

Town of Monroe
Planning Board Minutes
Tuesday, September 16, 2025
(www.townofmonroeny.gov)

Generated by Norinne McSweeney

Members Present

Louis Rivera, Robert Garstak, Jeff Manson, Bonnie Franson

Absent Members: Dylan Penn, Pat Shea

Planning Board Consultants:

Ashley Torre, Esq. (absent)

Matthew Sickler, PE

Welcome

Roll Call

Point Out Fire Exits

Pledge of Allegiance

Administrative

Appoint Planning Board Attorney

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to appoint Ashley N. Torre Law, PLLC as Planning Board Attorney effective September 1, 2025, pursuant to its engagement letter dated September 9, 2025.

On a motion by Planning Board Member Franson, seconded by Planning Board Member Manson

Ayes: Planning Board Alternate Member #2 Rivera, Planning Board Member Garstak, Planning Board Member Manson, Planning Board Member Franson

Nays: None

Abstain: None

Returning Projects

Golden Delite (0189-2020) SBL # 2-1-5.13

31 Larkin Drive, Monroe, NY

Applicant Representative

John Queenan - Lanc & Tully

Lipa Deutch - Applicant representative

Mr. Queenan reviewed the project and discussed why it was before the Board this evening.

- We're before you tonight with a request for the Golden Delight Bakery site plan, that was approved by the Board about six months ago, and working through the various conditions to get them addressed as well as working with the Building Department, because this was associated with some violations that occurred. One of the conditions, specifically condition six, we're asking potentially for the Board to revise. The condition states that prior to the issuance of a building permit, the applicant shall provide the building department with written approval from Orange County Department of Public Works SD # 1 for the lateral connection that was proposed in the plan. We made the application to Orange County SD # 1 about six months ago. We've been following up on that submission and the Orange County Sewer District has advised us that it could be another 18 to 24 months before they get to it and that's not guaranteed that they would ever approve it, because of the expansion proposed down at the plant and how allocations will be cut up. So, in our discussions with Mr.

Maldonado's concerned that if we never get that, he can never issue a building permit and work can't be completed to get a C/O. Our request is to change that condition, and we still don't have this permit, and we can't get a C/O now, we're at the same point. So, what I'm thinking is, could we simply amend it to say that proof of permit submission to Orange County Sewer District #1 since the property already has a functioning septic system as it's operational now. So, as part of the site plan, which is still shown on the site plan to connect to the county, the owner will do that, and the recourse that the Town has is that it's shown on the plat. It's just that we don't know the time to ever get that permit. And so, we'd like to get a building permit from the building inspector, clean up the property as deemed to eliminate the violations, and ultimately get a C/O and that would close the building department file, at which time we'll have approval and they can do the sewer. If they don't, it's still a condition of the site plan that could be fulfilled at whatever time that happens.

Mr. Sickler comments:

- So I'm not entirely familiar with the project, but in looking at it earlier, there are several uses identified in the building. Is the existing system adequately sized for those uses?

Mr. Queenan - based on the records of what they constructed, it appears that yes, it's adequate. I don't know what was physically installed, it's going by the owner saying, "Oh, it's over here and here's the tank, etc." But, it has been functioning and those uses have been there for several years now. The owner stated he has never had any issues.

Mr. Sickler - the building permits are associated with work necessary to remedy the violations. If the system's functional and we have some form of confirmation or verification that there's no observations of failures. Then if the Board chooses to amend the approval to connect once the county has approved it.

Member Manson - how would you recommend that they demonstrate that the septic system is working and adequate?

Mr. Sickler - for an existing system it's probably just visual observation. I would think about that type of site and if there was a failure, it's most likely build up from percolating down into the soil is evidence of that functioning (inaudible).

Member Manson - Would we want to see evidence of when the last time that the tank was cleaned out?

Mr. Sickler - That's always good if you can get those records and that way you have a comfort level that the system is being maintained, somebody is monitoring and looking at it.

Mr. Queenan - we can provide that no problem.

Member Manson - the approval from the County may never come depending on what and when happens with the expansion and how it's allocated. But other than it being part of the site plan approval, how do we guarantee that's going to get done once the approval comes, if it does? That's my concern.

