

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

MINUTES

February 6, 2006

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

**PUBLIC HEARING**

1. 01-01-06

EUGENE BRICE  
117 HUDSON STREET  
GLASCO, NY 12432

SECTION INVOLVED 5.1 BULK REGULATIONS, REAR YARD SET BACK  
FOR THE PURPOSE OF CONSTRUCTING A DECK 15 FEET FROM PROPERTY LINE

Mr. Brice presented green receipts

Mr. David Van Benschoten represented Margaret Matthews. He presented a statement 1) inaccurate description of rear yard; 2) needs variance for side yard; 3) not enough information to adequately evaluate the requested variance; 4) Mr. Brice not a good neighbor; 5) same appeal denied in 2005; and 6) building within 7.5 feet of property line would adversely effect Mrs. Matthews.

He also presented a copy of a corrected deed dated October 29, 2004 which shows lot line consistent with old survey not the new survey. He stated Mrs. Matthews wants her letter from the previous appeal included with the appeal. Mr. Van Benschoten was requested to provide the Board with a copy of the original deed and a copy of the letter

Mr. Brice was requested to provide the Board with a certified copy of the new survey along with a written description.

Motion was made by Jeanne seconded by Brian to extend the public hearing until March 6. 5/0  
Secretary to advertise.

**NEW APPEALS**

1. 02-02-06

PHILIP LOUGHRAN / VINCENT DePOALA  
276 MALDEN TURNPIKE  
SAUGERTIES, NY 12477

SECTION INVOLVED 6.6.7.1 DISCONTINUANCE OF A PRE-ESTABLISHED BUSINESS  
FOR THE PURPOSE OF RE-OPENING AN EATING ESTABLISHMENT

Mr. Vincent DePoala representing.

The business the former Katsbaan Inn / Chef Fischetti's has been closed for six to seven years. It was registered on the pre-existing business registration list. Discussion held on whether a public hearing was needed. A motion was made by Jeanne seconded by Brian that since a public hearing is required for all actions before the ZBA, one would be needed in this case. 5/0

Public Hearing scheduled for March 6. Applicant given information.

**DECISIONS**

1. 12-09-05

WILLIAM GARDINIER

Mr. Gardinier amended the size and location of his garage. It would be 18 x 26 and would be moved 7 feet off the rear line and 3 feet off the side line. The garage would now require no rear yard variance and only a 3 foot side yard variance.

Motion was made by Bill seconded by Jeanne to grant the appeal because it would not produce changes in the character of the neighborhood and was the least possible to attain the desired result.

Roberti -yes; Goldberg - yes; Geick - yes; Rua - yes; Szwchuk - abstain. Motion is passed and the amended

appeal is granted.

2. 17-11-05

BRADFORD EBEL

There is no other location for the garage. There would be no negative changes in the neighborhood.

Motion by Jeanne seconded by Henry to grant appeal.

Roberti - yes; Goldberg - yes; Geick - yes; Rua - yes ; Sawchuk - abstain

The motion is passed and the appeal is granted.

3. 13-09-05

SUSAN SURACI - PELEGRINI

The issue of the home occupation limits of 1200 sq. ft v. 500 sq. ft. was clarified by the Building Inspector. The state removed the 500 sq. ft. limit from the Fire Code and only requires a fire stop if over 10% of the floor area is used. The 1200 sq. ft. limit of the zoning law rules. The applicant withdrew her application and requested her financial information back.

### **DISCUSSION**

1. Minutes for January approved with typing corrections on Motion by Henry seconded by Jeanne. 5/0

2. Planning board minutes for January received.

3. Board was updated on the Article 78 filed by Jeffrey and Rapp. If appellants do not settle, Dan and Ellie will write the response.

4. Visual Impact breakfast at Williams Lake February 14. sponsored by Bond, Schoeneck & King PLLC and Saratoga Associates "In order to comply with the criteria established under SEQRA, the DEC created a Program Policy "Assessing and Mitigating Visual Impacts." The policy defined what visual and aesthetic impacts are, describes when a visual assessment is necessary, differentiates State and local concerns and defines avoidance, mitigation and offset measures that eliminate, reduce, or compensate for negative visual effects.

5. Communications received

1. Letter from Alvie to Jerry Schackne affirming his property on Rt 212, former Jewish temple, was added to the pre-existing business registration list in 1990.

2. Letter from Alvie to Tom Auer regarding Fiero's garage

3. Copy of Inspection report done by Paul on the Stowell property

6. SEQR for Loughran. Type 2 on Motion of Jeanne seconded by Henry 5/0

7. D.O.S. training. D.O.S. does not do training for individual towns. Recommended going through County Planning. Nancy in contact with the county but they will probably not run training for one town but for the county as a whole and probably in Kingston.

8. Nancy has no firm commitment for an "in-home" G.I.S. training session.

9. Nancy has set up an informal night March 9 at 7 pm for the Planning Board, the Comprehensive Plan Committee and the ZBA with Dennis Doyle of the U.C. Planning Dept.

10. Question was raised about the compiling of the Zoning Laws on disk being done by Claudette. Nancy explained they were waiting for proposed changes that were coming up for public hearing March 1 and 15. After these are adopted, the Town Board is expected to act on the disk.

Next meeting will be March 6, 2006 7 pm at the Frank D. Greco Senior Center.

Meeting adjourned on Motion of Jeanne seconded by Joe.

Decisions filed with Town Clerk February 9, 2006