



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

Tel: (845) 246-2800, ext. 333

Fax: (845) 246-0461



ZBA Monthly Meeting Minutes December 7, 2015

Present: Jeanne Goldberg, Samantha Dederick, Henry Rua, Brian Sawchuk and Joe Mayone, Donn Avallone, Alternate

Also Present: John Fuller representing applicant and James Bruno Town Board Liaison

Not Present: (due to surgery) Alvah Weeks, Jr. Building Inspector

~Meeting started at 7:10pm by Jeanne and Pledge started by Joe Mayone.

New Appeal:

Bevehrcort LLC/Greens Inn.
Wayne Corts
3 Victoria Ct.
Central Valley, NY 10917

File #: 15-0004

SBL#: 18.1-3-57.200

- Appeal started at 7:12pm.
- Physical address 451 Washington Ave Ext. owner of property Wayne Corts.
- Mr. John Fuller representing the applicant, he is a civil engineer
- Mr. Fuller was in charge of the Planning Board action back in 2010 for a special use permit for when the building was turned into what it is now.
- Currently has 29 sleeping rooms and space for 100 cars. The bedrooms are inside larger rooms that have one large common area with kitchens and bathrooms.
- Asking for an area variance to build a second floor on top of existing building to put an additional 30 bedrooms with bathrooms only.
- It is easier and more cost effective to go up than out for this building.
- Owner feels there is a demand for the rooms due to the increase in the attendance at the horse shows at H.I.T.S which is located across the street.
- Mr. Fuller is aware that the Zoning Law states that an Inn is to be no more than 40 rooms and that the additional 30 rooms will put them 19 rooms over what is allowed per Zoning Law and that is why he is asking for an area variance.
- When he first met with the Town of Saugerties Planning Board for a workshop meeting back in Oct. 2015, Mr. Fuller was informed by the Town Planner Dan Shuster, members of the Planning Board and Inspector Weeks that they should go for an area variance for this project.
- Jeanne opened the discussion up to the Board members.
- Sam asked why an Area Variance and not a Use Variance? She feels this needs a Use Variance because they are going over the number allowed not space. Henry and Joe agreed.

Bevehrcort/Greens Inn Appeal Cont'd:

- Mr. Fuller said that a "Use" is for strictly not prohibited things, this is allowed just not the number of rooms they are asking for. Mr. Fuller then asked if this changes the application. Sam informed him it does change the application.
- Sam believes legal council should be called for clarification.
- Jeanne asked you did meet with Planning Board and Mr. Weeks, yes.
- Jeanne asked if Mr. Fuller has done a Use Variance before, yes he has.
- Board members questioning why the Planning Board told them an Area Variance.
- Donn stated you are asking for 19 additional rooms but you can only have 11. Why can't you just do the 11?
- Mr. Fuller said the financial benefit would be better to do the full 19 rooms. Doing 11 rooms would not make the project profitable.
- Henry stated we are to do the least restrictive variance as possible.
- Mr. Fuller stated his client wants the total of 59 rooms.
- Jeanne asked if the building was open to the public or just to people during the times H.I.T.S is open. Yes, open to the public all year. May have a bigger turn out if project is done.
- Jeanne asked if meals are served there, no.
- Jeanne asked what the timeline for this project is, their goal to start project is March/April weather permitting.
- Board asked when the building was built, 1960.
- Henry mentioned that the "use" of the building would be for sleeping same as a hotel/motel but one is allowed and one is not.
- Jeanne would like further clarification from Mr. Shuster and Mr. Redder, Esq.
- Mr. Fuller feels Mr. Corts knows there is a demand in the area for this type of building and wants the full 59 rooms
- Jeanne made the motion to obtain legal counsel for what direction to go. Henry 2nd the motion, vote taken 5-0
 - Joe feels it's the only logical step; Sam is ok with this
- Mr. Fuller asked if he will be notified if he has to make any changes. The Board informed him yes.
- Appeal ended at 7:50pm.
- Jeanne will call George Redder
- Mr. Bruno approved Jeanne asking Mr. Redder for legal opinion.

Discussion(s):

1. Motion made by Sam to approve the meeting minutes from the July 7, 2015 meeting as written, 2nd by Jeanne. Vote taken, 5-0, Rua – Abstained.
2. All Planning Board meeting minutes received.
3. No SEQRA could be determined until further action taken by the Board to determine if the appeal is a Use Variance or Area Variance.
4. No Public Hearing could be scheduled due to needing clarification of whether an Area Variance or Use Variance.
5. No other items to discuss.

~ Motion made by Sam to adjourn the meeting, 2nd by Joe. Vote 5-0.

~ Meeting ended at 8pm.

Respectfully submitted,
Kathleen Cappello