

TOWN OF SAUGERTIES
ZONING BOARD OF APPEALS
4 HIGH STREET
SAUGERTIES, NY 12477

Minutes

September 13, 2004

Present: Dan Ellsworth, Dick Conley, Jeanne Goldberg, Bill Geick. Henry Rua Absent
Tom Macarille

PUBLIC HEARINGS

1. 08-08-04

BLANCHE DUFFY
1900 OLD KINGS HIGHWAY
SAUGERTIES, NY 12477

PROPERTY LOCATED 1902 OLD KINGS HIGHWAY - SETH LEVINE
FOR THE PURPOSE OF PROTESTING ISSUANCE OF BUILDING PERMIT

Ms. Duffy presented green cards

Speakers: Albert Straub 1909 Old Kings Highway: Lot is too small

Seth Levine 1902 Old Kings Highway: Owner of property (comments to follow)

Gertrude Strubitch: 1901 Old Kings Highway: Unsafe. Where is septic

Poor drainage due to clay and rock. Electric was condemned. Has lived many years and seen changes.

Adele Matte: 1866 Old Kings Highway: Small lot. Lot too small Worried about septic contaminating wells in area.

Blanche Duffy; (comment to follow)

Elinor Trumpbour: Lot too small, Where is septic?

Bill Trumpbour: Understand first septic was a barrel in ground.

Public Hearing Closed

2. 09-08-04

JAMES O'REILLY
323 HARRY WELLS ROAD
SAUGERTIES, NY 12477

PROPERTY LOCATED RT 32 AND HARRY WELLS ROAD - RON BEITER
FOR THE PURPOSE OF PROTESTING FORWARDING OF SITE PLAN TO
PLANNING BOARD WITHOUT CERTIFICATION OF BUILDING INSPECTOR

Mr. O'Reilly presented green cards.

Mr. O'Reilly reviewed case. Asking that any use of portion of residential lot 4 that was annexed to Lot 6 not be for commercial use. And that the boundary change of lot 4 be reversed.

Boundary change land locks residential lot with no access to a road. Unsure if Planning Board has given final approval for lot line change.

Dan: ZBA cannot over ride Planning Board. How can ZBA act if Building Inspector did not certify. Planning Board Submission is the start of a work in progress.

Jim: Asking to rule the validity of the annexed portion of Lot 4 to Lot 6.

Ron and Donna Beiter: Owners of property.

Went to Building Inspector prior to purchase and was explained that if over 50% the whole lot can be treated at in that zone. Existing road not used as commercial. Applying to state for curb cut. Quarry can't be used. Wants to make that area attractive. Wants to build a garage for his equipment. Not parking vehicles on lot 4. Both lots are over 50%.

Existing drive going into Lot 6. Lot 4 has power line and quarry on it . Wants to move access. Power line is distribution line not transmission line.
There are no problems with Lot 2.

Jim: Boundary line changed just to put a road in.

Public Hearing closed with Mr. O'Reilly and the Beiters to see if they could resolve the problem. It ZBA does not hear from Mr. O'Reilly that he has withdrawn the appeal, they will render a decision.

NEW APPEALS

1. 10-09-04

RONALD E. STEINVURZEL, ESQ.
PORZIO, BROMBERG & NEWMAN
ON BEHALF OF R.I.C.H. FARMS
100 SOUTHGATE PARKWAY
MORRISTOWN, NJ 07962

PROPERTY LOCATION 3000 RT 9W, GLASCO, GUARDIAN SELF STORAGE
FOR THE PURPOSE OF REQUESTING ACTION BY THE TOWN.

Mr. Steinvurzel represented.

Read statement. Wants Town to compel Guardian to submit final site plans and get permits. Public Hearing scheduled for November 1. Secretary to send information.

OLD BUSINESS

1. 02-04-04

JOSEPH GRANDSTAFF

Decision was sent certified mail and was returned unclaimed.

2. 04-05-04

RICHARD SYRACUSE AND RUPCO

Mr. Dan Shuster represented.

Received revised application with EAF and Agricultural Data Sheet and reviewed. Questioned errors. pg 3 of EAF #18 states individual septic systems. Pg 2 says central sewage. Will have individual septic tanks with disposal systems located under the two village greens. Who will monitor ? Home owners association. Who will own the "open space". Mr. Syracuse will but there would be no further development.. Planning Board would need copy of deed restrictions. It was approved that Dan Shuster would send out information to Planning Board, Board of Health and Dept. of Transportation for coordinated review and lead agency.

Received a recommendation from Town Planning Board.

Josh Randall informed Board that Mr. Syracuse had met with neighbors and had given them two sets of plans. The neighbors were split between plans and none of the above.. Still concerned about being over the village aquifer.

DECISION

1. 06-07-04

DIANA SOGARO

Jeanne has visited property and had questions. Ms. Sorgaro present with map and answered all questions. Could slant line of cottage to gain 12 feet but would make an awkward line and still need a variance. The access from Hide Away Lane had been closed off. The semi-circular drive for the cottage has to have one end closed off. Applicant agreed with Board to not subdivide second lot in the future. Would be a condition of decision. There would be no change in the

character of the neighborhood. No negative effects.

Motion by Bill seconded by Jeanne to approve appeal on condition no further subdividing take place. Dan, Jeanne, Dick and Bill Yes. Henry absent. Motion is passed and appeal is granted with condition.

DISCUSSION

1. Minutes for July approved on Motion of Jeanne seconded by Dan 3/0
Minutes for August approved on Motion of Dick seconded by Dan 3/0
2. Planning Board Minutes for July received. There is no mention of any discussion of communications from ZBA. Question raised whether letter expressed opinion of Planning Board or just the Chairman.
3. Motion by Jeanne seconded by Dick to pay Laura Ziezel's third bill. 4/0
4. Received copies of Short Course from Planning Federation. Motion by Jeanne seconded by Dick to pay bill. Secretary to investigate becoming member of federation.
5. Planning Federation training session in Lake Placid Sept 19 - 22. No one going.
6. Storm water conference in Poughkeepsie Nov.9. No one going.
7. Governing Rules on Hold
8. Copies of proposed 2005 budget distributed to members
9. Received communications
Re: Duffy: from George Redder re: stop work order; Paul Andreassen; Board of Health
Re: O'Reilly; from Paul Andreassen
10. Bill Geick to see Town Clerk to be sworn in.
11. Secretary to ask Building Inspector to attend October 4 meeting to discuss facts in Guardian case.

Next meeting October 4 7 pm at Frank D. Greco Senior Center.
Meeting adjourned on Motion of Bill seconded by Dick.

Elaine C. Hankel
Secretary