



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477
Tel: (845) 246-2800, ext. 373
Fax: (845) 246-0461



ZBA Monthly Meeting October 3, 2011

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

Also Present: Joshua Medick, Alvah Weeks, Jr., Bruce Leighton

~ Meeting started at 7:03 pm by Joe Roberti, Sr.

Public Hearing:

Joshua Medick

4067 Rt. 32

Saugerties, NY 12477

File #: 11-0006

SBL#: 2.4-1-22

- Property located at 4067 Rt. 32 requesting a 14'-6" side yard area variance to construct a Garage with bedroom and bathroom above.
- Public Hearing was opened by Joe Roberti at 7:03pm.
- At start of meeting the applicant handed the Board the Certified Return Receipts showing that he sent out all the mailings to all the property owners within 500' of his property in question.
- Joe Roberti addressed the Public to state their name, address, and concerns. No one from the public was in attendance.
- Joe Roberti then turned the questions over to the Board.
- Brian asked the applicant what year did he buy the house in question. Applicant stated in 2005 or 2006. Brian then asked when you purchased the house did you have plans on expanding it. The applicant stated that at the time he purchased it he and his wife did not have children so the plans of expanding never came into his mind. Now that he has children he does not want to leave the house and would like to expand so they can stay where they are.
- Brian then informed the applicant that per NYS this is considered a "self-created hardship."
- Jeanne then asked the applicant if he knew the sizes of his neighbors' properties because he has a long narrow property with 1acre on it, give or take.
- Mr. Medick informed the Board that he believes his neighbors have roughly the same size lot as he does.
- Jeanne then wanted clarified that the driveway is shared by Mr. Medick and the neighbor, and the applicant stated that yes, the driveway is shared by them both but it is a right-of-way that the neighbors have.
- Jeanne also asked the applicant if the camper in the driveway is roughly where the garage is going to be built and the applicant responded that yes roughly where it will be.
- Jeanne asked if the carport on the property was the applicants as well, yes, it is from Sam's Club.
- Joe Roberti then asked the Board if there were any more questions that needed to be addressed. The Board stated that they were satisfied.
- Joe Roberti then closed the Public Hearing at 7:14pm and informed the applicant, Joshua Medick, that the Board had 62 days to notify him of the decision and that once the decision was made that he would be notified by mail within 5 days of the decision.

Discussion(s):

1. Jeanne made the motion to accept September's minutes as written. The motion was 2nd by Joe Mayone. Vote was taken all were in favor. Motion passed and minutes for September were approved as written.
2. All Board Members received the Planning Board minutes.
3. Board received their "towns & topics" magazine along with the proposed 2012 Budget.
4. Jeanne then mentioned that she did some research on how many hours are needed for each Board Member for the year. She went to the Town Clerk but ended up having to search through the Town Board minutes on-line. She found:
 - On May 21, 2008 the Town Board voted to approve a stipend for the ZBA Members
 - On February 15, 2006 is when the Town Board voted on training with an amendment that it is 5hours worth of training for each ZBA member.
 - On March 21, 2007 the Town Board made a resolution for training listed all the organizations listing acceptable training of 4 hours.

-Joe Roberti then asked if the Board was able to make a decision on the application at hand, the Board had no objections.

Decision:

Joshua Medick

4067 Rt. 32

Saugerties, NY 12477

File #: 11-0006

SBL#: 2.4-1-22

- Property located at 4067 Rt. 32 requesting a 14'-6" side yard area variance to construct a Garage with bedroom and bathroom above.

- Brian made the motion to approve the variance of 14'-6" needed to construct the Garage with bedroom and bathroom above. The motion was then 2nd by Jeanne.

- A vote was taken by the Board and all were in favor based on the 5 Criteria:

1. There would be no undesirable change produced in the character of the neighborhood nor would a detriment to nearby properties be created in granting this variance due to the fact that it fits into the character of the neighborhood already.
2. The variance requested by the applicant cannot be achieved by any other feasible means due to the fact that the front yard is where the applicants well is located and in the rear yard 10ft. from house is where the applicant's septic tank is located.
3. The variance that is being requested is substantial but there is no other alternative for the applicant to pursue this addition.
4. The proposed variance will have no adverse effect or impact on the physical or environmental conditions in the neighborhood.
5. The alleged difficulty was self-created however; there is no other alternative place for the addition to be built.

Therefore, the motion is passed and the variance is granted as presented.

~ Jeanne made the motion to adjourn the meeting which was 2nd by Joe Roberti. A vote was taken and all were in-favor.

~ Meeting ended at 7:45pm.