VILLAGE OF MONROE, NEW YORK
ZONING BOARD OF APPEALS

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In the Matter of the Application of
Stage Development, LLC,
Designated as Tax Map Section 213, Block 1, Lot 30

DECISION ON INTERPRETATION

For An Area Variance from the
Village of Monroe Zoning Board Of Appeals.

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THIS APPLICATION for an interpretation brought by Stage Development, LLC ("Applicant") comes before the Village of Monroe Zoning Board of Appeals ("Board") as a request for an interpretation and appeal of a decision made by the Building Inspector, Christoher Watson. (*See* Village Code § 200-75(B)). Mr. Watson made a determination that the existing loading dock is no longer permitted and requires an area variance. This is an appeal ("Application") of the Building Inspector's decision, with a simultaneous application for an area variance in the alternative[1], should Mr. Watson's determination be upheld. The role of the ZBA in this instance is to make such decision "as in its opinion ought to have been made in the matter" by the Building Inspector.

PRELIMINARY STATEMENT

The Applicant is the owner of a parcel of land located at The application involves one property containing approximately 6.08 acres, and is located at 330 Stage Road, within the GB district. The property is known on the tax maps as Section 213, Block 1, Lot 30. The property contains a small commercial retail building and is owned by the Applicant.

PUBLIC HEARING AND SEQRA

The public hearing notice on this Application was duly published and closed on October 14, 2025.

Action taken by the Board on this application is classified as a Type II action under the State Environmental Quality Review Act ("SEQRA"), and no further environmental review under SEQRA was therefore necessary. *See* 6. N.Y.C.R.R. § 617.5.

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[1] Village Code § 200-75(B) provides: "Interpretation. On appeal from an order, requirement, decision or determination made by an administrative official or on request by an official, board or agency of the Village, the Zoning Board of Appeals shall decide any of the following questions: (1) determination of the meaning of any portion of the text of this chapter or of any condition or requirement specified or made under the provisions of this chapter...."

COUNTY GML § 239 *-l, -m* or *-n* REPORT

This application was referred to the Orange County Planning Department under General Municipal Law § 239-*l, -m* or *–n*. As set forth in a response dated July 16, 2025, the Orange County Planning Department stated that the matter was of local concern and had no further comment.

DECISION

The responsibility of the Board in this Application is to decide an appeal from the Applicant to overturn the determination by the current Building Inspector, Chris Watson. Mr. Watson has determined that the loading dock at the Property is in fact, a non-conforming use that has expired due to non-use and therefore requires a variance from the Board. The Applicant disputes this finding by citing to the determination of the former Building Inspector, James Cocks, who determined that the loading dock was a pre-existing, non-conforming use that had not expired, and therefore did not require a variance. By way of an email dated May 14, 2024, Mr. Cocks issues an opinion to the Village of Monroe Planning Board that a variance for the loading dock was not required. As a follow up matter, on or about February 10, 2025, Mr. Cocks issued a Village of Monroe Building Department Memorandum wherein he repeated his determination that a variance was not required.

The Board reviewed the Building Department records from Mr. Cocks and from Mr. Watson and Mr. Watson's staff. The Board also reviewed and considered site plan drawings and related materials submitted by the Applicant. The Board also considered members' knowledge of the site and the history of the zoning, including re-zoning near the Property and recently approved development projects. All of the material referenced above form the substantial record upon which the Board relied to make its Determination.

Following review of the record and a lengthy discussion at the meeting, Chairman Baum made a motion to overturn the determination of Building Inspector Waston and uphold the prior determination by Inspector James Cocks dated February 10, 2025 stating that the loading dock is classified as a pre-existing nonconforming use and no variance is required. The motion was seconded by Member Elizabeth Doherty, and the Board vote was recorded as follows:

Chairman Paul S. Baum, Esq. Aye

Member Elizabeth Doherty	Aye
Deputy Chairman John Gilstrap	Aye
Member James Laniare	Aye
Member R. Daniel Margotta	No

The motion carried and the determination that the loading dock is a pre-existing non-conforming use and no variance for the loading dock is required. The Applicant's argument in the alternative that a variance was justified was rendered moot by the Board's interpretation.

CONCLUSION

As a consequence of the Board's discussions, the Zoning Board of Appeals hereby annuls the determination made by Building Inspector Watson, the Board affirms the determination by former Building Inspector Cocks and in so doing, validates the continued use of the Loading Dack at the Property.

Issued by Board: October 14, 2025

Written Decision Signed: March 11, 2026

Paul S. Baum, Esq., Chairperson