

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 05/30/2023

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, May 30, 2023)

Generated by Norinne McSweeney

Draft

Members present

Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

Consultants:

David MacCartney

1. Welcome

Procedural: 1.01 Roll Call

Procedural: 1.02 Pledge of Allegiance

2. New Public Hearing

Action, Discussion: 2.01 **Wafa Safizadeh** (Z078-2023) SBL # 41-1-8 1218 East Mombasha Road Monroe, NY

Wafa Safizadeh applicant

applicant reviewed what the variance was that she needed
need a side yard variance 3" variance required 30 feet proposed 27.7"

Chairman Postiglione no other comments from the board, I would like to open the hearing to the public

Mr. MacCartney reviewed the 5 factors with the board

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

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to grant the variance sought by applicant.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

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

Motion by Kevin Scully, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

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 Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to grant the variance sought by applicant.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

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

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

3. Returning Public Hearings

Action, Discussion: 3.01 **Lebovitz** (Z077-2023) SBL # 43-1-8 34 Irene Drive Monroe, NY
have asked the public hearing to remain open to June 27

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to adjourn the public hearing for May 30, 2023 and keep it open until June 27, 2023.

Motion by Kevin Scully, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

Action, Discussion: **3.02 Glenis Reynoso** (Z076-2022) SBL # 29-1-51 701 Lakes Road
Monroe, NY

Applicant Representative:

David Niemotko

Chairman Postiglione reviewed from his notes:

lot width 138.9

lot coverage couple feet from current standing

Mr. Niemotko reviewed that from the last meeting we were waiting on comments from the Town of Chester and the GML review.

Ms. McSweeney I have heard nothing back from the Town of Chester and I had the GML marked off as complete but when I check with them they have no record of it. I have resent it as of today but they have 30 days to review and reply. I spoke with Mr. MacCartney to see if there were other options with my error but there is nothing accept to hold over until next month.

Mr. MacCartney understanding the application would like a decision it is advisable to wait for the GML to come in prior to any decisions being made. Leave the public hearing open talk about the 5 factors so I have an idea of the direction the board is going, Mr. Niemotko can make additional comments, I can then draft a resolution for next months meeting.

Chairman Postiglione reviewed his notes to make sure everything is being covered. Applicant was going to recalculate the impervious area.

need lot width 138.9

lot coverage pre-existing non conforming

board discussed the 5 factors

Mr. Niemotko inaudible

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to adjourn the public hearing until June 27, 2023.

Motion by Steven Thau, second by Chip Postiglione.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

Action, Discussion: 3.03 **Homeland Towers** (Z073-2022) SBL # 3-1-19.2 24-26 Strauss Lane, Monroe NY

Applicants Representatives:

David Kenny - Snyder & Snyder

Vincent Xavier - Homeland Towers

Mr. Kenny we received the draft resolution we have no comments or issue with the resolution

Mr. MacCartney does anyone on the board have any questions or comments or concerns regarding resolution.

The Planning Board is still reviewing the application and making comments and moving forward. The upshot of the resolution is that it steps through the NYS and federal law, it talks about the standards that we have talked about many times, it lays out the history of the project then it is the resolution granting the use variance requested with 8 conditions most of which relate to the subject to be conditioned upon the continued review by the Planning Board, they have completed SEQRA, issued a Negative Declaration, they are continuing the site plan and ridgeline overlay review, they have chosen the monopine design, currently looking at a couple of minor changes to the site plan regarding tree removal. It is noted in the resolution so the board is aware of what is going on and that the Planning Board is continuing to look closely and make its decision based upon sound planning and engineering principals.

I would suggest you open it up for any final public comments, the room is empty so it is noted that there is no further public comments. Any final questions from the board members if not entertain a motion to close the public hearing. If everybody is satisfied with the resolution you can make a motion to approve the resolution that is drafted before you.

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 Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve this resolution granting the use variance on conditions.

Motion by Chip Postiglione, second by Marci Daniel.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley

4. Minutes

Action, Discussion: 4.01 March 28, 2023 Minutes

held over

Action, Discussion: 4.02 April 25, 2023 Minutes

held over

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.

Motion by Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

Yea: Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau, John Seeley