Mr. Queenan - Well, that's the site plan approval. It's like any of the other improvements on that site plan. So, we're showing lighting and landscaping, and those items are shown on that plan. They get implemented and installed and then basically verified by the time that they are completed. There would just simply be a note at the time that they do an issuance of a C/O which they would go through and do the site review. At that point in time, we'll see where we're at time wise. Maybe we have the permit and if we don't, it's noted in the building department file that it's still an outstanding item that, eventually, if a decision is made one way or the other to grant it or not to grant it, it's still on the plan.

Member Garstak - (inaudible) As long as it's regulated that way, I don't think there is a real issue.

Mr. Queenan - I look at it as simply it's on the plan, like any other improvement. It's just going to come down to, at the time of C/O whether we've received the approval or not. It's only because the property is wrapped in violations that the building department wants to close and get out of court and get rid of all that process and the only way to do that is to untie this.

Chairwoman Franson - at this point they're in the building, they're still operating and as much as they have violations, it's really not affecting them. In speaking with the attorney, one of the questions is, what's going to motivate them? There are other conditions that may not have been met, such as the plan being revised, and other conditions.

Mr. Queenan - We're still working to address all those. So, this is the only one that we see. We met with Mr. Maldonado and he's going through his list that he also wants to see completed and this came up.

Chairwoman Franson - could some of these other conditions, you already have an extension, it's the fact that you want to change the condition. For us to change the condition, would you move forward with some of the other conditions on the list. And if and it seems at that point, right now, we're making a change, but we haven't even gotten to any of the other conditions. So the suggestion was, why don't we at least do some of those revisions, get them in so we can get to map signing closer to it and then make the change.

Mr. Queenan - I don't want the map signed without correcting the resolution first.

Chairwoman Franson - but that's the only thing that's going to change is the timing for the sewer. It was a strategy that was suggested. But the idea is that again, because this has been going on for so long and because you know there's no nothing has changed, it's still in operation. Let's get the plans updated, get some of the other items updated, send them in. Provide us with that evidence of the permit submission. My suggestion would be that we could consider this for the next meeting and perhaps between now and the next meeting, take a look at the conditions and then see what has to be

updated on the plan, so at least we will get closer.

Member Manson - I do have one last question. So, assuming that you have the C/O the permit hasn't been issued, you've done all the other work at this point, how much more complicated is it going to be to do the sewer hookup or are you going to do at least on your property?

Mr. Queenan - the County will not allow that, until you have the permit you can't even start. We had the line routed through the grass, then it was the same crossing of the road regardless of Larkin and whatever we did. And then it was through the neighbor's yard where we secured an easement into Old Country. I don't think much will change on the site to be quite honest with you.

290 Mountain View Subdivision (0235-2025) SBL # 43-1-10

Mountain View Drive, Monroe, NY

Applicant Representative:

Michael Morgante - Arden Engineering

Mr. Morgante reviewed the project:

- the applicant is seeking to withdraw the improvements that were proposed along 290 Mountain View Road along the frontage of the property.
- the Town Highway Superintendent doesn't take any exception to that, as they never requested that work to be done.
- there was a discrepancy originally in the plans that the applicant wanted to drill a new well on lot 1. That is not the case. They are actually using the existing well that was pump tested and provided that information to the Board with the original submission. The plans will be updated to remove the note regarding abandonment of the well.
- we have submitted to OCDPW SD # 1 and are waiting for a response.
- #4 on MHE comment letter is to make a note in accordance with Town street specifications for any work to be done.
- Technically, there's a reduction in work on the plan, and we are hoping the Board could take administrative action to approve the changes.
- we don't need a public hearing for this particular project.

Mr. Sickler - I spoke with the Highway Superintendent. He agrees that there is no need for widening of the road, which would then cause the drainage to be updated, and the catch basins relocated and new culverts to be put in. He did mention that they would need to obtain a highway opening permit to install the sewer lateral, and they would need to post security.

- Regarding the water supply, they did provide well logs and pump test results for the existing well to demonstrate that they had water supply for the adjoining property.

