On March 23, 2021, you conducted a public scoping session (no one speaking) and authorized an extension for written comments until April 2, 2021. You received written comments on the scope from the public and involved agencies. You adopted the final DEIS scope at your May 25, 2021, meeting. The DEIS was submitted April 2022. After several iterations, on September 26, 2023, the DEIS was determined to be adequate for public review conditioned upon the incorporation of the Planning Board and consultants' comments. A public hearing was held and closed on November 28, 2023, with one member of the public speaking. The public hearing was recorded in transcript form and you received written comments from the public until January 16, 2024. On June 5, 2024, the applicant submitted their first iteration of the Final Environmental Impact Statement (FEIS) which was considered by the Board on July 8, 2024. At that time, the Board instructed the applicant to revise the FEIS and address comments received, prepare the draft findings statement, and provide a letter authorizing extension of timeframe to allow review, revision, and acceptance of the findings. Since then, the applicant modified their plan to include a revised building layout, shifting the loading dock from the western lot line to the center of the building. This was done in effort to mitigate concerns raised by the adjacent YMCA and Planning Board related to noise, air quality, etc. The modified plan was presented as a concept to the Planning Board on December 9, 2024; Although we did not attend that meeting, we understand the Board generally agreed that the new plan is an improvement over that previously reviewed. In January 2025, you received a revised FEIS and conducted your second review in February, noting threshold issues related to timing of off-site traffic improvements, solar panels, coordination of off-site tree plantings among others. Again in May 2025, you considered a revised FEIS, completing your third review, and noted issues related to water supply, information on reduced scale alternative, rock cut along YMCA boundary, and timing of off-site traffic improvements. At that time, you requested the applicant prepare a Construction Management Plan/Work Zone Traffic Control plan which has been submitted; We defer to comments from your Traffic consultant regarding the same. On October 13, 2025, the Planning Board discussed the fourth review of the FEIS, including the phasing of traffic improvements, status of the water system's capacity to support the project, measures to limit site disturbance to less than five acres and implementation of the Construction Management Plan, proposed rock cut along the YMCA property boundary, and the findings related to the reduced-scale alternative. At that time, the Board authorized an additional meeting with the applicant and consultants to discuss the Construction Management Plan. Additionally, the Village attorney was going to advance developer agreements.

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

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

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

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

FEIS Review – We have reviewed the Final Environmental Impact Statement FEIS, revised June 25, 2026, in accordance with the specific criteria in the State Environmental Quality Review Act (SEQRA) as provided in 6NYCRR, §617.9(b)(8) which requires a Final Environmental Impact Statement consist of: (a) Draft Environmental Impact Statement (DEIS), including any revisions or supplements, (b) Copies of substantive comments received, and (c) Lead agency responses to substantive comments. Item (b) is included as Appendix A of the FEIS revised June 25, 2026. Item (c) is the FEIS.

SEQRA requires the FEIS be prepared within 45 days of the close of the public hearing (November 28, 2023). In this case, the applicant submitted the FEIS later, on or about June 6, 2024, and has revised their plan and resubmission currently submitted on April 24, 2025. It is important you act expeditiously to complete the FEIS as soon as you are satisfied with the adequacy of its content². After the FEIS is accepted, you must issue your finding statement within 10 to 30 days. At the last meeting (October 13, 2025), the applicant indicated a draft of the findings statement has been started; this has not been circulated for your review to date. **We recommend the applicant provide this with the next submission.**

This is our fifth review of the FEIS. The current submission responds to our FEIS Review Memorandum (110-25-003) dated October 3, 2025. This review is intended to confirm comments from our previous memo (110-25-003) where they remain relevant and have not been adequately addressed by the applicant. Accordingly, the following memorandum supersedes our previous memorandum (110-25-003) and reflects the current disposition of comments on the FEIS. Relevant comments that have been addressed in the current submission and comments that are no longer applicable to the new plan submission have been removed. Any relevant comments from the previous memo requiring additional response or action are repeated below. Comments that no longer require a response and are specific recommendations for your Findings Statement are *italicized*.

