

**VILLAGE OF MONROE  
ZONING BOARD OF APPEALS  
MEETING  
AUGUST 14, 2018  
MINUTES**

**PRESENT:** Chairman Baum, Member Margotta and Member Zuckerman

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

Chairman Baum called the meeting to order at 8:00pm with the Pledge of Allegiance to the flag.

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

**No one representing the applicant 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 July 10, 2018 which the applicant’s attorney adjourned so that the applicant could submit more information to the Board.

Chairman Baum began by addressing members of the public who were in attendance. He pointed out that two of the five Board members were absent from tonight’s public hearing. If anyone from the Board is absent applicants are given the opportunity to postpone their hearing to the next meeting date when all five Board members may or may not be in attendance. Mr. Cappello, attorney for the applicant, was advised of the absences of two Board members prior to tonight’s meeting and he sent an email at 4:16pm advising the Board that he wished to postpone the hearing until September.

Chairman Baum noted for the record that a letter from Donna and Steven Kushner of 128 Carpenter Place had been submitted to the Board regarding this application.

On a motion made by Chairman Baum and seconded by Member Zuckerman, it was unanimously: **Resolved to adjourn the application until the September 4, 2018 meeting.**

**Ayes – 3**

**Nays – 0**

**Absent/Abstaining – Member Martuscelli 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 the applicant 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 dated August 10, 2018 requesting that the public hearing be adjourned to September 4, 2018. It is noted that the applicant had not submitted the additional information requested by the Board as of the August 14, 2018 hearing date.

On a motion by Member Margotta, seconded by Member Zuckerman, with all in favor, it was: **Resolved that the public hearing be adjourned to September 4, 2018.**

**Ayes – 3**

**Nays – 0**

**Absent/Abstaining – Member Martuscelli and Member McCarthy**

### **ADOPTION OF MINUTES FROM AUGUST 14, 2018 MEETING**

On a motion by Chairman Baum, seconded by Member Margotta, with all in favor, it was: **Resolved to table the adoption of the minutes until September 4, 2018.**

**Ayes – 3**

**Nays – 0**

**Absent/Abstaining – Member Martuscelli 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 Margotta, seconded by Chairman Baum, with all in favor, **there being no further business, the meeting was adjourned at 8:17pm.**

**Ayes – 3**

**Nays – 0**

**Absent/Abstaining – Member Martuscelli and Member McCarthy**

Respectfully submitted,



Elizabeth Doherty  
ZBA Secretary