Chairwoman Franson - reviewed the revised resolution. Reflects the most recent plan submission and project narrative. Approval subject to a final engineering review. The plat is not be signed until receipt of a letter from the Planning Board engineer certifying that all deficiencies noted in the memorandum of 12th September 2025 have been remedied to satisfaction. Now, prior to the issuance of the building permit, the applicant shall obtain a road opening permit from the Town Highway Superintendent for the work associated with the proposed sewer connection within Mountain View Drive and post security for completion of all improvements within the right of way to the extent required by the Highway Superintendent in an amount satisfactory to the Town Board upon consultation with the Town engineer and the Town attorney. Condition 12 is being deleted. That had to do with the abandonment of the well.

Member Manson - Could you scroll back up to six real quick? That speaks to all roadway improvements. Will there be roadway improvements?

Chairwoman Franson - I think she left that there for whatever new pavement course has to be corrected.

Mr. Morgante - We would have a driveway connection. We also have a sewer lateral connection that would require disturbance of the road.

Chairwoman Franson - The site plan shall be revised to reflect that the existing dwelling on lot # 1 will use the existing on-site well, the proposed two-family dwelling will be connected to a new on-site well. Applicant must comply with Mr. Sickler's comments in regards to the wells.

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to

On a motion by Planning Board Alternate Member #2 Rivera, seconded by Planning Board Member Garstak

Ayes: Planning Board Alternate Member #2 Rivera, Planning Board Member Garstak, Planning Board Member Manson, Planning Board Member Franson

Nays: None

Abstain: None

Aaron Zimmerman (0225-2024) SBL # 25-3-14.22
37 Dry Hill Lake Road, Monroe, NY

Applicant Representative:

Michael Morgante - Arden Engineering

Mr. Morgante reviewed the status of the project:

- our wetland consultant went out and flagged the wetlands. We used GPS and put them on a map.
- we received a notification from Mr. Fratz of the DEC visited the site and agreed with the location of the flags. We'll produce a wetland validation map and send it to Mr. Fratz for his approval signature
- we walked the site with Mr. Sickler and Mr. Fordham of the MCC, who issued comments
- the Board asked for a report from our wetland consultant, which we have provided.
- we submitted floor plans and elevations for the Board to review.
- we were able to locate and allocate the DEC dam report from 2021 that is in the repository of the Town.
- we submitted a jurisdictional delineation request, we know the wetland is going to be claimed by the DEC and we're within their buffer.

Mr. Sickler comments:

#2 reminder the applicant had submitted a dam maintenance declaration to which Ms. Torre has reviewed and provided comments waiting for revisions.

#3 reminder the applicant is before the ZBA regarding previous approval and conditions that were imposed on the approval.

#4 require approval and an application to OCSD #1.

#5 reminder that if there are any improvements made within Dry Hill Lake Road associated with the previous variances, easements would be required.

6 The applicant is proposing to connect to the existing water line within Dry Hill Lake Road. Based on Orange County Tax Map information, the lot is not within the Town's Water District #8. The applicant has noted their willingness to petition the Town to be added to Water District #8.

7 there is a proposed extension of the water main to Dry Hill Lake Road to an adjoining parcel.

#8 accessory structure, the pool house, needs to have confirmation on the height of the building. It is limited to 15 feet.

The tree plan has been submitted, and we forwarded it on to KALA for their review.

Mr. Fordman provided comments from the site walk regarding the trees and later comments about the dam's current condition. We may need to revisit the tree plan after all comments received.

#10 the applicant has submitted a request to the DEC for a JD.

-review by the Boards wetland consultant should be discussed.

#11 - confirm compliance with screening of the pool in accordance with 57-42C

#12 - confirm lot coverage calculation in accordance with 57-21 (1) with net lot area.

#13 - the Board requested a narrative as to how the project would be constructed within the area of disturbance as indicated on the plans and the steep slopes.

#14 - the Board requested visual analysis from RT 17M.

#15 - looked at the dam on my site visit. The NYS DEC prepared an inspection report on January 21, 2022, and I agree with the assessment from the DEC. The applicant should discuss the deficiencies noted in the DEC report.

#16 - Runoff from the proposed driveway, dwelling and pool structures appears to be directed towards the adjoining parcel N/F Fini Management. The applicant should provide a narrative describing how potential impacts will be mitigated. Chairwoman Franson - looking at the pictures from the DEC of the trees on the embankment that they want removed are they asking for the stumps to be removed as well?

Mr. Sickler - the smaller trees they recommend the stumps remain, the larger trees need to be evaluated by an engineer and taken on a one-to-one basis.

Chairwoman Franson - there is this one photo that notes a low spot on the dam crest toward the right and almost no freeboard. Freeboard meaning the amount of elevation between the crest and the water level?

Mr. Sickler - correct. That would be freeboard which is the distance between the water surface elevation and the top of the structure that's containing it or impounding it. The DEC also noted some unevenness of the embankment. Over time, as it settles, you prefer to have a constant elevation across and if you have spots that are lower and the water level rises, that's where it'll go over first and if it's going over a low spot it's going to erode and potentially create other problems.

Chairwoman Franson - How old is the dam? Is there any history of the Dam? What is the applicant thinking in terms of addressing the situation?

Mr. Morgante - I wasn't able to find any history of the dam. The spillway looks pretty old, so I am guessing 30-50 years old. I discussed it with Mr. Sickler during our site walk, it's my opinion that dam mediation needs to occur before any C/O is granted for this particular project. If the project is approved by the Planning Board it makes sense that the construction work would occur at the same time we're doing construction on the dwelling. Either way, the applicants are bound to take care of this with the DEC, but now that we're in the planning process, it would make sense to try to kind of envelop them all into one umbrella and deal with them at that time. That would be the idea and I think a condition could be placed by this Board noted in any kind of resolution that work needs to be completed and approved by the DEC before C/O is granted for this particular dwelling.

Chairwoman Franson - reviewed the comment letter issued by the MCC. 41 trees are being removed none are considered "specimen" trees. The replacement trees are white oak and red maple. I would recommend smaller tree species with non-invasive roots (example crabapple, flowering dogwood, Japanese Maple). The narrow strip between the driveway and walkway is too narrow for any species of tree. The Amended Tree Code, in Section 57-85 D.(1)(b), permits tree removals without mitigation within a designated improvement area at the discretion of the Planning Board. Approximately 25 trees (as shown on plans) are within the designated improvement area, i.e. the proposed buildings and driveway.

Chairwoman Franson reviewed the notes regarding the process from Ms. Torre

- we already declared this as an unlisted action
- we assumed lead agency status
- this is not subject to GML review
- we need to complete SEQRA before opening a public hearing.
- We need to figure out what information is needed to get a negative declaration, given there are two aspects to this project.
- We have discussed retaining a wetland ecologist/consultant.
- We need to confirm the height of the dwelling and how many stories.
- the project is currently in front of the ZBA, need to double-check if a variance is needed for the pool house near the rear yard.
- Ms. Torre is sending a letter to the ZBA regarding any comments with regard to SEQRA.
- Ms. Torre did provide proposed changes to the draft dam maintenance declaration.
- The plans need to include the house relocation notes and indicate the number of bedrooms in the dwelling.
- Stormwater notes needed to be added
- parkland fee will be required

Chairwoman Franson - in the code regarding dam maintenance it says nothing herein shall prohibit the removal of said pond or create any rights of others to use, drain into or otherwise benefit from the continued maintenance of said pond. So that was a question I have is this pond and this is what we want to explore with our consultant and get Jim Bates out there with our consultant. Is it ultimately easier to not have this as a dam and have it as a wetland and let it be more free flow and I don't know how DEC would be because this is a wetland, but if you take the water away it still may be a wetland, but just not a pond. So the question came to mind because, in theory, after all this is done, the applicant could just remove the pond. Does the applicant actually have a preference or is it such a hurdle to remove a dam that it's better that they just maintain it? What are the applicants' thoughts on this?