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

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

	suggested conditions in the plan and confirm they are to your satisfaction. We have the following comments: • We recommend you confirm with Counsel if there are any agreements or actions in place with the Village Board that may need to be amended if the plan proceeds as set forth by the applicant. • Under Section 2, the text should be revised to state that cost estimates will be reviewed and approved by the <u>Traffic and Village Engineer</u>. • Under Section 2, the text should be revised to stated "As construction of the private and public improvements progresses, the Applicant shall have the ability to seeking a reduction of such financial assurances with approval from the Village of Monroe Village Board <u>as recommended by the Village Engineer and Village Traffic Engineer</u>. • Under the second bullet point in Section 3.d.1, the text should be revised to state building and <u>off-site</u> road improvements. • Under Section 3.d.3, the text should be clarified in the FEIS and related project documents that certain proposed roadway improvements fall under the jurisdiction of the New York State Department of Transportation (NYSDOT), while others are under the authority of the Village. The applicant should also address the appropriate bonding (Village vs DOT) and financial security mechanisms for off-site improvements, including those required <u>beyond site-specific</u> improvements and any improvements subject to NYSDOT review and approval.
2-25	<i>Applicant states their intent to comply with NYSDEC restrictions limiting idling for more than 5-minutes. This should be incorporated into a future findings statement.</i>
2-32	<i>We recommend the applicant provide signage in loading areas to effectively inform drivers of appropriate restrictions. This should be incorporated into a future findings statement.</i>
3-3	<i>FEIS states the project geotechnical engineer provided the 3000 psf soil bearing capacity as a professional conservative estimate, but is not based on actual field testing. Per the geotechnical report, we recommend the following be included in eventual findings statement:</i> <i>1. Additional investigation shall be performed to verify suitable conditions in the proposed south subsurface stormwater control area, and should also be performed to determine rock hardness relative to excavation. This should be performed prior to final site plan approval with necessary information submitted to the Planning Board for review.</i> <i>2. Soil borings are required to accurately determine the bearing capacity in areas where foundations will be supported on soil. This should be completed prior to building permit with a report issued to the Building Department signed and sealed by a NYS Professional Engineer.</i> <i>3. A thorough examination of the existing rock cut on the YMCA property should be made prior to performing mechanical excavation on the project site. This should be completed prior to building permit with a report issued to the Building Department signed and sealed by a NYS Professional Engineer.</i>
3-4	<i>Based on the applicant's response, it appears blasting is likely to occur on the site. We recommend the mitigation measures and information in the Blasting Plan, as prepared by the applicant, be incorporated into a future findings statement.</i>
3-7	<i>As part of an eventual findings statement, you may wish to require the applicant provide a rendering of the building in its proposed setting (complete with retaining walls) visible from adjacent roadways. This submission should be provided prior to final site plan approval.</i>

3-10	<i>Although not anticipated, the FEIS discusses procedures for handling contaminated soil encountered on the site. We recommend you incorporate this discussion as part of an eventual findings statement.</i>
3-11	<i>FEIS describes measures for mitigating impacts to Orange and Rockland Lake; We recommend these be memorialized in a future findings statement. Further, the mitigation measures should include regular sweeping of the parking areas and maintenance of post-construction stormwater management practices.</i>
4-2 & 4-5	<i>FEIS appropriately provides additional information regarding baseline sampling of Orange and Rockland Lake and parameters for future testing; This information should be memorialized in a future findings statement.</i> <i>The FEIS indicates future sampling results will be submitted to the Planning Board. We recommend the Findings Statement indicate future sampling results will be submitted to the Building Department, who may refer the information to the Village Engineer and/or Planning Board for additional review. If results from sampling during and post-construction exceed permitted stream standard values, then the Building Inspector may take appropriate enforcement action to require restoration of the site and conditions of the surrounding area while investigation and additional mitigation measures are decided upon.</i>
4-4	<i>FEIS is revised to provide adequate inspection and maintenance procedures for erosion and sediment control practices. We recommend these procedures be carried forth to eventual findings statement.</i>
5-6	<i>The applicant states chloride salt or de-icers of any kind will not be stored on-site. We recommend you incorporate this in an eventual findings statement.</i>
10-3	<i>Revisions to the FEIS appear to indicate the existing drainage easement is sufficient for the stormwater overflow pipe extending to Orange and Rockland Lake.</i> <i>We recommend the eventual Findings Statement include the requirement that a stormwater maintenance and access agreement be executed and the easement be confirmed adequate on the site plan (with no approximation) and that if needed an amended easement be filed, with proof provided to the Building Department and Village Counsel, prior to Building Permit.</i> <i>Further, the Findings Statement should require that upon completion of the project, prior to certificate of occupancy, as-builts be submitted that confirm the stormwater overflow pipe is installed within the easement, on-center, as shown on the plans. If the installation is not per the plans or extends outside of the easement area, it shall be amended prior to certificate of occupancy.</i>
11-2	For the Village system to meet requirements of Ten States Standards and regulatory agencies, available surface water supply should be able to meet calculated maximum day demand based on draught scenarios and groundwater supply systems should be able to meet maximum day demand with the largest well out of service. On the latter, this requirement provides redundancy in the system such that if the largest well fails or is in need of maintenance, the remaining supply could support the peak demand. The applicant reports the following based on information from the Village Water Department: Peak Day Demand (2024) – 1,902,863 GPD Average Day Demand (2024) – 1,141,969 GPD Production Capacity of Mombasha Lake – 1.4 MGD Well No. 4 Capacity – 0.432 MGD Total Capacity – 1.832 MGD* *The Village is limited to 1.5 MGD withdrawal set by the State.

