



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477
Tel: (845) 246-2800, ext. 373
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Meeting Minutes for January 4, 2010

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

Also Present: Alvah Weeks, Jr. and Bruce Leighton, Liaison

Chairman Joseph Roberti opened meeting introducing the new liaison to the ZBA, Bruce Leighton.

Public Hearing:

**11-12-09 Fred Hirsch & Marcy Pollitt
27 Oakledge Park
Saugerties, NY 12477**

- Property located at 27 Oakledge Park.
- Section involved 5.1 Side Yard Setbacks.
- For purpose of constructing a Deck 15' from property line.
- Ms. Pollitt presented return receipts at meeting.
- Board received another letter from a neighbor stating that he had no objections to the deck in question.
- Ms. Pollitt stated that the deck is needed for the hot tub because of flooding that has occurred in the past on her street and they do not want the hot tub ruined should a flood happen again.
- No comment from the Board.
- Public Hearing closed.

Decisions:

**11-10-09 Muscarella, Christine
P.O. Box 1
Mt. Marion, NY 12456**

- Property located at 651 Glasco Turnpike for the purpose of subdividing a 2.685 acre parcel into two (2) separate parcels one being .545 and the other 2.40.
- Jeanne opened discussion stating that she did not see an alternate use for land because it is bisected by Glasco Turnpike.
- All in agreement that this will just allow her to create an undersized lot, however, Mt. Marion Park is behind this property and they too are on small lots.
- Jeanne made motion, seconded by Joe Mayone to grant variance by reasons :
 1. By granting this it will not change in any undesirable way the character of the neighborhood, or be a deterrent to near by properties.
 2. No other feasible way to do this because lot in question has been there for a number of years and the property is bisected.
 3. The variance is substantial.
 4. There will be no adverse effects, nothing is changing.
 5. This issue was not self-created.
- Roberti – yes, Goldberg – yes, Mayone – yes, Sawchuk – yes, Rua – yes.
- The Motion is passed and the Variance is granted.

**9-10-09 Prinz, George & Smith, Ingrid
42 Dooley Dr.
Saugerties, NY 12477**

- Property located at 73 & 75 River Rd. in Malden.
- Variance needed is 17' from the Front Yard Setbacks.
- The Board would like more time to make its decision, plans keep changing and they would like to review it all.
- Board wants to know if there is any other way to make this project work by placing it in a different location on the property.
 - o Board wants all setbacks. Mr. Prinz will bring in plans at next meeting.
- Jeanne made comment that the board can take longer in their decision; however, if they do not make up a decision then it would be an automatic denial.
- Jeanne cited Town Law 267A8 May 2007 Revision of Town Law – “Time of Decision. The Board of Appeals shall decide upon the appeal within sixty-two days after the conduct of said hearing. The time within which the Board of Appeals must render its decision may be extended by mutual consent of the applicant and the board.”
- The Board asked Mr. Prinz for more time and he said to take all the time that is needed.
- Jeanne made motion with Mr. Prinz’s agreement; they will extend the time to make decision for at least one (1) month, 2nd by Henry Rua.
- Roberti – yes, Goldberg – yes, Rua – yes, Sawchuk – yes, Mayone – yes, all in favor, non-opposed.
- The Motion is passed to have a decision deferred until February’s meeting.

**11-12-09 Hirsch, Fred & Pollitt, Marcy
27 Oakledge Park
Saugerties, NY 12477**

- Property located at 27 Oakledge Park
- Side yard variance needed for deck.
- Public hearing was scheduled for this meeting, Public hearing was held and closed, Board made decision to vote on this variance.
- Jeanne made mention again to have this listed as SEQR Type 2 617.5 C12
- Roberti made motion to approve variance requested, Brian Sawchuk 2nd for the following reasons:
 1. No undesirable change or detriment to the neighborhood or character of the neighborhood all the properties are the same.
 2. No other feasible alternatives to construct this deck because of non-conforming lot sizes and creek being on the one side.
 3. This will have no adverse effects on the environment or community.
 4. Request is minimal.
 5. It is self-created, but only because of property sizes in that area.
 6. Benefit to the applicant outweighs any detriment to the neighborhood.
- Vote taken: Roberti – yes, Goldberg – yes, Rua – yes, Mayone – yes, Sawchuk – yes.
- The Motion is passed and the Variance is granted.

Discussions:

1. Board received minutes from November Planning Board meeting
 2. Minutes for December approved as written, Motion made by Jeanne seconded by Henry Rua, all approved 5/0, carried.
 3. Changed July’s meeting date from July 5th to July 12th.
- Motion made by Roberti 2nd by Rua to close meeting at 8:05pm.