



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

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April 3, 2017 Meeting Minutes

Present: Jeanne Goldberg, Samantha Dederick, Joe Mayone, Henry Rua, Donn Avallone & Patti Kelly (alternate)

Also Present: Stanley Ostrander, Alvah Weeks, Bldg. Inspector and Jimmy Bruno, Town Board Liaison

-Meeting started at 7:04 pm, pledge started by Joe.

Public Hearing:

HWS Development LLC
Andrew Wang
117 Old House Lane
Port Washington, NY 11050

File #: 17-0005
SBL#: 17.1-1-65

- Mr. Ostrander present for owners. Appeal started at 7:06pm.
- Received certified mailing cards (7 of 8) from Mr. Ostrander.
- No one present from the community for the public hearing
- Jeanne asked the Board if they had any questions
- Mr. Ostrander explained to the Board, because of previous concern, that the room on the side of the house that the garage is being constructed will remain.
- As per the property owner, the property line is where the wooden fence is installed. This will leave 33' from the side of the house to the property line.
- Jeanne wanted to note that for future reference we should request a survey for the actual property lines.
- Patti asked what the actual legal name of the road is, a discussion followed and the Board agreed that it would be referred to as AKA- W. Saugerties Woodstock Road
- Donn wanted an explanation of the variance request:
 - There are 33' from the side of the house to the property line
 - The garage to be constructed is 18' wide
 - Therefore, there will be 15' left to the property line once the garage is constructed; the town set-back requires 25'
- No more questions were asked.
- Donn made the motion to close the public hearing, 2nd by Samantha. Voice vote 5-0. Public Hearing closed.
- Jeanne informed Mr. Ostrander that the Board now had 62 days to render a decision and the owner would be notified once a decision was made.
- Public Hearing closed at 7:25pm.

Decision/Discussion (714 W. Saugerties Woodstock Road –Area variance):

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- Jeanne asked the Board if they were ready to discuss and make a decision at this time, all were in favor.
- Since this was the only appeal on the agenda, Jeanne invited Stanley Ostrander to stay for the discussion regarding the above appeal if he desired, he accepted.
- Discussion began at 7:26pm.
- The five (5) criteria regarding the balancing test that states that the Board shall balance benefit to the applicant with detriment to health, safety and welfare to the community:
 1. It was determined that an undesirable change will not be produced in the character of the neighborhood nor would a detriment to nearby properties be created.
 2. There is no other feasible location for the proposed garage to be constructed on the property, due to the location of the septic system.
 3. The requested variance is less than 50% and therefore is not substantial.
 4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood.
 5. The alleged difficulty is self-created but goes to the use of property. The benefit to the applicant is balanced by the lack of detriment to the health, safety and welfare of the neighborhood.
- Therefore, a motion was made by Jeanne to grant the variance of 10' and 2nd by Donn.
- A vote was taken:
Goldberg – yes, Mayone – yes, Dederick – yes, Avallone – yes, Rua – yes.
- Therefore, by a vote of 5-0 the motion is passed unanimously and the appeal is granted
- Jeanne informed Mr. Ostrander that the Board now had 5 days to record the decision in writing and mail it out to the property owner.
- At this point in the meeting Mr. Ostrander left.

Discussion (s):

1. The meeting minutes from March 6, 2017 meeting were reviewed. Joe made the motion to accept the minutes as written, 2nd by Donn. Voice vote 4-0, Joe abstained because he was absent. Accepted
 2. Planning Board minutes received.
 3. Jeanne reviewed the Saratoga training sessions for the Board.
- Sam made the motion to adjourn the meeting, Donn 2nd vote taken 5-0.
 - Meeting ended at 7:41pm

Respectfully submitted,
Becky Bertorelli, Sect.