



ZONING BOARD OF APPEALS
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January 9, 2023

Present: Bill Schirmer (Chair), Tim Scott Jr, Randy Ricks & Patti Kelly: Alternate, Kevin Freeman: Zoning Board Secretary, Alvah Weeks, Building Inspector/Zoning Administrator

Bill called the meeting to order at 7:00pm. He took roll call of ZBA members, asked Patti to serve as a full member and announced that a quorum was reached.

PUBLIC HEARINGS

METHODS TOOLING AND MANUFACTURING: APPLICATION FOR AN INTERPRETATION

Wallace Michaels
635 Glasco Turnpike
Mt. Marion, NY 12456
SBL#: 28.4-11.2
File #: 22-005

This property, with a lot size of 12.6 acres and building of 21,000 sq. ft., is zoned MDR. Mr. Michaels is asking that the business be put on the town's pre-existing business list which was established when Zoning was enacted in 1989. The business did not realize it had to file the documents required for a pre-existing business in 1989, and wishes to do so now. Sect. 245-43 of the Zoning Law provides that the Zoning Board of Appeals, after reviewing all relevant documents and data, shall determine if any amendments to the list shall be made to the pre-existing business list.

The ZBA reviewed the application and determined that Mr. Michaels had submitted tax and accountant documentation proving that Methods Tooling and Manufacturing had been in continuous operation prior to and since 1989. He has fulfilled the requirements of the pre-existing business list.

Randy moved to open the Public Hearing and Tim seconded. The motion passed. There were no comments from the public for the record. Patti moved to close the Public Hearing with Randy seconding. The motion passed.

Patti Kelly made a motion to grant the request to be placed on the List of Pre-Existing Businesses.

The motion was seconded by Randy Ricks.

A roll call vote was called, and the motion was approved: Bill Schirmer, yes; Tim Scott, yes; Randy Ricks, yes; and Patti Kelly yes.

BLAKE TRUST: APPLICATION FOR AN AREA VARIANCE

Donald and Barbara Blake
200 Sparling Rd.
Saugerties, NY 12477
SBL#: 18.1-2-52
File#: 22-006

This property, with a lot size of 3.454 acres, is zoned MDR-SA (Sensitive Area Overlay) District. The applicants, Donald and Barbara Blake, want to convert their legal accessory garage apartment to a single-family residence. The Code Enforcement Officer denied the application because the MDR-SA District requires 2 acres per dwelling unit. The applicants have applied for an area variance of .546 acres from the required 2 acres.

Patti moved to open the Public Hearing and Tim seconded. The motion passed. Mike Vetere represented the Blakes and explained how the variance would be required to convert the designation of the Accessory Use Dwelling into a house. Mr. Weeks confirmed that a new well would need to be drilled to conform to zoning regulations.

Ms. Eifler, of 208 Sparling Road, commented that when the previous well was drilled on the Blake property her well water was discolored for approximately a year. The board explained that the water was an issue for the Department of Health and the Town, not the ZBA.

The Blakes said they were willing to comply and drill a new well as required.

Tim moved to close the Public Hearing. Randy seconded and the motion was approved.

the ZBA reviewed and discussed the Area Variance criteria as outlined in the Zoning Law and determined that:

- The benefit could not be achieved by other means feasible to the applicant.
- The variance will not introduce an undesirable change in the neighborhood character or a detriment to nearby properties.
- The variance request is substantial, but necessary to qualify as a residence.
- The variance will not have any adverse physical or environmental effects.
- The difficulty was not self-created.

Patti Kelly made a motion to grant the requested .546 area variance from the required 2-acre lot size. The motion was seconded by Randy Ricks.

A roll call vote was called, and the motion was approved: Bill Schirmer, yes; Tim Scott, yes; Randy Ricks, yes; and Patti Kelly yes.

OLD BUSINESS

None.

THE ZBA HAS NOT YET RECEIVED THE SCOPING DOCUMENT FROM TARPON TOWERS II/VERIZON WIRELESS PERTAINING TO THE PROPOSED CELL TOWER AT THE MT. MARION FIREHOUSE.

BOARD DISCUSSION

Bill moved to accept the December minutes and Tim seconded. The minutes were approved.

Schedule of 2023 ZBA meetings was approved with the modification of moving the November meeting to the 13th to avoid conflict with the Board of Elections use of the Senior Center.

Bill moved to close the session with Tim's second. Approved.

The Board reserves the right to change the order of the agenda at any time. Unless noted, meetings are held on the first Monday of the month at 7 pm at the Frank D. Greco Senior Center, 207 Market St.

Meeting adjourned 7:35pm

Respectfully submitted,

Kevin Freeman