



# TOWN OF SAUGERTIES

## ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

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### ZBA Monthly Meeting April 4, 2011

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

**Absent:** Henry Rua

**Also Present:** Bruce Leighton, Alvah Weeks, Jr., John Farcher, Michael Vetere

~ Meeting started at 7:07pm by Joe Roberti, Sr.

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

SMD Property Mgmt LLC  
Lox of Bagels  
Farcher, John & Barbara  
3103 Rt. 9W  
Saugerties, NY 12477

File #11-0002

SBL#: 29.9-1-9

Property located at 3103 Rt. 9W

- Appeal opened at 7:08pm.

- Mr. Farcher was asked to come forward and address the Board on what he would like to do.

- Mr. Farcher presented the Board with a letter from Supervisor Greg Helmsmoortel stating that the sign would not be out of character and it would be good for his business.

- Joe Roberti read the letter aloud to the Board.

- Joe Roberti asked about the size of new sign and existing sign.

- Joe Mayone asked if it was going where the existing sign is, yes it is just lower.

- Joe Roberti asked if it was two (2) separate panels, yes it is.

- Jeanne stated that the current sign is 15' high give or take and the new one will be 1' lower and the bottom will have interchangeable 9" letters.

- Jeanne also asked if the sketch given was the actual sign that was going there, Mr. Farcher stated that it is pretty close to what will be there.

- Joe Roberti asked if there will be lights on it. Mr. Farcher stated yes, lights shining on it with landscaping all around it.

- Jeanne asked will they be spotlights or built into the sign, spotlights will be on it from the ground.

- Joe Mayone asked if it would have landscaping, yes.

- Joe Roberti asked if there were any more questions from the Board, the Board stated no.

- Jeanne made the motion to label this appeal as a SEQR TYPE II 617.5(c)(2)

“Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of these thresholds in Section 617.4 of this part,” the motion was 2<sup>nd</sup> by Joe Roberti, vote was taken all in favor, motion approved and SEQR Determination was passed.

## **NEW APPEALS CONT'D:**

File #11-0002 Cont'd

- Mr. Farcher was told that he would have to have a Public Hearing Scheduled for this appeal at which time he was given all information pertaining to the sending of notifications to all property owners within 500' of this property and that whatever he got back he'd have to return to the secretary at the opening of the next meeting.
- The Public Hearing was scheduled for May 2, 2011 at 7pm.
- Appeal ended at 7:21pm.

Spada, Michael  
1887 Rt. 32  
Saugerties, NY 12477

File #:11-0004

SBL #: 28.4-7-2.210

Property located at 1887 Rt. 32

Representing the Spada Family was Mr. Michael Vetere.

- Appeal opened at 7:22pm.
- Mr. Vetere was asked to address the Board on what the Spada's would like to do.
- Mr. Vetere stated that this project is in front of the Planning Board currently and because of how they want to access the two back lots being subdivided he was informed they had to come to the Zoning Board of Appeals to be granted the variance to come off of a right-of-way that currently is not allowed by Town Law 280a.
- Jeanne made mention that any decision the Board makes goes on for forever even after the current families leave or sell so whatever outcome that comes from this could cause problems in the future.
- Mr. Vetere said that there will be a road maintenance agreement in place once any decisions are made.
- Jeanne asked if there was any other feasible alternative to create entrance to the two lots, no there is no other way.
- Jeanne also stated that this is a unique situation because the Building Inspector had no decision in this referral to the Zoning Board that it was in fact the Planning Board and that a letter of referral should have been received with the appeal.
- Zoning Board requested a letter be sent to the Planning Board asking for a referral letter to be given to the Zoning Board.
- Motion made by Jeanne to schedule the Public Hearing for May 2, 2011 at 7pm, 2<sup>nd</sup> by Joe Mayone, motion passed and Public Hearing is scheduled.
- Mr. Vetere was given all the information to mail out to the neighboring property owners regarding the Public Hearing.
- Jeanne made motion to set the SEQR for the Spada Appeal for TYPE II 617.5(c)(13) "granting of an area variance for a Single Family Residence, Two Family Residence or Three Family Residence," motion 2<sup>nd</sup> by Joe Mayone, vote taken, all in favor, therefore, the motion has been passed and the SEQR Determination granted.
- Appeal ended at 7:40pm.

**Discussions(s):**

1. Minutes from March motion made by Jeanne to approve as written, Joe Mayone 2<sup>nd</sup>.  
Vote was taken, motion passed and Minutes for March were approved.
2. All members received Planning Board minutes.
3. SEQR determinations were made for both Appeals.
4. Secretary was asked to look for a current copy of the DEC 6NYCRR617 Booklet.

~ Jeanne made motion to adjourn the meeting, 2<sup>nd</sup> by Joe Mayone, vote taken all in favor.  
~ Meeting ended at 8:15pm.