

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 01/28/2025

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, January 28, 2025)

Generated by Norinne McSweeney

Members Present

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

Board Consultant:

David MacCartney

1. Welcome

Procedural: 1.01 Roll Call

Procedural: 1.02 Pledge of Allegiance

2. 2025 Appointments

Action, Discussion: 2.01 Appointing of ZBA Attorney for 2025

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby makes a motion to appoint the firm of Ferrick, Nugent & MacCartney with David MacCartney as our principal attorney for the ZBA for the term of January 2025 - December 31, 2025.

Motion by Chip Postiglione, second by Kevin Scully.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Action, Discussion: 2.02 Appoint Deputy Chairman

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to appoint Steve Thau as the Deputy Chairman of the ZBA.

Motion by Chip Postiglione, second by John Seeley.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

Action, Discussion: 2.03 Approve the 2025 ZBA Meeting Schedule

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to accept the 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

Nay: None

Abstain: None

3. New Public Hearing

Action, Discussion: 3.01 **Suta Qosaj** (Z094-2024) SBL # 11-7-47 207 Sunset Terrace, Monroe, NY

Applicant Representative:

Jessie Shih - David Niemotko Architects

Mr. Shih reviewed the application

- board requested floor plan and elevation of the building
- proposed addition to the building
- revised plans November 5, 2024
- adding 10 feet to the setback

All conditions are pre-existing non-conforming

open to the public

discussed the five factors

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby makes a motion to open the public hearing.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Fails

Not Present at Vote: Kevin Scully, Chip Postiglione, Steven Thau, John Seeley, Zachary Murphy

Nay: None

Abstain: None

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby makes a motion to close the public hearing.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby makes a motion to grant the variance with all the usual conditions of payment of fees, compliance with the laws, rules and regulations and follow the submitted plans.

Motion by Chip Postiglione, second by Kevin Scully.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby makes a motion to direct the attorney to draft a resolution and the Chairman to sign.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

4. Returning Public Hearing

Action, Discussion: 4.01 **Luciano, Nelson** (Z079-2023) SBL # 15-4-30 78 Cromwell Hill Road, Monroe, NY

Applicant Representative:

Nelson Luciano - owner

Chairman Postiglione - Member Murphy has been to the property

Member Murphy - yes, I made a trip to the property and everything is as it appears in the survey, everything that we have asked of him has been done.

Mr. MacCartney what is the last date of the survey January 5, 2025

reviewed the five factors

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to close the public hearing.

Motion by Chip Postiglione, second by John Seeley.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve the variance with the standard conditions of payment of all fees, compliance with all the laws, rules and regulations and following the submitted plans January 5, 2025.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to have the attorney draft a resolution for the Chairman to sign.

Motion by Chip Postiglione, second by Kevin Scully.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

5. Returning Projects

Action (Consent), Discussion: 5.01 **Home Depot** (Z096-2024) SBL# 2-1-31.2 Larkin Drive, Monroe, NY

Applicant Representative

Dorin Balin - Kimley Horn

Chairman Postiglione reviewed the application

- last meeting spoke on a traffic study
- Town of Woodbury approval
- talking to the Town Engineer
- needed updated plans
- concern the parking

Mr. Balin - we have a truck turn to model that is to fire code and zoning code
 - last we were before the Planning Board if all the improvements were in the Monroe boundary then we wouldn't have to go before the Village of Woodbury

Member Thau - if nothing else the GML notification with the 500 feet of a municipality
 Chairman Postiglione - if Woodbury has no issue we just need that in writing

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to set a public hearing for February 25, 2025.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

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

Nay: None

Abstain: None

6. New Projects

Action, Discussion: 6.01 **Camille Tokerud** (Z096-2025) SBL # 58-1-1.2 112 Osseo Park Rd, Monroe NY

no show

Action, Discussion: 6.02 **Kevin Donoghue** (Z097-2025) SBL # 20-10-22 98 Osseo Park Rd, Monroe, NY

Applicant representative:

Kevin Donoghue - owner

Mr. Donoghue -

- process ARB process did the whole application with the Building Department
- needed to be reviewed by the Town Board
- lot coverage exceeded the maximum
- apply for the variance
- property crosses over a private road
- variance to be granted for the ARB application with the Town Board

Board was looking for Mr. Maldonado letter and the bulk table chart

Chairman Postiglione - wants on the survey bulk table with the calculations on it and stamped
Chairman Postiglione - you have been before the Town Board already

Mr. Donoghue - yes and when they saw the discrepancy in the lot coverage the application got tabled and the next day I received the denial letter from Mr. Maldonado.

Chairman Postiglione - as of now is the home being rented?

Mr. Donoghue - yes I have been working with the Town as a short term rental and I received a violation

Since purchased did the following at the property built a privacy fence, floating deck, some low level landscaping, stone patio overlook with a stone fireplace

7. Minutes

8. Adjournment of Meeting

Action: 8.01 Adjournment of Meeting

BE IT RESOLVED, the Zoning Board of Appeals of the Town of Monroe hereby adjourns 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

Nay: None

Abstain: None