



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477
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ZBA Monthly Meeting November 7, 2001

Present: Joe Roberti, Sr., Jeanne Goldberg, Brian Sawchuk, Joe Mayone, Henry Rua, Samantha Dederick, Alternate.

Also Present: Alvah Weeks, Jr., Bruce Leighton, Christina Brady, Chris DiChiaro, Dan Graap, Robert Genn, & Migdalia Gomez.

~ Meeting started at 7:10 pm by Joe Roberti, Sr.

New Appeal:

1. Gomez, Migdalia
35 Montgomery St. Apt 5E
New York, NY 10002

File#: 11-0007

SBL#: 28.2-1-33

- Property address located at 303 Fishcreek Rd. and requesting a 5'-0" front yard area variance to comply with the Bulk Regulations.
- Robert Genn current property owner who is selling the land to his sister-in-law Migdalia Gomez were present at opening of appeal.
- Joe R. addressed the applicants and asked them to come forward to discuss the project they are wishing to do.
- The applicants told the Board that they need a 5' front yard area variance in order to remove the existing single wide trailer and place a new double wide manufactured home.
- Single wide will be removed by current tenant.
- What is the current size of the trailer? 14' x 70' and the new size will be 28' x 64'.
- Jeanne asked if the power lines run over the property, yes they do that is why they cannot go back any further.
- Joe R stated that the property is an existing non-conformity.
- Joe R asked if they minded that they come out to the property and look at the site and that they will not come all at once.
- Jeanne asked where the mailbox was. Applicants stated it is on the left side and house is on the right and that the mailbox says 303.
- Henry asked if coming from Rt. 212 is the property past the church or near that area. They stated yes, it is by Echo Hill Rd. area.
- Migdalia was given her information for the Public Hearing scheduled for December 5, 2011 at 7pm.
- Appeal was closed at 7:30pm.

APPEALS CONT'D:

2. 1776 Properties LLC
Brady, Christina
105 Lodge Rd.
Saugerties, NY 12477

File#: 11-0008

SBL#: 27.4-5-4.200

- Property located at 1776 Rt. 212 and is requesting a 22' rear yard area variance in order to comply with the Bulk Regulations.
- Appeal opened at 7:32pm.
- Christina Brady was present at meeting and addressed the Board on what she would like to do.
- Joe R asked if it were a new building, yes.
- Jeanne asked where the building was located. Mrs. Brady stated it is the old Vankleek's building across from the Transfer Station. It is on the line of Woodstock and Saugerties. Mailbox is on the right of road with buildings.
- Joe R asked if it was the old Shader place, yes.
- Joe R asked if they can come out and look at the site, Mrs. Brady said yes.
- Brian asked why she was here because to him looking at this she does not need a variance.
- What is on the property now? Open garage shed and existing building Vankleek used.
- She would like to move the building as far forward as possible and not so close to the rock wall.
- Brian stated she does not need the variance because she already has a non-conforming structure and that as long as she follows the 50' rear set back she can move the building forward and in line with the existing building. Henry agreed fully with this. Jeanne and others on the Board had more questions and wanted Alvah's opinion on it. They asked Mrs. Brady if they could put her appeal on hold until Alvah got to the meeting. Mrs. Brady was ok with this.
- First half of her appeal ended at 7:40pm.
- 2nd half of meeting started at 8:05pm.
- Her project is currently in-front of the Planning Board and when she showed her plans the Planning Board stated that she may need a variance to meet the rear setbacks.
- Alvah stated that the existing building sets a non-conformity because the building that is there was there before zoning.
- Mrs. Brady said that DOT says they own part of her front property but her surveyor says no they do not however she has to go by the DOT property line and because of that, that is why she needs a variance she was told.
- Brian said that the existing building is 3' off the assumed DOT Right-of-Way, yes.
- Then per Alvah Weeks, Jr., Building Inspector Zoning Officer, she does not need a variance because she is following an already established non-conformity and she is not making it anymore non-conforming.
- The Board stated that they too agree and would write a letter to Mrs. Brady stating all of this information and supply Alvah Weeks and the Planning Board with a copy of the letter and they suggested that Alvah write a letter too.
- The Board then decided to accept the applicants' wishes to withdraw her appeal and told her to write a letter stating she wishes her application to be withdrawn.
- Alvah mentioned that he would put in the request to have her \$200.00 refunded to her.
- Appeal was withdrawn and appeal closed at 8:30pm.