Mr. Morgante - I'll have to ask and get back to you. At this point, the applicants are under the impression that this is a requirement of them. And they seem to be obviously amicable to doing it. But let me ask that question because it's a good question. My only concern is from the little bit I know about the pond, I don't think the pond's very deep maybe three or four feet. It's hard to do soundings on it as you can't get that close to it. But then draining it down to a certain level what are those impacts going to be. I'm not sure mosquito ditches, things of that nature. So let me discuss it with them and get back to you though.

Chairwoman Franson - I just want to know if there's a lot to be done for this pond, and the fact that this declaration suggests it could be removed anyway. What are the two options? And you know, from a SEQRA perspective and a DEC perspective, would they be okay if it's a wetland still, just not a pond wetland?

Mr. Morgante - in essence if it just flows right through. It may make sense to, in essence, if they lower the spillway, potentially even eliminate it, drain the pond appropriately under the right conditions, have a lower water level. We'd still probably rip wrap line, that ditch going down towards 17M. I'm sure it'll help eliminate the need for maybe tree cutting and future dam maintenance. It's a valid point. So, as long as the DEC is on board with that as well, we'd obviously have to consult with them. But let me start with the applicant, see what their position is.

Member Manson - we were provided this letter from DEC from January 2022 to a previous owner of the property. The DEC in their letter asked for a written response within 30 days identifying your planning schedule for submitting the above outstanding items as well as your plan to address deficiencies identified in this letter and visual observation report. Do we

know if that ever happened?

Mr. Morgante - We know it hasn't happened, at least with the current applicant. Whether Tom Sullivan did anything I have no idea. But this applicant has not done anything according to the comments on that letter. But based on current observations, it doesn't appear that anything has been done to address any of this. I don't even know if a response was provided to the DC is what I'm getting at.

Chairwoman Franson - it needs to have an INM plan and it has to have an EAP plan if it remains.

Mr. Morgante - I would need to discuss the options with the applicant and see what their intended direction is. I can provide that input to the board if they want to maintain the dam. I would suggest though that it is an outside agency, not that this board doesn't have any interest in it, but they're not approving it. So, we would have to work directly with the DEC, get a consultant as the letter suggests, prepare a plan, send it to them, have them approve it, execute the work. Again, this would be something we would look to do, in conjunction with a building permit at that time and make it subject to C/O. We would also try to identify the area on the embankment where tree clearing would be required, and some work would need to be done. But, I need to get some input from the applicant.

Meadow Hill (0169-2018) SBL # 37-1-1 Lakes Road, Monroe, NY

Applicant Representative:

Zachary Peters - Mercurio-Norton-Tarolli-Marshall, PC

Mr. Peters reviewed the status of the project:

- 6 lot subdivision
- last time we were here working on the SWPPP with over an acre of disturbance but under 5 acres. That has been prepared and submitted.
- we also submitted a tree plan which is sheet 5 of the current plan set.
- on lots 4, 5 & a portion of 6 that has a lot of dead ash trees there were lantern flies and borers out there.
- nothing on plan has changed substantially.
- we are on the schedule for the well driller looking to test the well on lot # 1
- the applicant wanted to ask the Town about only testing 1 one. The Town code requires testing 1 well for 1-5 lots and 2 for six and above. We didn't know if that was something that the Board would consider or have the ability to grant a waiver to just do one test. That's what's required by the health department.

Mr. Sickler Comments:

- #2 the applicant submitted the SWPPP MHE will review and submit comments.
 - received comments from OCDPW dated March 26, 2025. The latest plans reflect an area of vegetation clearing to be maintained for sight distance. Have you submitted a response to the comments yet?
- Mr. Peters - my understanding is that we'd responded and have gotten conditional sign off or acceptance of the locations from them.

Mr. Sickler continues:

- need to have the formal documentation submitted to the board from OCDPW. An email is acceptable so that we can do the negative declaration and get to the next steps in SEQRA
- the applicant submitted a tree plan review by the MCC and KALA should be discussed. Plans have been forwarded on to both.
- plans need to be submitted to OCDH for the Realty Subdivision approval upon preliminary subdivision approval granted by the Planning Board.
- Town wetland consultant comments will need to be updated. It was last reviewed approximately 5 years ago.

