

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 01/26/2021

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, January 26, 2021)

Generated by Norinne McSweeney

Members present (Zoom Meeting) Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid

Consultants:

David McCartney, Esq.

1. Welcome

Procedural: 1.01 Roll Call

Procedural: 1.02 Pledge of Allegiance

2. Appointments

Action, Discussion: 2.01 Acting Chairman

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby appoints Peter Lewis to Acting Chairman in the event the Chairman is unavailable for the term ending December 31, 2021.

Motion by Kevin Scully, second by Austin Seid.

Final Resolution: Motion Carries

Yea: Chairperson - Michael Murphy, Kevin Scully, Austin Seid

Abstain: Peter Lewis

Action, Discussion: 2.02 Attorney Appointment

BE IT RESOLVED, that the Zoning Board of Appeals hereby appoints the firm of Ferrick Nugent & MacCartney as legal advisor to the board with David MacCartney as the attorney on record for the term ending December 31, 2021.

Motion by Peter Lewis, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid

Action, Discussion: 2.03 ZBA 2021 Calendar

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby approves the Meeting Calendar for 2021.

Motion by Kevin Scully, second by Austin Seid.

Final Resolution: Motion Carries

Yea: Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid

3. Returning Projects

Action, Discussion: 3.01 Michael LaBagh (Z053-2020) SBL # 17-9-27.2

Michael LaBagh - applicant Mr. LaBagh reviewed his applicant: added a little roof area over the front door 4 x 5 this was the initial issue then the driveway became a concern, the size of the driveway which caused for front yard parking room on the side of the house for one car suggestion by Building Inspector to remove a 13 x 20 area from the front yard open discussion regarding removing parking area in front on making it grass again, use of side yard for parking, large drop off, saving trees by driveway and on side of house, Mr. MacCartney reviewed what the variances that are being sought by the applicant. The variances are for the portico is clear, the variance for the parking in the front yard must include the removal of the area 13 x 30 ft Chairman Murphy requested a complete copy of the site plan to have on file showing the driveway and the parking area and the new sidewalk proposing. Mr. MacCartney having these plans also ensures enforcement of what was approved by this board. Scheduled Public Hearing for February 23, 2021

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby makes a motion for schedule a Public Hearing for February 23, 2021.

Motion by Chairperson - Michael Murphy, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid

4. New Projects

Action, Discussion: 4.01 Vincent Comito (Z055-2020) SBL # 38-5-18

Eric Osbourne - Architect Client has owned house for 18 years, over years house has been added on, house needs to be updated, client wants to remove 2nd floor and reconstruct half the main floor and completely update the house. Current house existing non-conforming. Want to square off the right hand corner in the front canopy in the front want to enclose the canopy and make is a small vestibule Since the existing house is non-conforming we are hear before this board. would like to add some deck supper deck with hot tube down to the lower deck there is an existing boat house that they possible would like to have resided discussion in regards to the site plan and what all was going in within the plans Questions on what the blue line on the site plan is for Mr. Osborne said it is the lake property line is the green line where the applicant would like to put the deck is above what is currently a rock patio with gardens Chairman Murphy believes the board needs clarification on the lake setback regulation, where its measured from and where it gets applied to Member Seid states it is determined by the town

engineer it's from the said shoreline or bank on the basis of a period of normal water level with a requirement of 50 ft reviewed different views of the site plan front yard variance, rear yard variance, impervious area, add to site plan required bulk table information, estimate lot coverage, needs updated survey Public hearing was set

BE IT RESOLVED, that the Zoning Board of Appeals hereby makes a motion to schedule a Public Hearing for February 23, 2021.

Motion by Peter Lewis, second by Austin Seid.

Final Resolution: Motion Carries

Yea: Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid

Action, Discussion: 4.02 Jule Rutledge (Z054-2020) SBL # 11-1-1

Mr. Lasso representing applicant looking for 2 variance for a new shed to replace the old shed on the site plan in the corner Member Lewis so you're proposing to get rid of the building that's there and put up a new one. Mr. Lasso we are getting rid of the small shed in the corner, the part marked in red 16 x 20 is the new accessory building Mr. Lewis but that building is there now correct the 16 x 20 Chairman Murphy ok that was a little misleading, so you are getting rid of the shed in the corner where it belongs and putting a bigger building on Lake Region Blvd Member Scully What is the purpose of the new shed? Member Lewis it is not really a shed, it is a 2 story building with the lower level a shed and the upper level basically a gym. There are window treatments Mr. Rutledge not only is there equipment in there but there are boxes as well. I have no basement in the house so my intention in building this shed was for storage. The lower section has my lawnmower, car parts, construction tools, upstairs has books, magazine, Christmas decorations Member Seid when was the building built Mr. Lasso it began as a weekend project in the summer of 2019 Chairman Murphy and that was constructed without a building permit Mr. Lasso correct and when we did submit for review and Mr. Maldonado visited the site we were denied for the 2 variances needed Chairman Murphy where the building is located we're not complying with any setback regulations, corner lot has frontage on 2 sides Mr. MacCartney the 2 variances that were identified front yard which has a requirement of 40 ft but the new construction comes within 18ft, question in regard to height, height needs to be verified there is a 15 ft max in that zoning district and he thought it was at 16.5 ft, then there is question regarding lot coverage you have a max of 25% Member Seid stated that section 57-3 in the code requirement is the average elevation of the finished grade to the highest point of the building (calculation procedure there) Mr. MacCartney stated Mr. Maldonado in his denial letter states your existing height is about 16.5 ft but shall be verified, the applicant need to show the building height Mr. Lasso I will look into that and follow the code Mr. MacCartney you will also have to verify lot coverage to make sure a variance isn't needed there. Chairman Murphy - to verify height you need to provide pictures of this building

5. Adjournment of Meeting

Action: 5.01 Adjournment of Meeting

BE IT RESOLVED, the Zoning Board of Appeals of the Town of Monroe hereby adjourns the meeting at 9:30 pm.

Motion by Austin Seid, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid