



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

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November 4, 2019
Meeting Minutes

Present: Jeanne Goldberg, Samantha Dederick, Patti Kelly, Joe Mayone, Henry Rua, & Tim Scott; Alternate

Also Present: Paul Andreassen: Town Board Liaison, Alvah Weeks: Town Building Inspector, Kevin Freeman: Zoning Board Secretary

Discussion:

- Jeanne called the meeting to order at 7:00pm, followed by the Pledge

Public Hearings:

Donna & Michael Allen
11 Village Drive
Saugerties, NY 12477
File #: 19-0009
SBL #:29.5-6-10

- This property is zoned High Density Residential (HDR).
- The applicant wishes to add 12 ft by 20 ft onto an existing garage to be able to fit two vehicles inside.
- HDR requires a 15 ft side yard. The proposed addition will only leave a 6 ft side yard.
- The applicant is asking for an Area Variance of 9 ft.

- Jeanne asked for comments from the board
- Patti voiced concerns about complications based on the neighbor's variance which was not approved, stating that the board's obligation was to uphold the law and set a precedent. She added that it would not be reasonable to ask the building department to enforce removal of a 20 year-old extension on the neighbors home.
- Donna Allen stated that they were attempting to follow the rules and the neighbor's compliance should not have bearing on their situation.
- Michael Allen questioned how the neighbor had the necessary permit to sell their home.
- Joe added that the Allens were not being penalized for the actions of their neighbors.

- The Allens responded that they understood, but were trying to go by the book. Michael added that he believed several residences on the street were not in compliance.
- Patti said that was not the issue.
- Jeanne stated she had driven the area and is in agreement with the Allens and commended them for coming to the Building Department and the ZBA. She introduced a letter from Michael Sasso, Chief of the Glasco Fire Department, reading it into the record stating that Mr Sasso had no issues with the proposed structure or the proximity to the neighbor's property. Jeanne discussed with him about the factors involved, including the nearby fire hydrant as part of the ZBA's due diligence.
- Michael explained that the proposed garage addition would be constructed using 5/8" FireLock materials.
- Sam made a motion to give the Allens the variance. Joe seconded.
- The motion passed unanimously by roll call vote.

It was added that the neighbor's compliance or lack thereof was not a subject for discussion. Jeanne added that she had voted no at that hearing. The Allens were told their variance was granted and they were free to leave, which they did,

The five criteria were discussed:

- There were no alternative feasible means given the location of gas lines and the layout of the house on the other side of the house.
- There was discussion about the potential undesirable change to the neighborhood with Patti noting concern about houses closer together.
- It was judged not to be substantial in overall impact
- The difficulty was not judged to be self-created given there was no other feasible place for the garage addition.
- It was also not judged to affect the safety of the community.

Discussion:

- The October minutes were accepted with the change Patti noted that the phrase 'skirting the Planning Board' on p3 be changed to reflect 'Skirting the ZBA'. She made the motion with Henry seconding. The minutes were accepted unanimously.
- Jeanne noted that Mr. Olsen, representative for Verizon, got back to her. She asked him for a survey of the property. Verizon was unsure if they would be attending the December meeting.
- Dan Shuster was resigning as Planner after service of 30 years at the end of the month but said that he would remain available as a resource for the ZBA.
- It was noted that Henry was due for reappointment and would send his reply via email that he wished to be reinstated.
- 8pm Joe moved to adjourn, Henry seconded and the motion passed unanimously.

Respectfully Submitted,
Kevin Freeman
ZBA Secretary