	Based on the information above, the Village is able to meet the average day demand under normal operating circumstances. However, the system does not meet regulatory requirements which requires a system be capable of meeting the maximum day demand (1.9 MGD) with its largest well out of service ($1.8 - 0.4 = 1.4$ MGD) (i.e., deficit of 0.5 MGD). <i>The FEIS has been updated to indicate the future demand of 10,835 gpd. The Village may wish to impose conditions on this connection to include a fee penalty for exceeding the projected capacity as set forth by the applicant and studied by the Village and ability to enforce violation of site plan; We defer to Counsel on appropriate actions and will work with the Village to determine appropriate language if requested.</i>
11-5	<i>We recommend FEIS response on water use reduction be incorporated into eventual findings statement.</i>
12-1	<i>As raised in the DEIS Appendix B through correspondence from Erik Denega, PE, PMP, dated April 11, 2022, prior to issuance of building permit for the project, wastewater disposal approved by the Administrative Head of OCSD #1 must be secured. This protects the property owner and developer seeking permit from expending funds on a project for which sewer capacity is not available and protects the existing sewer system. We recommend this be included in eventual findings statement.</i>
12-2	<i>FEIS indicates application for connection to OCSD can only be made following the conclusion of the SEQRA process for the project. Accordingly, we recommend your findings require prior to site plan approval, the applicant provide proof of application submitted to OCSD.</i>
15-4	<i>Based on FEIS response, we recommend the following be included in eventual findings statement: No construction vehicles, nor employee vehicles, are permitted to park or idle in municipal and state rights-of-way except for during initial delivery of site clearing equipment which will be managed using appropriate traffic controls to be implemented by the applicant.</i>
15-6	<i>Based on FEIS response, the Planning Board may wish to consider the following as part of eventual findings statement: The process for grinding wood waste for mulch must occur in an area on the site sufficiently separate from the neighboring YMCA and Inspire uses. The proposed location for the process should be identified on a site plan for Planning Board review and noted for the Contractor to mitigate any noise impacts to sensitive receptors.</i>
15-8	<i>Based on FEIS response, we recommend the following be included in eventual findings statement: Fueling activities for large construction vehicles will be managed to prevent fuel spills on site using drip trays. Construction vehicles shall be monitored and inspected regularly for any signs of fuel and oil leaks. An emergency spill kit will be available on site; All spills will be immediately responded to and reported, as needed, according to NYSDEC regulations.</i>
15-10 & 15-11	<i>FEIS states provisions for notifying adjacent property owners in advance of any blasting, coordination with property owners to avoid sensitive time periods and days, implementation of a pre-blasting survey at the expense of the applicant, and installation of vibration monitoring equipment during rock removal activities. We recommend these mitigation measures be carried forth to eventual findings statement.</i>
15-12	<i>FEIS includes mitigation measures for dust control for which we recommend be carried forth to eventual findings statement.</i>
16-3	<i>We recommend eventual findings statement include requirement for construction activities to be limited to times permitted by the Code (§14-3.B.(6)).</i>

16-5 & 16-6	<i>Based on FEIS response, we recommend the following be included in eventual findings statement: HVAC and generator equipment supporting the use shall be provided with noise screening in the form of solid, sound attenuating enclosures, and/or parapet walls.</i>
16-9	<i>We recommend the findings statement reserve the right for the Planning Board to consider with input from the applicant whether deliveries for the shopping center should be off-hours to further mitigate impacts related to noise, air quality, and visual considerations to the YMCA and Inspire.</i> <i>It is noted in other responses (e.g. 15-9) the applicant has agreed to restrict deliveries of construction materials to off-peak hours (late morning and early afternoon periods). This should be included in your Findings Statement along with the requirement that a preconstruction meeting should be held prior to issuance of a building permit.</i>
D-6	<i>We note soil test pit results (TP1 through TP13) are included in Appendix C and soil perc test results (PT1 through PT8) are included in Appendix F of the SWPPP. The Grading & Utility Plan (Sheet 4 of 15) shows 10 soil tests (ST1-1-ST1-3, ST2-1-ST2-4, & ST3-1-ST3-3) and removed the previous perc tests (PT1-PT20). Sheet 4 should show all of the testing performed and the results of all testing should be provided in the Appendices.</i> <i>We note that the soil testing results in Appendix C indicate a stabilized rate of greater than 20 in/hr for nine of the 10 tests. Per Appendix D of the NYSDEC Design Manual "If Feasibility Testing results in a percolation rate greater than 20 min/inch, then it is probable that the infiltration rate is insufficient to support infiltration practices." We recommend confirming with the NYSDEC Regional Office that the use of infiltration practices with this high of a rate is acceptable or whether additional measures need to be taken.</i>
D-9	<i>We previously noted the plans identify DC-780 and MC-4500 chambers, inconsistent with Appendix D. The applicant should review the response to this comment number and confirm which model is correct. All materials should be consistent. The applicant's response states this will be addressed in the final FEIS.</i>
L-9	<i>Regarding the proposed discharge from the stormwater management facilities beyond the existing walking path surrounding Orange and Rockland Lake, we have recommended the applicant provide additional information for you to determine whether the location requires additional mitigation to prevent a deleterious condition. The applicant advises the location as a shallow, grassy slope.</i> <i>We recommend you include in your findings statement a requirement the applicant survey the area of discharge and provide the slope and any important surrounding features on the design plan for you to consider the location and potential impacts to the area.</i> <i>Further it is noted, if additional extension of the outlet is required, then approval from NYSDEC/ACOE may be needed.</i>
L-14	<i>FEIS indicates the applicant's intent to limit footcandles at property lines to 0.1-fc. The updated lighting plan last revised on May 15, 2025, complies. We recommend that you carry appropriate limits to light levels through to the eventual findings statement.</i>
L-20	<i>The applicant has eliminated most of the retaining walls formerly proposed along the YMCA border and now intends to perform a steep 'rock' cut. If this is not rock, then the steepness of the grade here would likely create an issue with unstabilized soils and could require a retaining wall as originally proposed or some other treatment. The applicant advises the cut on the adjacent YMCA property is in the same bedrock geology and has the same exposed rock face, they provide photos of this.</i> <i>On May 15, 2025, the Board generally favored investigation of subsurface conditions currently to avoid future delays and issues during construction. At that time, the applicant stated that additional material may be available demonstrating that the rock ledge exists</i>

