

TOWN OF MONROE ZONING BOARD OF APPEALS MINUTES

— 09/24/2019

TOWN OF MONROE ZONING BOARD OF APPEALS (Tuesday, September 24, 2019)

Generated by Norinne McSweeney

Members present Chairman - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid, Aaron Fried

1. Welcome

Action, Procedural: 1.01 Roll Call

Procedural: 1.02 Pledge of Allegiance

Procedural: 1.03 Point out All Fire Exits

2. Public Hearing

Action, Discussion: 2.01 Brandel, Arna & Saul (Z038-2019) SBL # 6-1-5.2

Arna & Saul Brandel

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

Motion by Aaron Fried, second by Peter Lewis.

Final Resolution: Motion Carries

Yea: Chairman - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid, Aaron Fried

Chairman Murphy reviewed the application stating this applicant was referred to the ZBA by the Building Inspector for a variance on a shed close to the rear property line. Saul Brandel we have a number of sheds on the property, not sure why this shed is an issue it has been on the property 40 plus years. We purchased the house with the existing situation we want to make everything legal. We are here seeking a variance for this shed. Open to the public - no one here any other issues from the board members Public hearing closed

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby closes the Public Hearing.

Motion by Peter Lewis, second by Kevin Scully.

Final Resolution: Motion Carries

Yea: Chairman - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid, Aaron Fried

Board members review the 5 factors Motion to Grant Variance

BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Monroe hereby grants the variance required.

Motion by Kevin Scully, second by Aaron Fried.

Final Resolution: Motion Carries

Yea: Chairman - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid, Aaron Fried

3. Returning Projects

Action, Discussion: 3.01 Nelson Luciano (Z037-2019) SBL # 15-4-30

Applicant not available last month presented updated survey what we found there were other conditions not being asked for a waiver. The referral letter is asking for a front yard set back for a pool only has 15' of front yard where 40 is required. New survey shows 5' not 15'. Open discussion with Board members and the attorney regarding this application in regards to the correct variances being sought, the location of the fence (Town does not have a code in regards to fences), new survey showing many items that were not brought to the boards attention. There is an easement where the driveway is, haven't seen the deed and who the easement belongs to. The following have been issues: where the actual pool is located, property line, variance requested, front & side yard determination, easement does not come into consideration for the variance, if fence is in violation of the code that if for the code enforcement officer to determine and enforce. These other items you are seeing are not before the board and it not within our purview at this time. In the event he has to return to the ZBA for future variances then they can be decided upon. You as a board or as an individual can alert the Building Inspector if you wish. The Building inspector has the new survey and has not reissued a violation letter. The new Survey SR 10 Building Inspector SR 15 bulk tables do not agree. Something needs to be corrected. Not ready to be put on for Public Hearing. application needs to be revised to conditions from survey, bulk table, additional variances to be sought, lot coverage front yard, side yard, lot coverage, additional items by new survey, adjust zone 4. Approval of Minutes

Action, Discussion: 4.01 July 23, 2019 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 at 8:15 pm

Motion by Peter Lewis, second by Aaron Fried.

Final Resolution: Motion Carries

Yea: Chairman - Michael Murphy, Peter Lewis, Kevin Scully, Austin Seid, Aaron Fried