



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

Tel: (845) 246-2800, ext. 333

Fax: (845) 246-0461



ZBA Monthly Meeting April 7, 2014

Present: Jeanne Goldberg, Joe Mayone, Samantha Dederick, Donn Avallone.

Absent: Henry Rua, Brian Sawchuck

Also Present: Alvah Weeks, Building Inspector; Mr. James Bruno, liaison; Mr. Doug Myer, Hwy Superintendent; Mrs. Erica Guerin, Esq.; Mrs. Marie Douglas; Mr. Turco; Mr. Peter Kaufman; Irene Hurst, Saugerties Times reporter; Chris Allen, Legislator.

~ Meeting started at 7:03pm by Jeanne Goldberg, with pledge by Joe Mayone.

~ Jeanne asked Donn to join the meeting due to not having Brian or Henry present.

Public Hearing:

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

File#13-0015

SBL#: 28.2-3-17.121

- Present at meeting Erica Guerin, Esq. who is representing applicants. Applicants were also present, Mrs. Douglas, Mr. Turco, and Mr. Kaufman.
- Meeting started at 7:04pm.
- Property located at 894 Kings Hwy.
- Jeanne asked if there were any questions, Board satisfied with information given.
- Mrs. Guerin said she was happy with all information and that the request of the interpretation is what they would like to continue with for the appeal.
- Jeanne mentioned that they are just waiting on the Ulster County Planning Board's recommendations and once the Board receives the UCPB's comments the Board can make their decision but the UCPB recommendations can be over ridden with a supermajority vot by the Board.
- Jeanne gave Mrs. Guerin a timeline of the events of this appeal.
- Jeanne again asked the Applicants if they wished to keep the appeal open, applicants agreed to keep open until notice comes in from UCPB. Jeanne told applicants that they do not need to keep attending the meetings if they do not wish to. They will close the public hearing and notify them within 5 days of decision once the decision has been made.
- Applicants requested fastest way to rectify this appeal would be appreciative.

PUBLIC HEARING CONT'D TRACKSIDE:

- Mrs. Guerin wanted to address the water testing questions that have been brought up. She stated that cave water does not have to be tested because it is not potable water. They do have a potable water business but those trucks and water is kept in Rosendale and they purchase that water from the Town of Rosendale and sell at festivals and to people with emergencies. That potable water is tested but that portion of the company has nothing to do with the pool water company. So to clarify the pool water does not have to be tested.
- Meeting ended at 7:18pm, with the Public Hearing being left open until further notice at the request of the applicants.

Public Hearings Cont'd:

Town of Saugerties
Highway Dept. (Doug Myer)
4 High St.
Saugerties, NY 12477

File#: 14-0001
SBL#: 17.15-4-31

- Property located at 25 Churchland Rd.
- Doug Myer, Highway Superintendent present at meeting
- Secretary to ZBA received certified return receipt cards from Applicant at Town Hall prior to meeting.
- Meeting started at 7:20pm.
- Jeanne asked if anyone from the public present wished to speak. No one did, no one present.
- Jeanne asked Doug if he had anything to add.
- Doug mentioned that he has awarded the bid to Clear Span Structures out of Connecticut but that he is holding onto all the work and plans until the variance is given. He could pour the walls lower if the appeal is denied but then it will defeat the purpose of putting the building up because the trucks will not be able to off-load the salt into the building and they will continue to have to dump the salt on the ground then cart it into the building. If he has to do this it will be going against the MS-4 regulations and be harmful for the environment and nearby properties. Doug also mentioned that he will run into a problem soon if this appeal is held up because he has to the building down by May 1, 2014 per the Building Dept. notice he was given by Alvah Weeks.
- Donn asked what the floor will be made of. Doug noted it will be 5" of blacktop.
- Joe asked if digging further down could be done. Alvah mentioned it would cause a drainage problem and defeat the purpose of the new building.
- Doug and Alvah mentioned that this is the same type of variance that was issued to Leo Boice for his salt shed, Board agreed.
- Jeanne asked if there were more questions. None.
- Donn made the motion to close the public hearing 2nd by Sam. Vote taken 4-0
- Public Hearing closed at 7:31pm.
- Jeanne notified Doug that once the Decision has been made he will be notified within 5 days via mail.
- Doug thanked the Board.

DISCUSSION:

1. Donn made the motion to approve the November 2013 meeting minutes as written 2nd by Joe, vote taken 3-0. Sam abstained since not at this meeting. Minutes are approved.
2. Joe made the motion to approve the March 2014 minutes Sam 2nd, vote taken 3-0. Donn abstained since not at this meeting.
3. All received Planning Board minutes.
4. Sam asked if decision could be made on the Highway Appeal. Board said they could all make a decision tonight.

DECISION:

Town of Saugerties
Highway Dept. (Doug Myer)
4 High St.
Saugerties, NY 12477

File#: 14-0001
SBL#: 17.15-4-31

- Property located at 25 Churchland Rd.

1. An undesirable change will not be produced in the neighborhood or to nearby properties by granting this height variance, as it is located at the rear of the preexisting Town Highway Dept. complex and there are also several similar facilities nearby.
2. The height variance cannot be achieved by any other feasible means due to the fact that the trucks unloading the salt need a certain height to fully extend the beds of their trucks in order to unload the salt within the building.
3. The requested height variance of 13' is not a substantial request.
4. The height variance of 13' will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because it will be improving the area by keeping the salt better contained and stored more securely, further protecting the environment.
5. The alleged difficulty was not self-created but in fact created by new regulations put in place for the containment of the salt stored in the proposed building and due to the height of the truck beds.

Therefore, a motion was made by Dederick and 2nd by Avallone to grant the 13' height variance to the applicant for the proposed salt structure.

A Vote was taken: Goldberg – yes, Dederick – yes, Mayone - yes, Avallone – yes.
Absent: Rua and Sawchuk

Therefore, the motion is passed and the appeal is granted.

~ The meeting ended at 8pm with a motion made by Joe to adjourn and 2nd by Sam.
Vote taken: All in-favor.

~ Next meeting will be on Monday May 5, 2014 at 7pm.

Respectfully submitted,
Kathleen Blundell, sect.