



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477
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ZBA Monthly Meeting

January 3, 2011

Present: Joe Roberti, Sr., Jeanne Goldberg, Joe Mayone, Brian Sawchuk, Henry Rua, Samantha Dederick

Absent: Bruce Leighton, Kris and Richard Rothe

Also Present: Alvah Weeks, Jr., Dan Traver and Bill Anderson, Candace Voda, Jason Krauss

~ Meeting started at 7:02pm.

New Appeal:

Krauss, Jason
13 Catskill View Cir
Saugerties, NY 12477

File#: 10-0007

SBL#: 17.1-2-39

- Property located at 13 Catskill View Cir.
- Wants to construct a 2 Garage 24' x 36' 10' off the side yard property line.
- SEQR Classification 617.5(c)(12) Setbacks.
- Joe Roberti asked for Mr. Krauss to come forward and address the Board with what he intends to do.
- Mr. Krauss stated that he would like to build a detached two (2) car garage on his property; he has a 1 acre parcel of land. He is currently constructing a 10 x 10 mud room and deck off the same side of his house, the space between the mud room and the proposed garage is 3'-4'.
- He was asked what is on the left side of his house and he stated it is leech field so he could not put it there and the right side is where his driveway is located.
- Currently the house is 4' higher than the garage so it cannot be attached to the house.
- Board asked what permit came first the garage or the mudroom. Mr. Krauss stated that he had the garage plans first and they were denied so he decided in the mean-time he would bring in the plans for the mud room and to that project while he waits for the approval for the garage.
- Joe R. asked Alvah since it is an Accessory Structure where does it have to be placed so it only has to be 6' from all property lines. Alvah stated that it has to be parallel to the back corner of the house and be under 600'. This project is over 600' and so it does not apply.
- Joe Roberti asked if it was ok to allow the Board members to come to his property to look. Mr. Krauss said yes.
- Jeanne made the motion to set the Public Hearing for next month's meeting February 7, 2011 at 7pm, 2nd by Joe Mayone, vote taken, carried. Mr. Krauss was given his information to send out to all neighboring properties within 500'.
- Motion made by Joe Roberti and 2nd by Joe Mayone to classify SEQR as TYPE II 617.5(c)(12) setbacks. Vote taken, all in favor, carried.
- Appeal ended at 7:19pm.

Public Hearing(s):

1. Voda, Candace 368 Hommelville Rd. Saugerties, NY 12477

File#10-0006

SBL#: 8.4-11-5.2

- Property located at 368 Hommelville Rd.
- Halfway constructed a carport to protect cars from Hickory Tree nuts that fall and damage her cars.
- Needs a 20' side yard area variance to be able to finish construction of carport.
- SEQR Classification read at opening of Public Hearing set as TYPE II 617.5(c)(12) Setbacks.
- Public Hearing opened at 7:21pm, received Certified Return Receipt cards from Ms. Voda at beginning of meeting.
- Board addressed the public at the meeting if any one wished to speak, no one there asked to address this issue.
- Jeanne asked why Ms. Voda did not make the carport closer to the house. There would have been 4' she could have moved it closer but Ms. Voda stated that she would not be able to back her RV into its spot if she moved the carport closer plus her bilco doors are there and she needed space.
- Her brother came to help her build the structure and she wanted it as far from the property line as possible, but a tree would be in the way, pavement would not be utilized, and the support beam would be a target for her backing into the area by the carport.
- Brian asked what the orange markers were on the property she stated they are surveyor markers and it is where she thinks her property line is, Brian said then you are only about 12" away from the property line if that is the case.
- Jeanne asked if the structure will only be a carport because it looked like there was shelving in it, Ms. Voda said no it will only be a carport she must have seen the trusses.
- Board asked why she did not place it anywhere else she said it is because she wanted to utilize as much of her paved driveway as possible and she would have to take down her stone fence and trees to move it further back, she has a well in the front portion of her property and if she moves it to the front yard she would not be able to back in her RV and she does not want the carport in her front yard.
- It was determined that regardless where she put it on the side of the house she would need a variance for it to comply.
- Jeanne informed her that the Board is to give the smallest variance possible and it seems that she is actually closer to the property than stated. Brian said to him it looks as if Ms. Voda's half-built carport is only 12" off the side property line.
- Ms. Voda brought up a survey map to show the Board how her property lines run so it may look closer but it is not.
- Ms. Voda stated that the roof will be clear and the wood a dark color and she hopes it will blend in.
- Jeanne asked how far away the next door neighbors are from the carport and or her property line. She said they are up the hill on the right side about 150'- 200' away.
- Ms. Voda stated again that she does not want the carport in front of the house she feels it would not look good there and likes where it is now and makes most sense there.
- The Board informed Ms. Voda that they had 62 days from January 3, 2011 to make a decision on the appeal and that she would be notified in writing.
- Public Hearing was closed at 7:30pm.

