

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 02/23/2021

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, February 23, 2021)

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Zoom Meeting

Members present Chairperson - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid

Consultants:

David MacCartney, Esq.

1. Welcome

Procedural: 1.01 Roll Call

Procedural: 1.02 Pledge of Allegiance

2. Public Hearing

Action, Discussion: 2.01 Michael LaBagh (Z053-2020) SBL # 17-9-27.2

Michael LaBagh

BE IT RESOLVED, that the Zoning Board of Appeals for the Town of Monroe hereby opens the Public Hearing for Michael LaBagh project.

Motion by Kevin Scully, second by Peter Lewis.

Final Resolution: Motion Carries

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

Mr. MacCartney has asked the applicant to do a review of the project for any public who are on listening for tonight's meeting. Mr. LaBagh front entryway roof over 4x5 caused a front yard set back variance to be required parking in the front yard is not allowed in the Town of Monroe long discussion with the board about making the necessary changes to make the parking legal for the property gravel milling will be removed and straight line from house to the street and a curved area to the driveway applicant agreed to remove the 13 x 20 ft piece in front of the house put in a small sidewalk from the driveway to the front porch parking one car next to the house and one car along side it partially in the front yard Chairman Murphy pulled up a survey of the project for the board to review and see what was proposed to be removed and what would be staying need to have full dimensions added to the plans delineate 2 parking spaces on survey open discussion between board and Mr. LaBagh about parking one car next to house and one partial front yard additional items he should add to the plans to show the board in order to help justify their decisions show the tree and any other items on the property what is needed: existing paving removed dimensioned carefully base on the Building

Inspectors requirements to return the area back to what it original was for permit application covered wood porch dimensions with relation to the setback line single parking stall 9 x 18 laid out on the side of the house put the tree on the plans variance on parking space in the front yard Review: existing pavement to be removed dimensioned exactly covered wood porch dimensioned with relation to setbacks complete map entire boundary of the parcel signature and seal of the survey zoning data table showing existing conditions and proposed and the variance that's required driveway needs to be modified per tonight's discussion for a 20ft parking space show the trees extend public hearing until next meeting

Action, Discussion: 2.02 Vincent Comito (Z055-2020) SBL # 38-5-18

Eric Osbourne - Engineer Mr. & Mrs. Comito Chairman Murphy the applicant is here for a front yard setback, a rear yard setback, and a buffer zone to the edge of the lake or shoreline setback - all 3 needing variances BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby opens the public hearing for the Vincent Comito project.

Motion by Peter Lewis, second by Kevin Scully.

Final Resolution: Motion Carries

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

Mr. Osbourne: we were here before you last month my client wishes to remove a portion of the existing 2nd floor and construct a full second floor in the entire house. Small portion on the lower right hand corner that we want to square off and there's an existing awning on the front that we want to enclose for a small vestibule. Previous plans we showed 2 decks which came down closer to the lake, I have now cut out the second deck and extended the deck up on the north side moving the hot tub and stairs over to that side, added a bulk table, current front yard is existing non-conforming looking for a variance to enclose entrance, enclosing existing front stoop to make a mud room at the front of the house open discussion regarding back deck and distance to shore line no change to the existing garage except to reside it and new roof 3 tax lots one owner add to the bulk table the one lot showing it can stand on it's own show as an alternate BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to close the public hearing on the Comito project.

Motion by Peter Lewis, second by Kevin Scully.

Final Resolution: Motion Carries

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

Chairman Murphy asked Mr. MacCartney to review the variances being requested. Mr. MacCartney there are three variances being requested tonight one is for a front yard set back of 9.6 feet whereas 40 ft required that's an existing condition but a variance is required because of the technical expansions of the enclosure of the front stoop, there is a rear yard variance 18.8 feet and whereas 40 feet is required and that's a pre-existing condition off the corner of the existing garage, the other is the distance to shore 20.83 feet where 50 feet is

required Chairman Murphy given that those are the three variance requested and the fact that we've reviewed the property we recognized that the three separate parcels are now actually combined into a single tax lot, they're not really increasing the footprint of existing variances. The new structure is pretty much a second story on the existing dwelling, along with the creation of a deck off the rear of the house that covers the area that's currently occupies by a patio. We should now go through the 5 factors a balancing test. Board members reviewed and discussed the 5 factors with Mr. MacCartney.

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve front yard, rear yard and distance to lake setbacks for this project with plans revised 2/2/2021.

Motion by Peter Lewis, second by Kevin Scully.

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to authorize Counsel MacCartney to prepare a resolution memorializing the vote and authorizing the chairman to sign it.

Motion by Peter Lewis, second by Austin Seid.

Final Resolution: Motion Carries

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

3. New Projects

Action, Discussion: 3.01 Pietro Fini (Z056-2021) SBL # 31-1-25.42

no applicant tonight

4. Adjournment of Meeting

Action: 4.01 Adjournment of Meeting

BE IT RESOLVED, the Zoning Board of Appeals of the Town of Monroe hereby adjourns the meeting at 9:38 pm.

Motion by Peter Lewis, second by Austin Seid.

Final Resolution: Motion Carries

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