for the Board's review. This remains to be submitted with the FEIS, but on October 2, 2025, in an email from Jon Dahlgren, we received some additional information. The information in that email satisfies our concern related to the rock cut surrounding the 14 spaces just south of the southwest corner of the building. However, information supporting rock cut between the YMCA parking lot and the proposed 208 Business Center parking lot along the western property line has not been provided. As discussed in May the applicant should conduct a shallow boring in the area to confirm the condition they describe. Finally, information in October 2, 2025 email, should be included in the FEIS.

August 6, 2026

Traffic Accidents – High Street

Review of motor vehicle crash data for High Street covering the previous three-year period. This data was provided by the Village of Monroe Police Department.

I have added the recent traffic accident which occurred on July 26, 2026.

2/19/2024 - HIGH ST/KNIGHT ST

3/25/2024 - HIGH ST/KNIGHT ST

4/8/2024 - HIGH ST/SUMMIT ST

4/11/2024 - HIGH ST/GILBERT ST

7/5/2024 - HIGH ST/LAKES RD

7/16/2025 - HIGH ST/KNIGHT ST

10/29/2025 - HIGH ST/LAKES RD

11/14/2025 - HIGH ST/SUMMIT ST

12/28/2025 - HIGH ST NEAR 413 HIGH ST

1/24/2026 - HIGH ST/LAKES RD

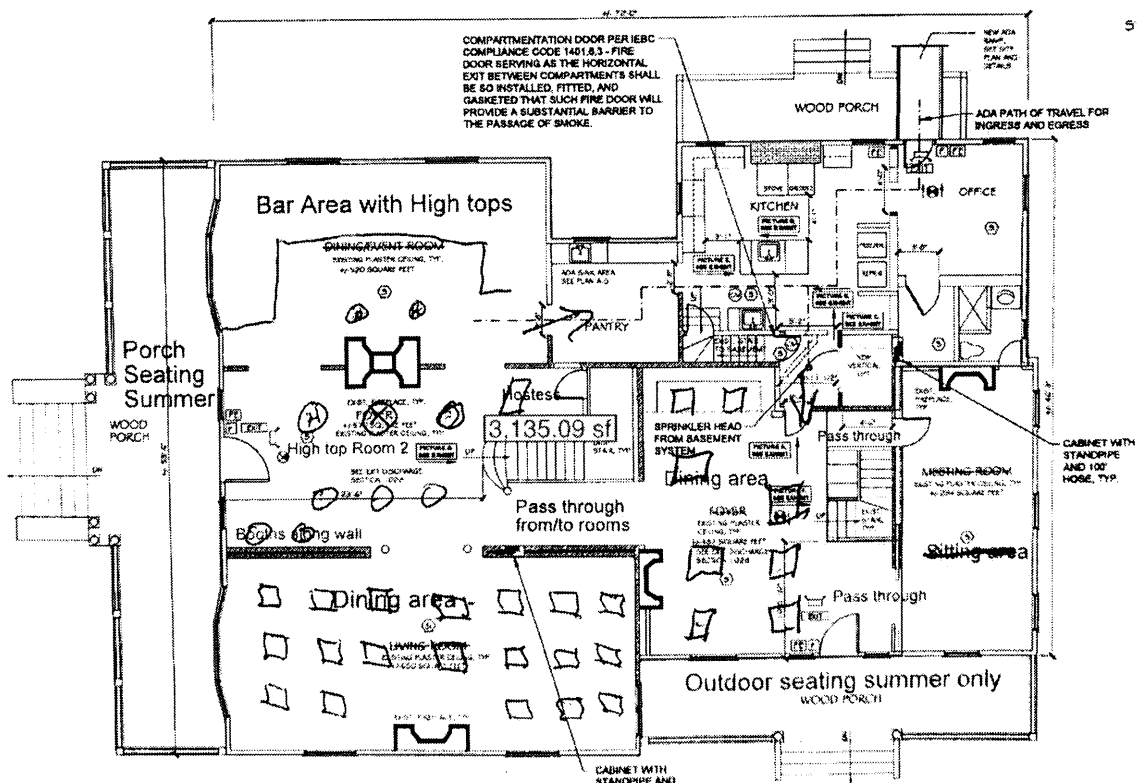
4/4/2026 - HIGH ST/KNIGHT ST

7/26/2026 - HIGH ST/QUAKER HILL

Heber Cannon

Subject: Proposed Restaurant/event space, 238 High Street

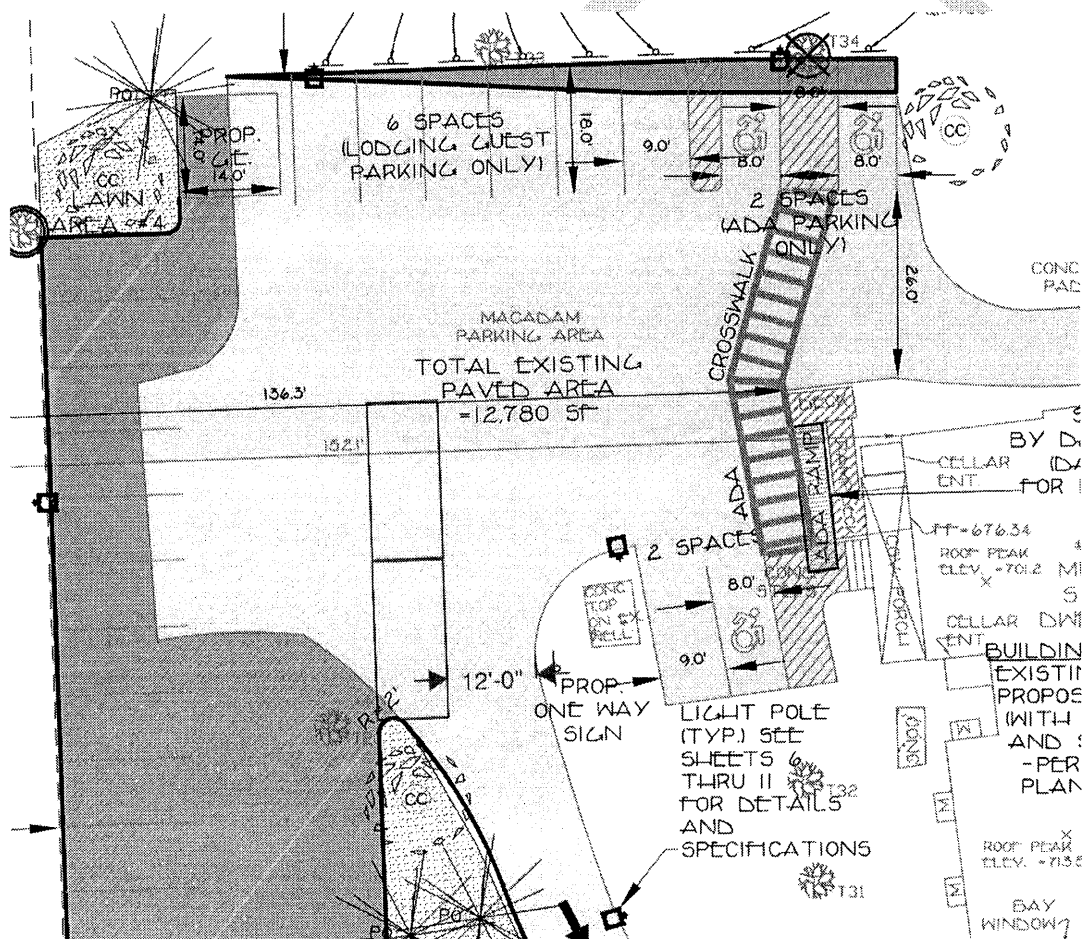
Based on the area scaled off the Floor Plan provided by the Applicant (see below), the Applicant wishes to convert the existing, historic, single-family home into an approximately 3,135 sf restaurant, a museum/history room, 4 guest bedrooms for overnight lodging and one room for the building caretaker. There will also be some accessory space on the third floor which will serve as the building's administrative offices.



As described by the Applicant, the restaurant is expected to feature sit-down service, where customers wait to be seated, order from a menu, pay after eating, with the average meal turnover expected to take a little more than an hour. Based on this description, the restaurant is best described in the industry as a fine-dining or quality restaurant. The guest rooms and museum room are expected to be primarily accessory to the restaurant, as will the caretaker's room and the administrative offices.

Proposed Parking

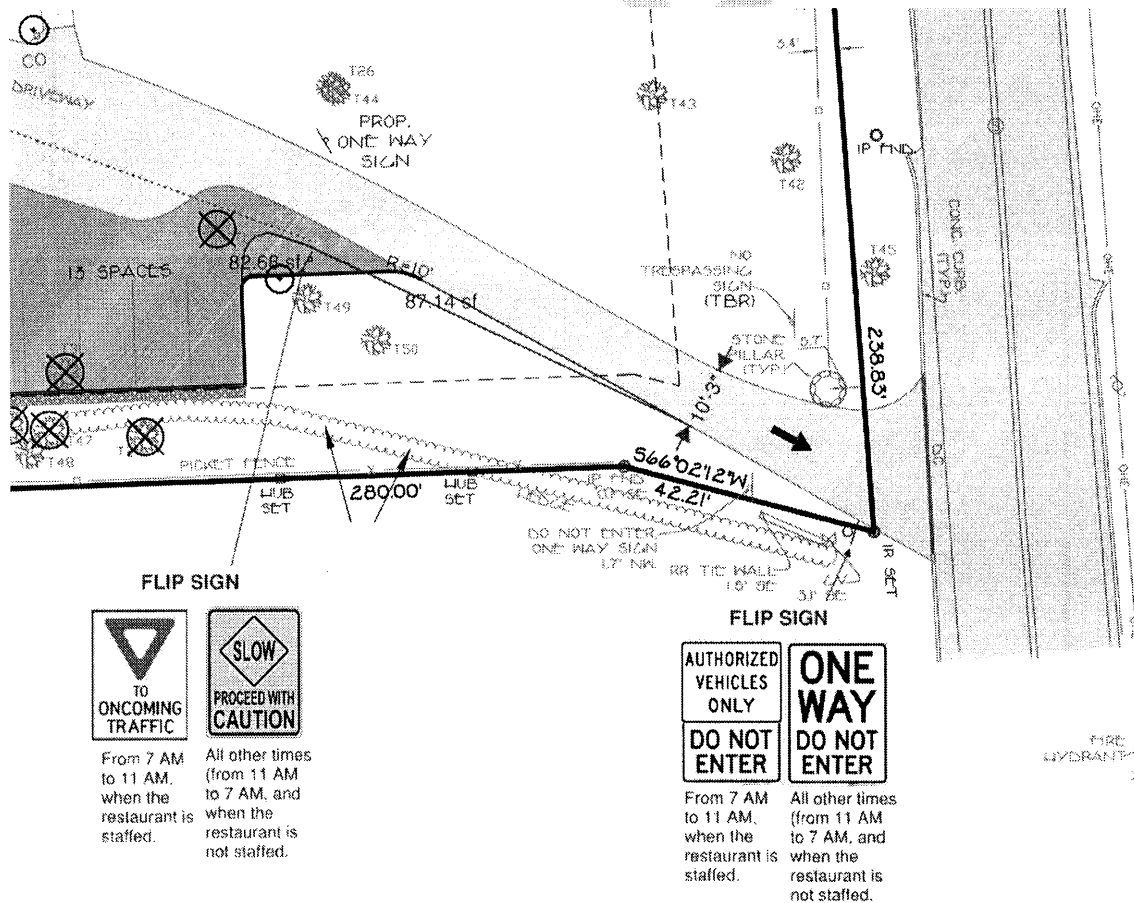
The Applicant has provided a parking layout indicating that 54 parking spaces will be provided (including 3 ADA spaces). Based on a review of the Site Plan provided, it appears that two additional Code-complaint parking spaces could be added (see below), bringing the total number of parking spaces provided to 56. Based on a review of a fire truck turning template, it appears that the two additional parking spaces will not prevent a fire apparatus from entering the property, maneuvering to turn around and drive out. It is recommended that the Applicant consult with the Fire Department if it is intended to add these two parking spaces.



Site Access

Ingress to the facility will be provided from an existing driveway at the north end of the property on High Street. This entrance driveway passes under an existing car port, which is historic, cannot be changed and has a clearance of 9 feet. Egress to High Street will be provided via an existing driveway at the south end of the property. Because of the limited clearance over the car port, it will be necessary for all trucks visiting the site to enter and exit via the south driveway and, because of the driveway's configuration, to arrive at the site from the south on High Street, turning left in, and to depart the site to the south, turning right out. The south driveway is only 110.25-feet wide where it passes to the south of a historic gateway pillar which cannot be moved or modified.

For the south driveway to safely accommodate project traffic, it will be necessary to limit incoming traffic at the south driveway to periods when there is little or not exiting traffic at the Site and to advise any motorist who might happen to be exiting when a vehicle might be entering of the need to yield right of way. It is proposed to accommodate this by installing two Flip Signs at either end of the driveway (and by widening the driveway slightly to better accommodate arriving and departing vehicles as indicated below. Both flip signs would have the ability to be locked in one of two positions, as described below.



The Flip Sign posted at the lower end of the south drive would face entering traffic and rest with the message "ONE WAY, DO NOT ENTER". This would prohibit all but emergency vehicles (with lights and sirens activated) from entering the driveway for all but a limited time period. Trucks servicing the facility (food, beverages, trash removal, etc.) would be prohibited from visiting the facility except during very specific times when the restaurant was closed and there was very little traffic activity at the site.

