



# TOWN OF SAUGERTIES

## ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

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### ZBA Monthly Meeting November 4, 2013

**Present:** Jeanne Goldberg, Joe Mayone, Henry Rua, Donn Avallone.

**Absent:** Brian Sawchuk and Samantha Dederick,

**Also Present:** Ryley O'Connor and Richard Rothe.

~ Meeting started with the Pledge by Joe Mayone.

~ Meeting started at 7:20pm by Jeanne Goldberg.

### **Public Hearing:**

Trackside Properties Inc.  
P. Marie Douglas  
738 Neighborhood Rd.  
Lake Katrine, NY 12449

File#: 13-0015

SBL#: 28.2-3-17.121

-Applicant called and requested that the Public Hearing be placed on hold until further notice or until the January 6, 2014 meeting.

- Board has concerns that the applicant will continue to push this off since the business is closed for the season.

### **New Appeal(s):**

O'Connor, Ryley  
764 Rt. 212  
Saugerties, NY 12477

File#: 13-0017

SBL#: 17.4-2-15.111

- Property located at 122 Railroad Ave.

- Property is zoned Moderate Density Residential District with Sensitive Area Overlay and Aquifer Protection Overlay (mdr-sa apo).

- Meeting started at 7:20pm

- Present was Richard Rothe and Applicant Ryley O'Connor.

- Applicant stated that this property is owned by his grandmother, Bernice, and she said that he could build a house on this property of hers.

### **New Appeals Cont'd O'Connor:**

- Parcel A, according to the map submitted, there is a triangle shaped piece of property between Railroad Ave. and Kings Hwy. and according to the paperwork they found at the County office building, that piece of land is owned by the County and not the applicant's grandmother but his grandmother still pays taxes on it and because of this it is taking away her actual lot size and that is why he needs a variance.
- Jeanne asked if anything was in writing stating that about the property. Richard Rothe stated that the surveyor, George Williams, found that in the paperwork from the county dating back to the 1940's that this happened with that piece of property.
- Henry mentioned that the paperwork might have been submitted but that nothing was ever done if the grandmother is still paying taxes on it. Henry stated to check with the County again to verify. Mr. Rothe feels that what Mr. Williams found is accurate.
- Mr. Rothe stated that the property is serviced by both sewer and water now and that if it were zoned in the High Density Residential District (HDR) then the property size would change but since the Moderate Density Residential District (MDR) and Low Density Residential District (LDR) cannot change even if being served by sewer and water that is why they are in-front of the Board asking for an area variance of .16-.20 acres in-order to complete this project. Mr. Rothe stated that Mr. Shuster, the Town Planner, said that he needed to bring his client, Ryley, here to the ZBA to get a variance.
- Board asked where the Brick house will be, it will be on Parcel A according the map submitted.
- Total acreage owned is supposed to be 2.4acres but since the triangle shape has been taken over by the county is has dropped the acreage to 1.9+/-.
- Jeanne asked if this was the Lynch house, yes. They were the applicant's great-grandparents. The Tavern Historical sign is at the border of the property and is owned by your family. Yes.
- Ryley originally wanted to build a garage there for his business but the zoning would not allow it so the surveyor, George Williams, said he should build a house instead. Mr. Williams still has the maps and Ryley is waiting to get them back.
- At the time the applicant submitted the ZBA Application he was under the impression that his grandmother owned the entire 2.4 acres and not only 1.9+/-acres.
- Board asked if the current house was hooked into the sewer and water lines. The applicant said that the existing house is set to be hooked in but is not because his grandmother has had no issues with her well or septic and since she is elderly and does not have a lot of money she did not want to add that extra expense until she has to.
- The applicant stated that the new house would be connected to the new sewer and water district.
- Jeanne stated to the applicant that she wants a new application submitted with the proper acreage, actual variance size being requested, new maps, and a note from the surveyor or the County stating who owns the triangle piece of land.
- Board is to get a letter from the Planning Board stating the request to come in-front of the ZBA.
- Jeanne stated that this does not need to be referred to the County Planning Board since the address of the property is for Railroad Ave. and that road is a town road.
- Board is not scheduling the public hearing because of the lack of information given and that all the information is to be re-submitted on or before November 21<sup>st</sup>. Applicant does not need to repay the application fee.
- Meeting ended at 7:46pm.

## **Discussions:**

1. Motion made by Joe to approve the minutes from October's meeting with one change on page 2, 3<sup>rd</sup> paragraph change "of" to "off" which was 2<sup>nd</sup> by Henry. Vote taken all in-favor. 3-0, Sawchuk and Dederick Absent.
2. All members got their Planning Board minutes.
3. SEQRA and Public Hearing were not voted on or created due to lack of information given by applicant.
4. Board members that had books ordered got them, members got their copy of the new Comprehensive Plan that was dropped off by the CAC. Board also mentioned that they will be attending a class on the 7<sup>th</sup> of November and on the 19<sup>th</sup> of November the Planning Board is holding a class which all the members are invited to and will receive 1.5 hours worth of credit. Also that the class in Hyde Park, NY has been cancelled and will be rescheduled.

~ Motion was made by Henry to adjourn the meeting which was 2<sup>nd</sup> by Joe a vote was taken and all were in-favor 3-0.

~ Meeting ended at 8:03pm.

Respectfully submitted,  
Kathleen Blundell  
ZBA Sect.