



ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

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November 10, 2025

PRESENT: Bill Schirmer (Chair), Henry Rua (Vice-Chair), Joseph Mayone, Tim Scott Jr. and Randy Ricks.

ALSO PRESENT: Becky Bertorelli (Zoning Board Secretary) and Sean Weaver (Assistant Code Enforcement Officer)

ABSENT: Holly Strutt (Alternate)

Schirmer called the meeting to order at 7:00 pm.

PLEDGE

PUBLIC HEARING

NONE

NEW APPEAL

INFLIGHT, INC: APPLICATION FOR 5' SIDE YARD AREA VARIANCE

4 Edith Avenue

Saugerties, NY 12477

File #: 25-007

SBL #: 29.21-1-13

The parcel is located in the High Density Residential (HDR) zoning district. The applicant is requesting a 5' side yard setback area variance to construct an exterior fire escape/access stairway on an existing structure and meet the 15' side yard setback requirement in the HDR zoning district. Nevina Ilcheva, CFO InFlight, Inc., presented. The existing home is operated by InFlight to house individuals with developmental disabilities. The proposed stairway will provide access to the second story exterior door that currently does not have any means of egress. It will provide additional emergency access and also a required means of egress. The door is located directly above the garage. Weaver-the location of the existing door has dictated how the stairway will have to be constructed. The pitch of the garage roof along with the load that the garage structure can withstand requires the applicant to extend the stairway access landing to the end of the garage and build the structure to be supported by the ground rather than the garage itself. That is what requires them to get a side yard area variance. The stairway itself will lead to the rear of the parcel. It is the best feasible option to ensure proper egress and meet all building code requirements.

Schirmer-recused himself from any decision making as there is a conflict from professional work that was done for an adjoining neighbor.

Rua-this is Type II Action under SEQR and we can set the public hearing. A motion was made by Mayone, Seconded by Ricks, to declare this a Type II Action under SEQR. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye. Motion carried. A motion was made by Scott Jr., seconded by Mayone, to set the public hearing for the December 1, 2025 monthly meeting. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye. Motion carried.

TOWERCO: INTERPRETATION OF §245-38 & §245-43 OF TOWN OF SAUGERTIES ZONING CODE

167 Mt. Airy Road
Saugerties, NY 12477
File #: 25-008
SBL #: 8.4-9-33

The parcel is located in the Moderate Density Residential (MDR) zoning district with Sensitive Area Overlay (SA) and Aquifer Overlay (AQ). The applicant is seeking an interpretation of §245-38 and §245-43 of the zoning code as it pertains to the replacement and extension of an existing telecommunications tower. Taryn Ramey from McCullough, Goldberger & Staudt, LLP presented for the applicant. Also present were Ryan Doolittle, P.E. (Kimley-Horn) and Meghan Pitt, Director of Business Development for the Northeast Region (TowerCo). The project site is 167 Mt. Airy Road and the existing tower was constructed in 1977. The structure is in need of repair and the applicant is proposing to replace the entire tower but build it 10' higher while still staying within the same fenced in footprint. The applicant believes that the action is a quasi-public use and under the "balancing of interests" test set forth in the matter of the County of Monroe should not be subject to site plan review or an area variance for the additional height. An interpretation of §245-38 as it pertains to this. The existing and proposed telecommunications tower is part of the First net Network and is used for emergency entities. The replacement and additional height is crucial in filling existing gaps in coverage within the Town, State and County. There are no feasible alternatives to ensure that coverage remains in that area and fills the gaps where necessary. The applicant is also seeking interpretation of §245-43 "Preexisting Businesses". The existing telecommunications tower is a pre-existing use and has previously been registered as such. The applicant is proposing a 5% expansion which is within the allowed parameters that preexisting or nonconforming businesses are allowed to expand without site plan review or requiring an area variance.

Mayone-does First Net currently use the tower? Ramey-yes. This particular tower has fallen behind the current standards and is in need of updates. The best practice is to replace the existing structure to ensure it is up to today's standards. Staying within the existing footprint of the fenced area. Mayone-will the 10' fulfill the additional need to fill gaps? Will anyone else use the tower? Ramey-yes. Pitt-T-mobile will also be on the tower but they are currently on the existing tower as well.

Schirmer-this is a Type II Action under SEQR because it is an interpretation. We can set the public hearing. A motion was made by Mayone, seconded by Scott Jr., to declare this a Type II Action under SEQR. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye. Motion carried. A motion was made by Rua, seconded by Ricks, to set the public hearing for the December 1, 2025 monthly meeting. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye. Motion carried.

OLD BUSINESS

NONE

BOARD DISCUSSION

- A motion was made by Scott Jr., seconded by Mayone, to approve the draft minutes of the September 8, 2025 meeting. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye. Motion carried.
- The Planning Board meeting minutes were received.
- Schirmer-a NOI was received regarding a rural resort application before the Planning Board. The applicant may be seeking a different avenue to proceed as they do not have the 50 acre minimum lot requirement for a rural resort. However, the “Lodging & Events” law may require an amendment as the intention of the law did not take the smaller projects into account that would have minimal impact but do not necessarily fit with the new law. More information will follow as it is provided.

ADJOURNMENT

A motion was made by Mayone, seconded by Scott Jr., to adjourn the meeting as there are no further items to discuss. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye. Motion carried. Meeting adjourned at 7:28 pm.

Respectfully submitted,

Becky Bertorelli

Secretary

Zoning Board of Appeals