Chairwoman Franson - you submitted for a DEC jurisdictional determination, but we haven't received anything yet.

Mr. Peters - we haven't heard anything yet. We will resubmit with a summary of where we stand with all the items.

Mr. Sickler - touch base with Ms. Torre on the SEQRA status

- several years ago assumed lead agency not sure if that needs to be reconfirmed.

Chairwoman Franson reviewed Ms. Torre comments:

- six lot cluster because you were in the cluster requirements
- this is an unlisted action.

- assumed lead agency status in 2019
 - sketch plan was previously referred to the County Planning Department, they responded that they needed a full statement. So the GML is still hanging out awaiting response.
 - we need to complete SEQRA before a public hearing
 - need to submit a new application that is signed and the new owner's endorsement completed.
 - we need a formal wetlands application with a narrative
 - bulk table on sheets 1 & 2 need to be revised.
 - note #4 indicates minimum side yard is being reduced to 15 feet for one and a total of 30 feet for both. However, the smallest side setback is 16.8 and the smallest total side setback is 62.9.
 - cluster column in the bulk table should indicate all the proposed reduced bulk consisting of the small side setbacks proposed. Lot area column please show net lot area if not already done.
 - revise note 3 under the bulk table to state that pursuant to the Town code, the minimum lot area may be reduced by 50% of what otherwise would be required for conventional lot in the district and the minimum yard requirements are established by the Planning Board during cluster review.
 - regarding the Appalachian Trail, it may be owned by a homeowners association as long as it's protected from development. It requires a conservation easement to be held by the Town or a qualified not for profit conservation organization acceptable to the Town.
 - look at the scenic buffer zone requirements for determination of public improvements and there will be recreation fees.
 - your looking for information on drilling for the wells, whether you can do just one or need to do two and which location. The gravel access road leads to lot 1 so that is where we would like to test for a well at this time. I will defer to our engineer for that decision.
- Mr. Sickler - I will review the DOH letter and the Town code and get back to you regarding that.
- Member Manson - One thing that stuck out with me when I was looking at the plans and in relation to the narrative for the wetlands application is that there's quite a bit of disturbance in the 100-foot buffer and, so what I'd like to see in the narrative is how much disturbance is being proposed. What I'd like to know is how much of what's being proposed for a conservation easement is being proposed that's outside the 100 foot buffer. So, basically, what are we getting, it's not true mitigation, we're conserving this, we're disturbing this, but we're conserving that's outside the buffer that's additional outside the wetlands. Okay, does that make sense?
- Chairwoman Franson - at this point you'll coordinate with Mr. Sickler and address his comments. We're waiting on the wetland. Again, I think those are critical path that the wetland especially is critical path item to get to a negative declaration.
- Mr. Peters - The wetlands and the wells are the biggest things and I think everything else, even the attorney's comments that were discussed, didn't sound like they're more about the plans.

New Projects

Manuelpillai Subdivision (0243-2025) SBL # 13-1-7.1 52 Catskill Ave, Monroe, NY

Applicant did not show up

Minutes

June 13, 2024

held over

September 12, 2024

held over

March 13, 2025

held over

June 12, 2025

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the amended minutes of June 12, 2025.

On a motion by Planning Board Member Franson, seconded by Planning Board Member Manson

Ayes: Planning Board Alternate Member #2 Rivera, Planning Board Member Manson, Planning Board Member Franson

Nays: None

Abstain: None

June 17, 2025

held over

July 15, 2025

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to approve the amended minutes for July 15, 2025.

On a motion by Planning Board Member Franson, seconded by Planning Board Alternate Member #2 Rivera

Ayes: Planning Board Alternate Member #2 Rivera, Planning Board Member Manson, Planning Board Member Franson

Nays: None

Abstain: None

Adjournment

BE IT RESOLVED, that the Planning Board of the Town of Monroe hereby makes a motion to adjourn.

On a motion by Planning Board Member Manson, seconded by Planning Board Alternate Member #2 Rivera

Ayes: Planning Board Alternate Member #2 Rivera, Planning Board Member Manson, Planning Board Member Franson

Nays: None

Abstain: None

Adjournment of Meeting