



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477
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ZBA Monthly Meeting July 12, 2010

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

Also Present: Alvah Weeks, Jr., Mr. and Mrs. Zani, & Mr. and Mrs. O'Connor

~ Meeting opened at 7:06pm by Chairman Joe Roberti, Sr.

PUBLIC HEARING:

File # 10-0003
 O'Connor, William
 37 Old Patch Rd.
 Saugerties, NY 12477
 SBL#: 28.2-6-12.110
 Front Yard Area Variance 25'

- Classified as SEQR Type II 617.5 C 12 vote taken, all in favor, no one opposed 5/0.
- Received certified return receipts at start of meeting.
- No one present at meeting to discuss except the O'Connor's.
- Jeanne asked that the structure will be built as far back as possible, yes.
- No other questions asked.
- Public Hearing closed at 7:09pm, informed the O'Connor's that the Board has 62 days to make their decision and upon the decision they will receive a letter in the mail stating if it has been approved or denied.

NEW APPEAL:

File # 10-0004
 Zani, Angelo
 583 Glasco Tpk.
 Saugerties, NY 12477
 SBL#: 28.4-11-14
 Side Yard Area Variance 15'

- Would like to build a 26 x 24 NEW ATTACHED 2 CAR GARAGE 10' off the property line needing a Side Yard Area Variance of 15'-0".
- Mr. Zani was asked to come to the front to discuss what he'd like to do.
- Joe R. asked where the house is located Mr. Zani informed the board that it is behind the Mt. Marion fire house and it is green.
- Joe R mentioned that it was all wetlands around his property, he said yes.
- DEC and DEP about two years ago made him repair the septic and leech fields before he started renovating the house. Put in an above ground leech field.

- Talked with Gary Meyers at the Health Dept and he said that Gary said he did not need a permit to fix his septic.
- Replacing existing garage with new garage due to the fact that the old one is in disrepair and his insurance company will no longer insure the structure due to its current condition.
- By making the garage bigger he can now put his new furnace and oil tank inside the garage instead of outside where it freezes and has blow outs.
- This structure was up when you bought the house; yes it was built in 1999.
- Tenants destroyed the house when he rented it, now he is fixing it up because of them.
- Joe R asked if Mr. Zani lived there; yes he does.
- Neighbor to his left has no problem with this project as long as he does not go into the woods.
- How big is the property? He has a total of .46 acres.
- Jeanne recommends that the copies of the DEC letters and information that he did all this work to the leech field and septic he should file it with the Building Dept.
- Mr. Zani showed the board the wetlands maps.
- Jeanne made motion to set a Public hearing for this variance set for August 2, 2010 at 7pm 2nd by Joe Mayone approved.
- Mr. Zani was given the information to send out to all homes within 500 ft of his property lines.
- Was informed to do it as soon as possible due to the fact that the meeting is sooner since this meeting was a week later than normal.
- Jeanne made motion for a Type 2 SEQR 617.5 (C) (12) Joe Roberti 2nd vote taken, all in favor, non-opposed, Approved. The County does not need to be notified because it is for a side setback not a front setback.

DISCUSSION(S):

1. May's minutes approved with one change; Jeanne wants changed where it was written Jeanne mentioned "...because it is a residential area and it is pre-existing" remove "it is a residential area" and have it only say "...because it is pre-existing." Joe Mayone 2nd motion to accept the minutes with the change, Vote taken 4/0 May's minutes approved. Joe Roberti, Sr. did not vote due to being absent from May's Meeting.
2. June's minutes approved accepted as is; Motion made by Henry to approve, 2nd by Brian, vote taken 3/0, June's minutes approved as is. Jeanne and Joe Mayone did not vote since they were absent from June's meeting.
3. All on the board received the Planning Board's minutes
4. Discussion held on letter that was written to the Town Board regarding changing the way the ZBA orders its meetings and how to lessen the expense to the applicant(s).
 - Jeanne does not agree with the way the letter was sent out and dealt with and feels that the financial burden is tough and there could be another way to send the letters that the person is still notified that it was received.
 - There is a certified mailing that is a \$1.15(+/-) plus postage making it less expensive to the applicant could be a possible solution.
 - Letter that was written and proposed will no longer be addressed and the Zoning Board Members will be discussing this idea with the Planning Board to get their input on how this should be addressed.
 - By changing the way the mailing is done from Certified Return Receipt to the other way the Town Board would have to change the Zoning Law and the Planning Board follows the same.

- Made mention that a sign could be posted on the property in question as well as on the website, TV 23, in Town Hall and in the paper. Therefore, people would see it and the applicant would not have to pay the fee for the Certified Return Receipts.
 - Sam feels very strongly that there should be a sign on the property and that the Planning Board should be involved before the Town Board is made aware of this so that both Boards are on the same page.
 - Jeanne made it very clear that she does not want her name on anything that she was not included on in the vote.
5. Board received thank you letter from Joe Mayone.

DECISION:

File # 10-0003
 O'Connor, William
 37 Old Patch Rd.
 Saugerties, NY 12477
 SBL#: 28.2-6-12.110
 Front Yard Area Variance 25'

- Joe Roberti recommended approval of the variance requested by Mr. O'Connor to build a storage structure on his property because he feels it does not change the neighborhood in anyway, there will be more taxes on the property and that the variance is substantial but that it does not deter from the character of the neighborhood and no neighbors came so it seems that no one has a problem with it being built.
- Jeanne made motion to grant the variance for this property for the 25' Front Yard Variance Joe Mayone 2nd, vote taken, all in favor, non-opposed therefore the motion is passed and the variance is granted on basis of the 5 criteria's.
 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 the property where the house is has a steep slope and the property is cut in half by the road so it is the only place to put the structure.
 3. The variance is substantial.
 4. It issue was not self-created.
 5. There will be no adverse effects to the neighborhood by granting the variance.
- Henry made motion to close the meeting; Joe Roberti said no he'd like to discuss this issue of the letter and process more.
- Motion made again by Henry to adjourn meeting, Joe Roberti 2nd vote taken all in favor 5/0.
- Meeting ended at 8:50pm.