

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

MINUTES

NOVEMBER 1, 2004

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

Meeting called to order.

Motion by Bill seconded by Dick to go into executive session to confer with attorney. 5/0

Motion by Dick seconded by Bill to resume open session. 5/0

It was the determination of the board to proceed with the Public Hearing.

PUBLIC HEARINGS

1. 10-04-04 RONALD STEINVURZEL
 PROZIO, BROMBERG & NEWMAN
 ON BEHALF OF R.I.C.H. FARMS
 100 SOUTHGATE PARKWAY
 MORRISTOWN, NJ 07962

PROPERTY LOCATED 3000 RT 9W, GLASCO (GUARDIAN SELF STORE)
FOR THE PURPOSE OF REQUESTING ACTION BY THE TOWN: DEMOLITION PERMIT,
BUILDING PERMIT, MODIFIED SITE PLAN REVIEW.

Mr. Steinvurzel presented green cards and returned letters.

Feels that taking down of building is demolition and needs a permit. Feels a new building permit is needed. Feels the changes to the Site Plan is enough to require a submission of a modified Site Plan.

He cannot find any authority in Town Code for the extension of a building permit.

FRANK REDL: Owner of site. New storm water plan was submitted to fix problem by enlarging system. Layout of buildings did not change. They have complied with requests from the Building Department. Have not done any demolition. Not discarding. Taking buildings down, raising the ground and reassembling the buildings.

Town Engineer says layout has not changed.

THOMAS BOWRING: 1520 Rt 212. Hydrologist for D.E.C. Familiar with old and new plans. Will be raising grade. Will store water in underground tanks. (sediment storage basins). increasing the capacity in the new plans. Water has never left site. Once frost left ground, site has not been flooded.

HERB REDL: Pleasant Valley. Original engineers made a mistake and had dirt removed. Will now bring ground level, back to original grade and then raise 12 to 14 inches above original. Will not be higher than surrounding properties. Adding more diffusers to each row. Town engineer, Dennis Larios has signed off on plans.

JOSEPH ROBERTI, SR. 2300 Rt 32. Water table 4 foot 9 inches below surface.. There is 6 feet of sand then clay. Water hits clay and runs along clay. Water goes into peoples' cellars.

RAY MAYONE: 15 Belnap Lane: Borders property. Getting water in basement. Lots of damage done. Letter from Paul Andreassen about violations and only one out of five was remedied.

FRANK REDL: Question about whether plan will work or not is not a question before the board.

WILLIAM BURNETT: Belnap Lane Never had water in basement which is 8 to 10 feet in ground. Now has had to buy a sump pump. What is proposed for existing slab? Will they be removed or built upon. 18 parking spaces will run off into his land.

JIM WALSH 11 Belnap Lane

TIM MAURO Hilltop Lane; Regarding diffusers- once you add on, they will always flood unless you provide a reverse. Need a head wall to dump to.

Presented picture of pond taken 12/2003 shows flooding.

RON STEINVURSEL Water has to go somewhere. If not taken care of will go into basements. Has seen sink holes on R.I.C.H. Farms. Presented letter from Dennis Larios " plan calls for raising site two to three feet and installing an extensive system of shallow storm water chambers wrapped in stone and filter fabric... the plan appears to offer a reasonable solution of the drainage problems encountered on the site during initial construction.... the design professional for the project is responsible for the integrity of the design."

Law does not talk about significance.

Evidence portion of hearing closed.

NEW APPEALS

1. 11-10-04

SUPREME BUILDERS

THOMAS SPERL

897 RT 212

SAUGERTIES, NY 12477

PROPERTY LOCATED RT 9W AND TRINITY COURT, GLASCO

SECTION INVOLVED 5.1 BULK REGULATIONS SIZE OF LOT

FOR THE PURPOSE OF CONSTRUCTING A 2 FAMILY DWELLING ON A 100 X 100 LOT

Mr. and Mrs. Sperl representing.

Has water and sewer. Is Kaminski property. Existing buildings on Trinity Court are apartments.

Trinity Court is a private road. Question raised whether he has access on Trinity Court. Publis

Hearing scheduled for December 6. Applicant given information.

2. 12-11-04

THERESA BRADFORD

3585 RT 32, QUARRYVILLE

SAUGERTIES, NY 12477

SECTION INVOLVED

5.1 BULK REGULATIONS LOT SIZE FOR SECOND
DWELLING ON LOT

FOR THE PURPOSE OF INSTALLING A DOUBLE WIDE ON SITE

Mr. and Mrs. Bradford representing.

Meets setbacks of 50 feet. Wants to install a double wide. Lacks .831 acre.

Public Hearing scheduled 12/06/04. Applicant given information.

OLD BUSINESS

1. 04-05-04

RICHARD SYRACUSE

Planning Board to be lead agency.

DECISION

1. 08-08-04

BLANCHE DUFFY

SEQRA: Motion by Bill seconded by Jeanne Type 2, 5/0

There is an old mobile home frame on site. Well pre-dates zoning. There is a used septic tank on property. There is a leach field that appears unused. Garage and home pre-date zoning. Dan checked with three trailer sales and the home that is proposed is the smallest available without being custom build.

Board received copies of correspondence from Mr. Levine to Building Inspector and a letter from the Board of Health.

Owner has right to build but must comply with Board of Health requirements.

Set backs must be in accord with 6.5.1

MOTION made by Dick seconded by Jeanne to deny appeal with the condition that any future dwelling must comply with Board of Health regulations and be in accord with Section 6.5.1. of the Town of Saugerties Zoning Law.

Ellsworth - yes; Conley - yes; Goldberg - yes; Geick - yes; Rua - yes

The motion passed and the appeal is denied. with conditions.

2. 09-08-04

JAMES O'REILLY

Appealing action of Building Inspector to pass site plan on to Planning Board without certifying it conforms to the Zoning Law as per Section 8.3

Section 5.2.4.3. usage can't be changed by changing property lines. Discussion held. Board requested more time to make decision. Mr. O'Reilly gave Board written permission to delay decision until next meeting.

SEQRA also delayed.

DISCUSSION

1. Minutes for Oct approved on Motion of Jeanne seconded by Dick 5/0

2. Planning Board minutes for Sept. received.

3. Governing Rules to be voted on in December

4. Members received copies of the reprinted Zoning Law to review for errors. One error noted. on Bulk Standards Table should say size per dwelling "UNIT" top of column 3.

5. Report on Joint meeting. Chairmen of both board to communicate. ZBA to received unapproved minutes from Planning Board quicker.

6. SEQRA Sperl: Type 2 on Motion of Bill seconded by Dick 4/0 Henry absent

Bradford: Type 2 on Motion of Jeanne seconded by Fill 4/0 Henry absent.

7. No response received from Planning Board regarding clarification of Syracuse opinion.

Next Meeting December 6, 2004

Meeting adjourned on Motion of Bill seconded by Dick.

Elaine C. Henkel
Secretary