APPEALS CONT'D:

3. Graap, Daniel
18 Hanover Cir.
Mahopac, NY 10541

File #:11-0009

SBL#:9.3-5-8

- Property located 151 Patterson Rd.
- Mr. Graap and Mr. DiChiaro went in-front of the Board at 7:45pm and discussed what Mr. Graap would like to do.
- Joe R asked if the property was before or after the railroad tracks, the property is located after the railroad tracks.
- Jeanne asked where the property was located in relation to the Hudson River, it is 70-80' above the river. It is a very steep slope and the area where the existing residence is the only place to put the new residence and go out towards the road.
- Brian asked when the house was purchased. Mr. Graap stated in July. Brian asked did you know this property had the existing issue when you purchased the property. Yes he did but wanted property close to his father's property and did not see it as a huge problem because the neighboring property had a variance to make their house larger and did not think it would be a problem.
- Brian mentioned that he could go up and not out with the house and not have an issue. But by taking the existing house down and putting a new one up it makes a non-conforming even more non-conforming.
- Mr. Graap's engineer Chris DiChiaro said that he too did not think it would be a difficult request seeing as how the neighbor had a similar variance and he is closer to the property lines.
- Mr. Graap stated that he will remove the old shed and gravel area and make a road all the way down to the boat house owned by Mr. Kodsi.
- Joe M asked if you could get to the river from his property. Yes you can.
- Mr. Graap was asked where the existing house is located and Mr. DiChiaro showed on the maps provided that the existing house was one line and the new house was the darker larger lines.
- They were asked if the septic system would be used or new. Everything will be upgraded.
- Joe R asked what the size of the property is. It is 1.15 acres and at the narrowest point it is 94'-7"
- Mr. DiChiaro showed the Board an aerial view of the property and it showed the variance granted to the next door neighbor.
- Asked why this location they answered it is the only place since the rest of the property is a steep slope. Mr. DiChiaro showed the elevation changes on the map provided.
- Jeanne asked if the privy located on the map is active. Mr. Graap said not to his knowledge.
- The Board asked Mr. Graap if there were any objections to the Board going out to the property. No.
- Joe R asked if the house on the property now is vacant. Yes it is vacant.
- Mr. Graap was given all the information for the public hearing for Dec. 5, 2011.
- Appeal ended at 8pm.

DISCUSSIONS:

1. Jeanne made the motion to approve the minutes for October as written. Motion was 2nd by Joe R. Vote was taken and all approved.
2. All received their planning board minutes.
3. All received Town Board Member Leanne's information, no one had any comments.
4. All received the information on training sessions. Sam asked if it was 4 or 5 hours needed. It is 5 hours needed and it is discussed in October's minutes.
5. SEQR'S determined and the following was granted for each
 1. Gomez – File#:11-0007
Joe R made the motion to determine it as TYPE II 617.5(c)(12). Motion was 2nd by Henry. Vote was taken and all were in-favor. Approved.
 2. Graap – File#: 11-0009
Brian made the motion to determine it as TYPE II 617.5(c)(12). Motion was 2nd by Henry. Vote was taken and all were in-favor. Approved.
 3. Brady – File#: 11-0008
SEQR not needed since appeal was withdrawn.

~Motion made by Henry to adjourn the meeting and was 2nd by Joe. A vote was taken and all were in-favor therefore, ending the meeting at 8:45pm.

~Next meeting will be held on December 5, 2011 at 7pm.