Based on the assumption that the restaurant will not be serving breakfast, it is recommended that trucks only be permitted to enter the site between 7:00 a.m. and 11:00 a.m. The Board may wish to discuss these hours with the Applicant to better refine them. Every day that the restaurant is open and deliveries might occur, a restaurant staff member (or the caretaker) will go down to the sign at 7:00 a.m., unlock it, flip it over to the second message, which shall read "AUTHORIZED VEHICLES ONLY, DO NOT ENTER", and relock the sign in this position. Only trucks visiting the site for business purposes will be authorized to enter the site at this location and only during the approved hours. At 11 a.m. the restaurant staff member or care taker will return to the sign, restore it to the at-rest position and relock it.

The Flip Sign posted at the at the upper end of the south drive would face exiting traffic and rest with the message "SLOW, PROCEED WITH CAUTION". This would simply advise exiting motorists to use due caution when exiting the site. Every day that the restaurant is open and deliveries might occur, a restaurant staff member (or the caretaker), when they go to the lower signs, will also go to this upper sign (at 7:00 a.m.), unlock it, flip it over to the second message, which shall read "YIELD TO ONCOMING TRAFFIC", and relock the sign in this position. This sign will advise any exiting motorist that, if they encounter an entering vehicle, they must stop and allow it to pass.

Because only one or two trucks are expected to visit the site on any given day, and because only a handful of vehicles are expected to exit the site between 7:00 and 11:00 a.m., it is very unlikely that an entering truck will encounter an exiting vehicle. Nevertheless, with the proposed signs, the good visibility which exists along the driveway, and the low speeds at which entering and exiting vehicles will be traveling, should two vehicles wish to enter and exit at the same time, they will be able to do so safely. At 11 a.m. the restaurant staff member or care taker will return to the sign, restore it to the at-rest position and relock it.

Based on field observations, it is believed that some grading and, potentially, minimal tree clearing may be required to provide adequate sightlines at the site's southerly exit driveway. It is recommended that the applicant engage an engineer to conduct a sight distance evaluation to determine what improvements, if any, are required.

Projected Parking Demand

The Town Code requires that off-street parking "shall be provided according to the standards provided in the most recent edition of the Institute of Transportation Engineers' (*ITE*) publication Parking Generation, or as determined by the Planning Board, upon consideration of all factors entering into the parking demands of each and every use proposed".

The current edition of the ITE Parking generation Manual (6th Edition) describes a fine dining establishment (Land Use Code or LUC 931) as a "full-service eating establishment with a typical duration of stay of at least 1 hour. A fine dining restaurant generally does not serve breakfast; some do

not serve lunch; all serve dinner. This type of restaurant often requests and sometimes requires a reservation and is generally not part of a chain. A patron commonly waits to be seated, is served by wait staff, orders from a menu and pays after the meal. Some of the study sites have lounge or bar facilities (serving alcoholic beverages), but meal service is the primary draw to the restaurant.

As discussed above, the Applicant has indicated that the proposed restaurant would best be described falling into this category of restaurant. LUC 931 provides parking projections based on two independent variables, gross square feet of the facility or number of seats of the facility. Based on the 3,135 gross square feet (gsf) of area that appears to be dedicated for the restaurant's use, the average fine dining restaurant would be projected to generate a peak parking demand of 57 vehicles, while a very successful 3,135 gsf restaurant would (based on the 85th percentile) generate a peak parking demand of 86 parked vehicles. Both of these values are obviously greater than the 54 parking spaces proposed (or the 56 spaces that could be provided in the two additional parking spaces discussed above were included). On-street parking is not permitted on High Street due to its relatively narrow width proportional to the level of traffic on the street.

ITE LUC 931 indicates that an average 109-seat fine-dining restaurant would generate a peak parking demand of 51 parked vehicles. Accounting for the fact that the caretaker lives on site and will likely be home in the evening when restaurant parking activity peaks, requiring one parking space; and assuming that guests staying in two of the 4 rooms will be dining at the restaurant (and are therefore included in the restaurant parking projections), leaving only two parking spaces required for the remaining two guest rooms (and assuming that the museum room will not draw any additional parking later in the evening when restaurant parking peaks); the ITE data indicates that the 54 parking spaces proposed will be sufficient to accommodate parking from the proposed restaurant, assuming that it is an average-performing facility and that it has a maximum capacity of 109 seats. With 56 parking spaces (discussed above) the capacity of the restaurant would increase to 113 seats.

As discussed above, the 54 proposed parking spaces should be sufficient for a 109-seat, average-performing restaurant. However, there is the possibility (most likely the hope on the part of the Applicant) that the restaurant will be very successful. Using the same assumptions detailed in the paragraph above, and using the 85th percentile ITE parking generation rates, it is calculated that the 54 parking spaces proposed will be sufficient to accommodate parking from a very successful restaurant that has a maximum capacity of 81 seats. With 56 parking spaces (discussed above) the capacity of a very successful restaurant would increase to 85 seats.

