

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 01/24/2023

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, January 24, 2023)

Generated by Norinne McSweeney

DRAFT

Members present

Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

Members Absent:

Marci Daniel

Consultant:

Matthew Lizotte

1. Welcome

Procedural: 1.01 Roll Call

Procedural: 1.02 Pledge of Allegiance

Procedural: 1.03 Fire Exits

2. Appointments

Action, Discussion: 2.01 **Appointment of Deputy Chairman**

BE IT RESOLVED, that the Zoning Board of the Town of Monroe Chairman appoints Steven Thau to be Deputy Chair in his absence for the term of January 1, 2023 to December 31, 2023.

Motion by Chip Postiglione, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

Absent: Marci Daniel

Action, Discussion: 2.02 **Appointment of Ferrick, Nugent and MacCartney as Counsel**

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to appoint Ferrick, Nugent and MacCartney as legal firm with David MacCartney representing the board from January 1, 2023 until December 31, 2023.

Motion by Chip Postiglione, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

Absent: Marci Daniel

Action, Discussion: 2.03 **Approval of 2023 Meeting Schedule**

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve the 2023 ZBA meeting Schedule.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

3. New Project

Action, Discussion: 3.01 **Lebovitz** (Z077-2023) SBL # 43-1-8 34 Irene Drive Monroe, NY

Patrick Hutton MJS Engineering

Jay Myrow - Zoom

seeking to build a new residence 41161 sq ft 43560 is an acre
tear down to construct new one larger home within the set backs
meet all bulk requirements

looking for interpretation of the code that a variance is needed or we need a variance
home is on a foundation - are you changing the foundation
new footprint

building dept 57-5 for less than an Arce

Chairman Postiglione before us tearing down the home and coming before us
do you have plans

Member Scully do you have a survey of existing home
papers submitted to building department

Chairman Postiglione looking for a sealed survey
plans of the house proposed

variance on the lot area

Jay Myrow interpretation and or area variance
focus on area variance

5 factors
home consistent with the neighborhood
no impact on environment
not a large variance

self created
it is a non conforming lot
meet all set back requirements
house fits within the current foot print

Chairman Postiglione you are tearing down the entire house including the foundation/basement and rebuilding so it is a whole new foot print
Mr. Hutton so the building department referred you to the ZBA specifically for 57-5 and the fact that it is in the CR-10 and you need a full area to build there 43,568, the size of the home will meet the current zoning code
Mr. Myrow inaudible

Chairman Postiglione
sealed survey
plans of the existing house and the proposed house
Mr. Hutton building inspector is only asking for variance on the lot coverage
Mr. Myrow were are looking for 2 things an interpretation and or an area variance for the lot area on this property I think we are more going towards the lot area variance which is about 5%

4. Returning Projects

Action, Discussion: 4.01 Homeland Towers (Z073-2022) SBL # 3-1-19.2 24-26 Strauss Lane, Monroe NY

Dave Kenny Snyder & Snyder

before the planning board reviewing SEQRA
site visit January 7th
old logging trail for entrance
talked about alternative location on the property
reviewing shift in location will present as an option

Member Thau is there an elevation shift will that effect the height of the tower

Mr. Kenny need to see if lease rights allows us to make the change

Chairman Postiglione wasn't at site visit did a walk through thinking about another location still on the plateau

Mr. Kenny the Planning Board Chairwoman is asking based on the visual analysis looked at an actual site but closer to another township

looking at the visual shots from the balloon test
looking at 2 options for the tower mono pole vs monopine
at the planning board public hearing as been continued
waiting for the decision to complete SEQRA
public comments

leave off photos

Chairman Postiglione what is the type of maintenance

Mr. Kenny monopine more maintenance more to upkeep
Chairman Postiglione who's responsibility to maintain
Mr. Kenny tower owner and the locators on it

Member Thau does the type of pole have any design of the fencing or the pad size
Mr. Kenny no same equipment compound a fenced compound
Member Thau would the branches have any effect if monopine was 5 ft taller

Member Seeley any different FFA requirements
Mr. Kenny none triggered by the heights over 200 feet

will submission have monopole and a monopine

Member Thau need more info before setting public hearing

Chairman Postiglione would like to see the different poles so we can make a comment to the
planning board

Mr. Kenny hoping to finalize things like the location at the next meeting

will ask Planning board to wait for input from ZBA prior to decision being made

Mr. Lizotte mentioned the shot clock letter

Mr. Kenny shot clock continues to April 18, 2023

reviewed photos of the different types of towers, leaf on conditions, board asked for leaf off
conditions.
reviewed differences in the 2 types of towers

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to extend the shot clock and authorize Ferrick, Nugent, & MacCartney to sign the extension letter.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

Absent: Marci Daniel

5. Minutes

Action, Discussion: 5.01 November 22, 2022

held over

6. Adjournment of Meeting

Action: 6.01 Adjournment of Meeting

BE IT RESOLVED, the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to adjourn the meeting.

Motion by Chip Postiglione, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

Absent: Marci Daniel