

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 06/28/2022

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, June 28, 2022)

Generated by Norinne McSweeney

Members present

Kevin Scully, Marci Daniel, Chip Postiglione, Steven Thau

Consultants:

David MacCartney, Esq.

1. Welcome

Discussion: 1.01 Moment of Silence in honor of Chairman Michael Murphy

Procedural: 1.02 Roll Call

Procedural: 1.03 Pledge of Allegiance

Procedural: 1.04 Fire Exits

2. Continued Public Hearing

Action, Discussion: 2.01 Eagle View Estates (Z068-2022) SBL # 18-4-60;61 Lakes Road
Monroe, NY

applicant asked for a continuance until the August 23rd meeting.

BE IT RESOLVED, that the Zoning Board of Appeals, of the Town of Monroe hereby makes a motion to continue the public hearing until August 23, 2022.

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

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

Action, Discussion: 2.02 **Suris** (Z072-2022) SBL # 24-1-68.27 12 Country Court Monroe, NY
David Niemotko

positive feed back from the board

restricted convenient runs with the land and only be used for this purpose tied to the deed

shows up in a title search

continue with the approval process

board reviewed how to make an approval but not to leave the apartment after the need

doesn't exist anymore
restricted convenient attached to the deed
special factors causing this variance to come to the head
additional area allows for bedroom and private bathroom
wife and daughter are the care givers
accessory apartments get reapproved once a year
could a clause be added that if not needed any longer prior to 5 years then the apartment
would also be required to be removed
checks and balances to keep it legal
Emma Marie's father - Jesus Suris
the hardship for this applicant is that they were not aware the apartment was illegal at the time
of purchase of the house

options for the board:
you have 62 days to make a decision from this evening
you can review the 5 factors and decide at that point
make a motion to approve or deny the application

the board reviewed the 5 factors
made a list of conditions to include in the resolution

condition to grant for a number of years with a note if the person listed is no longer occupying
the premises
5 years if needed beyond 5 years can come back for an extension

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 Kevin Scully.

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe, hereby makes a
motion to approve the conditions discussed to be memorialized in the resolution.

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

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

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

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

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

3. New Public Hearing

Action, Discussion: 3.01 **Joel Mann** (Z070-2022) SBL # 1-2-35 105 Forest Ave Monroe, NY

Joel Mann Brach & Mann

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 Chip Postiglione, second by Steven Thau.

Final Resolution: Motion Carries

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

8 variances most are pre-existing non conforming

3 are being changed by preexisting condition

right side yard

left side yard

provided floor plans to the board stay within character of the neighborhood

one story house with a 1/2 story added to the back for a master bedroom suite

removed the concrete slab to reduce the lot coverage

reviewing of the plans by the board members

going by bulk table chart

first 4 staying the same

5 changing total of both side yards because of proposed stairs on other side

rear yard exit 87% proposed 89%

reviewed architectural plans that shows the actual house

taking down to the foundation and rebuilding and adding a partial second story with master bedroom and bath

review of the variances

closed the public hearing

board reviewed the 5 factor

1 NO

2 no

3 no

4 no

5 yes

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 Kevin Scully.

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to grant the variances sought with condition upon substantial plans submitted are followed.

Motion by Kevin Scully, second by Chip Postiglione.

Final Resolution: Motion Carries

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

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to authorize our attorney to prepare the resolution and to have it reviewed and signed by the Chairman.

Motion by Kevin Scully, second by Steven Thau.

Final Resolution: Motion Carries

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

4. Returning Projects

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

postponed until the July 26, 2022 meeting

5. New Projects

Action, Discussion: 5.01 **Bekim Cosovic** (Z074-2022) SBL # 13-8-10 327 Mountain Ave Monroe, NY

David Niemoetko representing the project

preexisting non conforming condition

add a 2 store addition in the back the NE

addition 12x 27 2 story adds the kitchen and dining room

2nd floor added 2 bedrooms

front yard in violation of the SR 15 Zone in the code front yard setback is 40 feet existing setback to the covered porch is 25 feet variance area of 15 feet

covered porch already exists

Acting Chairman wants a signed and sealed survey

other item the framed garage 1.8 feet off the property line pre-existing

Mr. Niemotko frame garage not included in the application don't want to revisit same issue with other applicant, it isn't mentioned on the denial letter
there is a new survey at the building department with the garage on it

conversation needs to be had with the building inspector as to why the garage is not mentioned in the denial letter for a variance

submit an amended application to submit with garage

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to put this application of for a public hearing for a front yard variance and preexisting condition of garage for the July 26, 2022 meeting, with revised application.

Motion by Kevin Scully, second by Steven Thau.

Final Resolution: Motion Carries

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

6. Minutes

Action, Discussion: 6.01 January 25, 2022

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve the January 25, 2022 minutes.

Motion by Kevin Scully, second by Steven Thau.

Final Resolution: Motion Carries

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

Action, Discussion: 6.02 February 22, 2022

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve the February 22, 2022 minutes.

Motion by Marci Daniel, second by Steven Thau.

Final Resolution: Motion Carries

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

Action, Discussion: 6.03 March 22, 2022

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to approve the March 22, 2022 minutes.

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

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

Action, Discussion: 6.04 April 26, 2022

held over

Action, Discussion: 6.05 May 31, 2022

held over

7. Meeting Time

Action, Discussion: 7.01 Discussion on change of meeting time

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby makes a motion to change the meeting time to 7:00 PM effective with the July 26, 2022 meeting.

Motion by Kevin Scully, second by Marci Daniel.

Final Resolution: Motion Carries

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

8. Adjournment of Meeting

Action: 8.01 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, Marci Daniel, Chip Postiglione, Steven Thau