



**ZONING BOARD OF APPEALS**  
4 High Street Saugerties, NY 12477  
Tel: (845) 246-2800, ext. 358  
Fax: (845) 246-0461



**April 1, 2024**

**PRESENT:** Bill Schirmer (Chair), Joe Mayone, Tim Scott Jr, Randy Ricks and Holly Strutt (alternate)

**ALSO PRESENT:** Becky Bertorelli (Zoning Board Secretary) & Sean Weaver (Building Inspector)

**ABSENT:** Henry Rua (Vice-Chair)

**PLEDGE**

Schirmer asked that Holly Strutt join the Board this evening in Henry Rua's absence.

**PUBLIC HEARING**  
**NONE**

**NEW APPEAL**

**SAMADHI CENTER INC.: APPLICATION FOR INTERPRETATION OF PROPOSED USE VS. PRE-EXISTING USE**

996 Dominican Lane  
Saugerties, NY 12477  
File#: 24-001  
SBL#: 29.9-2-42.120

The property is located in the High Density Residential (HDR) zoning district with Waterfront Overlay (WO). Presented by the applicant and their team; Bob Airhart (seller's realtor), Alicia Griffin (Samadhi), David MacNamara (Samadhi), Marc Miller (applicant's attorney), Rhonda Garcia (Samadhi) and Frank Jones (buyer's realtor). The applicant is looking for an interpretation that the intended use is substantially the same as the current use and therefore qualifies as a pre-existing use within the HDR zoning district. Miller-it seems easy to see that the applicant intended use is the same as how the property was used by the Dominican Sisters. It is just a different entity. The proposed use is in-line with the Sisters' mission to help others get on their feet. Mayone-does the applicant own the parcel yet? Will they own Dominican Lane? Airhart-it is a deeded ROW. The applicant is in the process of purchasing the parcel. Strutt-will the applicant be purchasing the entire 8 acres? MacNamara-yes and will be updating and reusing the existing buildings. Schirmer-need more information to determine that this is the same as the existing use. If there was a discontinuation of the use at any time for a time period of

12-months that pre-existing use status will become void. Miller-it has been operating continuously. The Dominican Covenant has provided affidavits regarding the use and time table. Airhart-ideally the seller, the Dominican Covenant, would like the stewardship of the land to be continued and the applicant is who they have decided would best do so. Schirmer-the ZBA will require more fact finding on our part but we can set a public hearing for next month, as one is required. Weaver-what makes this the same use? How was what the Dominican Covenant did constitute a business, which is what Samadhi is proposing? The Building Department has been at this location numerous times and it never looks as though it is being used, definitely not within the last 12-months. Mayone-I have lived adjacent to this property and have not seen any retreats within the last 12-months. MacNamara-the use is the same because Samadhi will be helping women. Strutt-what was actually used on the property to ensure the same use. The affidavits that have been received do not demonstrate details so it is hard to see if the intended use is the same. What took place on the parcel within the last 12-months? We need more detailed information before we can make any decisions. The ZBA will need to determine if this is the same proposed use as it has been and also if it has been continuous.

A motion was made by Mayone, seconded by Ricks, to set the public hearing for May 6, 2024. Board vote: Schirmer-Aye, Ricks, Aye, Mayone, Aye, Scott-Aye, Strutt-Aye. Motion carried. A motion was made by Strutt, seconded by Scott, to declare this a Type II Action under SEQRA 614.5(37). Board vote: Schirmer-Aye, Ricks-Aye, Mayone-Aye, Scott-Aye, Strutt-Aye. Motion carried.

The information was given to the applicant for the certified mailers, as required.

### **OLD BUSINESS**

NONE

### **BOARD DISCUSSION**

- Mike Ivino joined the meeting after the Samadhi team had left. Weaver-the proposed use that was provided here is significantly different from what was proposed to myself and Alvah when they had a meeting with us and what was presented in the workshop they had for the Planning Board. Ivino-we are currently having issues with compliance at their Washington Avenue location. They will not allow emergency personnel in when 911 calls are made. Weaver-they have not had a fire safety inspection to date. Ivino-they opened their Washington Avenue location under a false description of an Inn, which is not the way that it is being operated.
- A motion was made by Ricks, seconded by Scott, to approve the January 8, 2024 draft minutes. Board vote: Schirmer-Aye, Ricks-Aye, Mayone-Aye, Scott-Aye, Strutt-Aye. Motion carried.
- Planning Board meeting minutes were received.
- Schirmer-just to let the Board know, Saugerties Self Storage has withdrawn their application.

**ADJOURNMENT**

A motion was made by Mayone, seconded by Ricks, to adjourn the meeting as there are no further items to discuss. Board vote: Schirmer-Aye, Ricks-Aye, Mayone-Aye, Scott-Aye, Strutt-Aye. Motion carried. Meeting adjourned 7:55 pm.

Respectfully submitted,

Becky Bertorelli

*Secretary*

*Zoning Board of Appeals*