PUBLIC HEARINGS CONT'D:

2. Traver, Daniel 15 Collins Rd. Saugerties, NY 12477

File#10-0009

SBL#: 17.2-5-10.300

- Property located at 15 Collins Rd.
- Needs a 13' front yard area variance in order to construct an addition 20' x 24' to his living room.
- Received the Certified Return Receipt cards from Mr. Traver at the opening of his public hearing.
- The Board opened the Public Hearing at 7:30pm.
- No one from the public wished to address issue.
- Mr. Traver's contractor, Bill Anderson was present with Mr. Traver.
- Jeanne asked how far from the stone wall would the addition be, Mr. Traver and Mr. Anderson (contractor) said it would be about 4' give or take from the stone wall.
- They measured from the center of the road back then subtracted the 20' of the addition and that is how they determined the variance needed.
- The Board had no further questions.
- The Board informed Mr. Traver that they had 62 days from tonight's meeting, January 3, 2011, to make a decision and he would be notified by mail once the decision was made.
- Public Hearing was closed at 7:35pm.

3. Rothe, Kris 72 Wegebauer Rd. Saugerties, NY 12477

File# 10-0008

SBL#: 17.3-4-8

- Property located at 31 Fishcreek Rd.
- Public Hearing started at 7:36pm.
- No one showed to represent the project, therefore, no Certified Return Receipt cards were received.
- Joe M. said the 1.2 acre variance needed is almost like asking for a Use Variance because of how large the variance is needed.
- The Board decided to leave the Public Hearing open and move on to other topics on the chance that a representative would show up.
- By the end of the meeting the Board made the decision to close the Public Hearing.
- Motion made to close the Public Hearing by Joe R. 2nd by Joe M. Vote taken Brian – yes, Joe R. – yes, Joe M. – yes, Jeanne – abstained, Henry – abstained, Public Hearing was closed.

Discussion(s):

1. Jeanne made motion to approved minutes from December's meeting as written, Joe R. 2nd, vote take, all in-favor, Minutes Approved.
2. SEQR determined for Jason Krauss' appeal as TYPE II 617.5(c)(12) Setbacks motion made by Joe R. 2nd by Joe M, vote taken, all in-favor, SEQR approved.
3. All received Planning Board minutes.

Decision(s):

**1. Voda, Candace
368 Hommelville Rd.
Saugerties, NY 12477**

File#10-0006

SBL#: 8.4-11-5.2

- Needs a 20'+ Side Yard area variance.
- Brian and Henry were in agreement that there are other alternatives on where Ms. Voda can place the carport.
- Brian feels it is not 5' from the property line but only 12" off the property line and that she needs a greater variance than just 20'.
- Joe R. would like to hold off on the decision until February's meeting so that he can take another look at the location and see how far from the property line it really is.
- All were ok with this decision due to the fact that they have 62 days to make the decision on the variance requested.

**2. Traver, Daniel
15 Collins Rd.
Saugerties, NY 12477**

File#10-0009

SBL#: 17.2-5-10.300

- Needs a 13' Front Yard area variance.
- Board discussed that the variance requested is not going to change the neighborhood nor be a detriment and that it is not a substantial request and that there is no other feasible alternative because he would have to rearrange his house to do what he wants.
- Therefore a motion was made by Joe M. and 2nd by Henry to approve the request of a 13' Front Yard Area Variance in order for Mr. Traver to construct a living room 20' x 24' off the front portion of his existing residence.
- Vote taken; Joe R. – yes, Jeanne – yes, Joe M. - yes, Henry – yes, Brian – yes.
- Therefore, the motion is passed and the variance is approved.

**3. Rothe, Kris
72 Wegebauer Rd.
Saugerties, NY 12477**

- Due to no one representing at tonight's meeting the Board made the decision to close the appeal and have a letter drafted to explain to the applicant and to Richard Rothe that they are to re-start the process from the beginning.
- Henry made the motion to close the appeal due to no representation and 2nd by Jeanne. Vote taken, all in-favor, carried.
- Secretary to write the letter and mail out the copies.

- ~ Motion made by Joe M. to close the meeting, 2nd by Brian.
- ~ Meeting ended at 8:23pm.