In addition to the above considerations, the Applicant has indicated that, during the warmer months (most-likely May through October, weather permitting), there is a desire to provide outdoor seating. Based on a review of the building floor plan, it is calculated that up to 28 outdoor dining seats could be accommodated on the building's porches.

Proposed Parking Strategy

It is assumed that, for reasons of safety and harmony, the Planning Board does not want the restaurant to operate whereby the demand for parking on the busiest nights at the establishment outstrip the available parking. Nevertheless, it is clear that the 56 (or 56) parking spaces proposed are sufficient to accommodate a reasonably sized restaurant. Note, it is assumed that, if the seating capacity is

constrained, the number of diners at the facility will be reduced proportionally, regardless of the gross square footage of the restaurant and presuming that the establishment does not entertain or encourage a large, stand-up crowd in the bar or other non-seating areas (i.e. dance floors and the like).

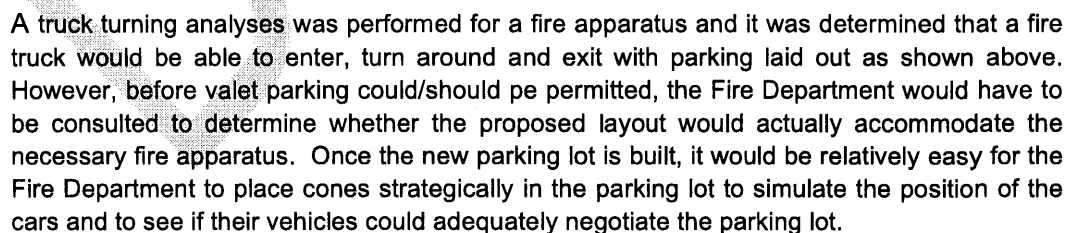
Thus, other non-parking issues aside, in order to allow the Applicant to operate a restaurant (and 4 guest rooms and a museum room) at the property, the Board may wish to discuss with the Applicant whether they would volunteer the following parking strategy.

Day 1.

1. Initially open the restaurant with a maximum of 80 seats (84 if 56 parking spaces are provided).
2. Prohibit dancing or other activities that would encourage members of the public who would not already be at the establishment for dining purposes to frequent the establishment (for example, having a social function where there was a dinner followed by dancing for the same guests would be acceptable, having a DJ in one area of the facility for guest who were not there to dine would not).
3. Allow outdoor seating only in the amount that indoor seating would be removed for that seating.
4. Three months after opening, performing a parking study where two busy evenings were surveyed to determine the maximum number of seated guests, the maximum number of cars parked and the number of additional seats that could be added without having parking demand exceed the available parking supply. This information could be submitted to the Building Inspector along with a request to increase the seating capacity to a level that would not cause parking demand to exceed the parking supply. Further, if the Building Inspector determined that the seating capacity should/could not be increased to the level required by the operator, the operator could appeal the Building Inspector's opinion to the Zoning Board of Appeals, whose decision would be final.

Day 90

5. In addition, three-months after opening, the Planning Board may also consider whether the Applicant could employ valet parking at peak times to increase the number of vehicles that can be parked on the property. Based on a review of the Site Plan, as shown below, it is believed that a professional valet operator would be able to increase the number of vehicles parked on the site from 54/56 to 74. This would potentially allow the number of seats to be increased to 150 for an average-performing restaurant or to 113 for a successful restaurant.



Assuming that the Fire Department had no objection, it is recommended that the Applicant be permitted to submit a parking study in support of a request to the Building Inspector to increase

the number of seats to as many as 113. Again, if the Building Inspector did not approve the request the, the Applicant could appeal the decision to the Zoning Board of appeals.

Day 180

6. Assuming that there had been no instances where parking at the establishment exceeded the approved available supply, after 180 days, the Applicant could submit another parking study in support of further increasing the seating capacity of the restaurant to a number not exceeding 150. As part of this application the Building Inspector could also require a supplementary traffic study.

While this is a somewhat complicated strategy, it has been developed as a measured approach, spread out over a sufficient period of time, to allow the restaurant to commence business and, if successful, flourish while, at each step of the process, leaving control of decisions to allow increased activity at the facility in the hands of those with the appropriate authority and enforcement powers.

Potential Traffic Impact

While it is expected that potential traffic concerns will likely be modest, when compared with the potential parking impacts, Kimley-Horn is currently in the process of preparing a Traffic Impact Study for the restaurant. Traffic counts of the intersection of High Street with Laked Road/Lake Street and Gilbert Street are wrapping up and preliminary indications are that, on a Friday evening, a 150-seat successful restaurant could generate as many as 70 peak-hour trips. It is suggested that the Planning Board provide this memorandum to the Applicant so that he might discuss its findings and recommendations with the Board and, perhaps, reach a consensus on how to proceed. In the meantime, Kimley-Horn will continue the preparation of the traffic study and will provide it to the Board upon its completion.