

**VILLAGE OF MONROE
ZONING BOARD OF APPEALS
MEETING
JULY 10, 2018
MINUTES**

PRESENT: Chairman Baum, Member Martuscelli and Member Zuckerman

ABSENT: Member Margotta, Member McCarthy; Building Inspector Cocks and Kelly M. Naughton, Esq.

Chairman Baum called the meeting to order at 8:10pm with the Pledge of Allegiance to the flag.

1. Hatov Springs, LLC – Determination – 207-4-15

No one representing this application was in attendance.

A determination pursuant to the requirements of Section 200-62(C) “Change”, to permit the nonconforming use of a building to be changed to another nonconforming use which is of the same or of a more restrictive nature in the URM zoning district. The previous nonconforming use of the property was a laundry service. The proposed use is a retail food store.

The property is located in a URM Zoning District and is Section 207, Block 4, Lot 15 on the tax map.

This is a continuation of the public hearing on June 12, 2018 which was adjourned pursuant to a request of the applicant’s attorney so that the applicant could discuss with the Village Board a petition he had filed to re-zone the property.

Chairman Baum said that he received a letter from Mr. Cappello, attorney for the applicant, requesting an adjournment to August. Chairman Baum noted that the public hearing for Hatov Springs, LLC was opened on February 13th and adjourned to April 10th. The public hearing was adjourned again to May 8th. The Board then received a letter from Mr. Sandor, engineer for the applicant, requesting an adjournment of the meeting on May 8th to June 12th. The applicant’s attorney, John Cappello, Esq., then sent a letter requesting another adjournment from June 12th to July 10th. Lastly on June 29, 2018 Mr. Cappello requested an adjournment from July 10th to August 14th to give the applicant time to submit more information to the Board. The Chairman noted that the Policy and Procedures adopted by the Board in 2014 call for a \$50 appearance fee each time the application is scheduled on the agenda for continuation of a public hearing. In addition,

if an application is adjourned more than one month the applicant must re-notice the meeting in the same manner as the mailing required to schedule a public hearing.

On a motion made by Chairman Baum and seconded by Member Martuscelli, it was unanimously: **Resolved to adjourn the application until the August 14, 2018 meeting, pay \$50 for each adjournment request, re-notice the meeting and that any additional information be submitted no later than August 3, 2018.**

Ayes – 3

Nays – 0

Absent/Abstaining – Member Margotta and Member McCarthy

- 2. The application of BMG Monroe I, LLC, for an interpretation of the Building Inspector’s denial of building permit applications to construct duplex homes.**

No one representing this application was in attendance.

The property, which is the subject of said action by the Board, is located in a URM Zoning District and is identified as Section 203-6-45 on the tax map of the Village of Monroe and is also known as the address 1 Van Arsdale Road and Section 203-6-46 on the tax map of the Village of Monroe and is also known as the address 3 Van Arsdale Road.

Mr. Rosborough, attorney for the applicant, submitted a letter requesting that the public hearing be adjourned to August 14, 2018.

On a motion by Chairman Baum, seconded by Member Martuscelli, with all in favor, it was: **Resolved that public hearing be adjourned to August 14, 2018.**

Ayes – 3

Nays – 0

Absent/Abstaining – Member Margotta and Member McCarthy

APPROVAL OF MINUTES FROM JUNE 10, 2018 MEETING

On a motion by Member Zuckerman, seconded by Member Martuscelli, with all in favor, it was: **Resolved that the minutes be adopted.**

Ayes – 3

Nays – 0

Absent/Abstaining – Member Margotta and Member McCarthy

OLD BUSINESS

There was no old business before the Board.

NEW BUSINESS: ZONING BOARD APPLICATIONS

The Board was advised that no new applications were received.

ADJOURNMENT:

On a motion by Member Martuscelli, seconded by Chairman Baum, with all in favor, **there being no further business, the meeting was adjourned at 8:21pm.**

Ayes – 3

Nays – 0

Absent/Abstaining – Member Margotta and Member McCarthy

Respectfully submitted,



Elizabeth Doherty
ZBA Secretary