

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

Regular meeting

April 3, 2006

Present: Joe Roberti, Jeanne Goldberg, Henry Rua, Bill Geick, Brian Sawchuk. Also Nancy Campbell.

PUBLIC HEARINGS

1. 03-03-06 ROBERT J. AND ROBERT H. PEASE, JR.
 27 RIVKA ROAD
 SAUGERTIES, NY 12477
PROPERTY LOCATED 2917 ROUTE 9W, GLASCO
SECTION INVOLVED 5.1 BULK REGULATIONS REAR YARD SETBACKS
FOR THE PURPOSE CONSTRUCTING A MOTORCYCLE SALES / REPAIR SHOP

Mr. Pease presented green receipts. No public comment.

Discussion about the steep bank in rear. Applicant going to stabilize with boulders along the bottom and a retention system and vegetation. Bank is approx. 15 feet in height and has a rock ledge in it. D.O.T. recommended entrance be approx 20-25 feet from north side.

Property is in the Gateway Overlay district. Applicant will landscape front as recommended by D.O.T.. Not going to blacktop parking area to allow water to drain. Is before Planning Board for Site Plan. Parking will be along north side and front.

Public Hearing closed.

2 04-03-06 MATTHEW C. PHILLIPS
 P.O. BOX 155
 SAUGERTIES, NY 12477
PROPERTY LOCATED 1905 OLD KINGS HIGHWAY. KATSBAAN
SECTION INVOLVED 5.1 BULK REGULATIONS FRONT YARD SET BACKS
FOR THE PURPOSE OF BUILDING A GARAGE IN THE FRONT YARD.

Mr. Phillips presented green receipts.

No public comments.

There is a 16" culvert and wet area in front yard. Applicant plans to put in new culvert to redirect flow and drain better. Neighbors on both sides have raised property. Leach field is in rear yard. Well is in front yard along with two large black walnut trees. Applicant plans to direct county culvert drainage into his culvert and away from the property. Proposed garage is 1750 square feet.

Public Hearing Closed.

3 01-01-06 EUGENE BRICE CONTINUATION

Mr. Brice present with Mr. John Wadlin, Esq. A new site plan was presented. Deck to be 15 feet wide the length of the house. Has not been served with a law suit. Property is unusable as is. Deck would allow use of back yard and would allow applicant to install railing along cliff as well as along deck. Could make deck smaller but that would make an unsafe area between deck and top of cliff.

Public Hearing closed on Motion of Jeanne seconded by Henry. 5/0

DECISIONS

1 01-01-06 EUGENE BRICE
Request is substantial. Would not change the character of the neighborhood. There is no other method to achieve the benefit sought. The proposed variance would not have an adverse effect or impact on the physical or environmental conditions is the neighborhood. The lot has a peculiar shape with the drop off. There is a safety issue with the cliff.
Motion made by Henry seconded by Brian to grant appeal with the understanding that because of the cliff, safety is a primary concern.

Roberti- yes, Goldberg- yes; Rua – yes; Geick – yes; Sawchuk – yes. Motion is passed and the appeal is granted.

2 03-03-06

ROBERT J. AND ROBERT H PEASE, JR.

Property is in the Gateway Overlay District. There would not be an undesirable change produced in the neighborhood. The proposed variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. The alleged difficulty is self- created because of the steep bank in the rear.

Motion made by Jeanne seconded by Henry to grant the appeal with the condition that the site plan meets the Gateway Overlay criteria.

Roberti – yes; Goldberg – yes; Rua – yes; Geick – yes; Sawchuk – yes.

The motion is passed and the appeal is granted with condition.

3 04-03-06

MATTHEW C. PHILLIPS

Has potential of having drainage problems and must make provisions. An undesirable change would not be produced in the character of the neighborhood by the granting of the variance. Location of garage limited by the shape of the lot, the location of the septic, well and large trees. Proposed variance is minimal. The proposed variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood. Applicant must take line of sight into consideration.

Motion made by Henry seconded by Bill to grant appeal with the condition that the county drainage must be maintained.

Roberti – yes; Goldberg – yes; Rua – yes; Geick – yes; Sawchuk – yes.

The motion is passed and the appeal is granted with condition.

DISCUSSION

1 Minutes for March approved with corrections on Motion by Jeanne seconded by Bill. 5/0

2 Planning Board minutes for March received.

3 Jeanne elected Vice Chair on Motion of Henry seconded by Brian. 4/0

4 Jeanne and Joe attended meeting with Dennis Doyle.

5 Update on Article 78 – Jeffrey / Stowell. Matter is in the hands of the court. Received a copy of Zweben's response to ZBA's answer.

6 Paul Andreassen on 3 months leave of absence to teach building code throughout the state. Alvie in charge.

7 Nancy reminded about training and certification.

8 No word on GIS training. Brian going for CAC. Joe interested in going.

9 Discussion regarding Seth Levine. Jeanne presented copies of information from building dept. file. ZBA decision (Duffy) said Levine must have a Board of Health approved septic system to obtain a building permit. Levine filed an engineered plan and was granted a building permit without Board of Health approval. Question raised as to who enforces ZBA conditions. Can Board of Health overrule ZBA?

Motion made by Joe seconded by Jeanne to send a letter to the Building Dept. requesting immediate attention to the matter. 5/0.

Next meeting May 1, 2006 at 7 pm at Frank D. Greco Senior Center.

Meeting adjourned on Motion of Brian seconded by Joe. 4/0