



**ZONING BOARD OF APPEALS**  
4 High Street Saugerties, NY 12477  
Tel: (845) 246-2800, ext. 358  
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**November 12, 2024**

**PRESENT:** Bill Schirmer (Chair), Joe Mayone, Tim Scott Jr. and Holly Strutt (alternate)

**ALSO PRESENT:** Becky Bertorelli (Zoning Board Secretary), Alvah Weeks (Code Enforcement Officer) and Sean Weaver (Assistant CEO)

**ABSENT:** Henry Rua (Vice-President) and Randy Ricks.

Schirmer called the meeting to order at 6:59 pm.

**PLEDGE**

**PUBLIC HEARING**

**ADRIANA & MOSSIMO FLORIDIA: APPLICATION FOR 8' SIDE YARD SETBACK AREA VARIANCE**

4 Roming Lane  
Saugerties, NY 12477  
File #: 24-005  
SBL #: 29.21-1-6

The parcel is located in the High Density Residential (HDR) zoning district and the applicant is seeking an 8' side yard area variance to construct a detached garage 7' from the property line where 15' is required.

A motion was made by Mayone, seconded by Strutt, to open the public hearing. Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried. The public hearing opened at 6:59pm. There was no one present from the public for this application. Schirmer-there were some inconsistencies in the paperwork that was submitted within the last month. Florida-yes, there was an error and everything will remain the same as the original application, a 20' x 20' garage that will be set 7' off the side yard lot line. There were no additional questions from the Board. A motion was made by Mayone, seconded by Scott, to close the public hearing. Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried. The public hearing was closed at 7:03pm.

A motion was made by Mayone, seconded by Scott, to approve the 8' side yard area variance based on the five (5) criteria regarding the balancing test that states that the Board shall balance benefit to the applicant with the detriment to health, safety and welfare to the community:

- It was determined that an undesirable change will not be produced in the character of the neighborhood nor would a detriment to nearby properties be created.
- There is no other feasible method for the applicant to pursue, other than an area variance, because of the layout of the parcel and accessibility to the proposed garage.

- The requested variance is somewhat substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood. The proposed detached garage will be constructed on an area of the parcel that is already paved.
- The alleged difficulty is self-created but there is no other location to ensure accessibility to the detached garage.

Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried.

**VIACHESLAV KISELEV: APPLICATION FOR 10’ SIDE YARD SETBACK AREA VARIANCE**

315 Old Route 212  
 Saugerties, NY 12477  
 File #: 24-006  
 SBL #: 17.3-7-24

The parcel is located in the Moderate Density Residential zoning district with Sensitive Area Overlay, Gateway Overlay and Waterfront Overlay. The applicant is requesting a 10’ side yard area variance to construct an addition to their existing single family residence that will be 15’ from the property line where 25’ is required.

A motion was made by Strutt, seconded by Scott, to open the public hearing. Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried. The public hearing opened at 7:10pm. No one from the public had any comments/concerns regarding this application. Schirmer-Ulster County Planning Board referral is not required per the referral matrix because this is a residential side yard setback request. There were no additional questions from the Board. A motion was made by Mayone, seconded by Strutt, to close the public hearing. Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried. The public hearing was closed at 7:13pm.

A motion was made by Strutt, seconded by Scott, to approve the 10’ side yard area variance based on the five (5) criteria regarding the balancing test that states that the Board shall balance benefit to the applicant with the detriment to health, safety and welfare to the community:

- It was determined that an undesirable change will not be produced in the character of the neighborhood nor would a detriment to nearby properties be created.
- There is no other feasible method for the applicant to pursue, other than an area variance, because of the topography of the parcel.
- The requested variance is somewhat substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood.
- The alleged difficulty is self-created but there is no other location to construct the addition due to the topography of the parcel.

Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried.

**NEW APPEAL:**

NONE

## **OLD BUSINESS**

NONE

## **BOARD DISCUSSION**

A motion was made by Mayone, seconded by Strutt, to approve the draft minutes of the October 7, 2024 meeting. Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried.

The Planning Board meeting minutes were received.

Schirmer-just to keep the Board updated, the meeting with Madison Resorts was on October 9, 2024. The applicant proposed several variance request options that may be necessary to move forward with their proposed amendment to the approved site plan. They will be removing several of the cabins from the site plan and moving the units into the building structure, adding a second floor. This would require a bulk requirement variance and several side yard setback variances. At the meeting the Town Planner brought up the proposed lodging and events zoning amendment that is before the Town Board. The applicant's proposed use would fit into the "Resort" definition of the updated zoning. It would be beneficial for the applicant to wait for that zoning to be approved by the Town Board before moving forward with any site changes. This most likely eliminates any need for variances. The next steps will be up to the applicant to decide how they would like to proceed.

## **ADJOURNMENT**

A motion was made by Mayone, seconded by Schirmer, to adjourn the meeting as there are no further items to discuss. Board vote: Strutt-Aye, Scott-Aye, Mayone-Aye, Schirmer-Aye. Motion carried. Meeting adjourned 7:29 pm.

Respectfully submitted,

Becky Bertorelli  
*Secretary*  
*Zoning Board of Appeals*