

TOWN OF SAUGERTIES
ZONING BOARD OF APPEALS
4 HIGH STREET
SAUGERTIES, NY 12477

MINUTES

AUGUST 1, 2005

Present: Dan Ellsworth, Dick Conley, Jeanne Goldberg, Bill Geick, Henry Rua, Tom Macarille.

PUBLIC HEARINGS

1. 08-07-05 CHARLES SERRO
36 KOEPEL AVE.
CATSKILL, NY 12414

PROPERTY LOCATED 42 CAROL ANN'S WAY, BISHOPS GATE
SECTION INVOLVED 5.1 BULK REGULATIONS SIDE YARD SET BACK
FOR THE PURPOSE OF CORRECTING ERROR IN PLACEMENT OF HOUSE.

Mr. Serro presented green cards.

Comments: FRANK ROSS: Band Camp Road. Owns property at 48 Carol Ann's Way (next door)
Requested no driveway be permitted on that side of the garage and that the boundary stakes on his line be
reinstalled.

Public Hearing Closed

1. 07-06-05 PAUL FORMISANO (CONTINUED)
660 OLD STAGE ROAD
SAUGERTIES, NY 12477

PROPERTY LOCATED AT 2880 RT 9W, GLASCO
SECTION INVOLVED 4.2.1 MULTIPLE DWELLING UNITS IN HB ZONE
FOR THE PURPOSE OF CONSTRUCTING A MULTIPLE DWELLING UNIT IN HB ZONE

Mr. Formisano presented green cards.

No public comment.

No financial information presented. Felt business behind residential uses would not be seen. Currently on
site are a two family and a three family dwellings. Does not feel 2- two family dwellings would be practical.
Would be more expensive to build and would use up more of the property. Property is just over 4 acres.

Board requested more information on 2 two family vs. 1 four family particularly with dollars and cents
figures. Also wants a sketch plan of the site showing existing and proposed used with parking and set backs

Public Hearing closed.

NEW APPEALS

1. 09-07-05 MICHAEL & KRISTA DeANGELIS REVISED
39 EMMERICK ROAD
SAUGERTIES, NY 12477

SECTION INVOLVED 5.1 BULK REGULATIONS SIDE YARD SET BACKS
FOR THE PURPOSE OF BUILDING AN ADDITION / GARAGE 10 FEET FROM LINE

Mr. DeAngelis representing.

Revised sketch plan. Has verbal agreement from neighbor to sell a piece of property pending decision from
Z.B.A. Existing house is 14 feet from property line. Changed size of garage from 18 x 26 to 15 x 28. Needs
a 15 foot variance.

Public Hearing scheduled for September 12. Applicant given information.

2. 10-07-05 RAYMOND BONNET
21 DIRK LANE
KINGSTON, NY 12401

PROPERTY LOCATED 3912 RT 9W, MALDEN

SECTION INVOLVED 6.6.6.4 PRE-EXISTING BUSINESS REGISTRATION LIST

FOR THE PURPOSE OF BEING ADDED TO LIST TO FACILITATE PURCHASE OF PROPERTY.

Mr. Bonnet representing

Property is former Fiero's Garage. Has been closed for maybe 6 months. (since Mr. Fiero died)

Applicant needs proof of an existing business and reason owner never applied. Information to be sent to the

Z.B.A. at Town Hall by Aug. 15. Applicant to notify secretary if he wanted to postpone the public hearing.

Public Hearing scheduled for September 12. Secretary sent information August 3.

3. 11-08-05 DAVID VOLKLE
52 EAST CHURCH ROAD , QUARRYVILLE
SAUGERTIES, NY 12477

SECTION INVOLVED 5.1 BULK REGULATIONS SIDE YARD SET BACK

FOR THE PURPOSE OF RETAINING CERTIFICATE OF OCCUPANCY FOR DOUBLE WIDE 20 FEET
TO CLOSE TO PROPERTY LINE.

Mr. Volkle representing

House was installed in 1998. Had property surveyed in 90's At the time of house installation several
properties in the area were being surveyed and he used the wrong set of flags as property line markers. Just
found out his error when putting property on the market.

Public Hearing scheduled for September 12. Secretary sent information August 3.

OLD BUSINESS

SEQR

1. Jeffrey: Type 2 on Motion of Jeanne seconded by Dan 5/0
2. Formisano: Tabled till Sept. on Motion of Jeanne seconded by Dick 5/0
3. DeAngelis: Type 2 on Motion of Dan seconded by Jeanne 5/0
4. Bonnet: Tabled on Motion of Jeanne seconded by Dick. 5/0
5. Volkle: Type 2 on Motion of Henry seconded by Bill 5/0

DECISIONS

1. 06-06-05 LINDA & GUY JEFFREYS

Board received a copy of a letter from Mr. Andreassen to Mr. Stowell regarding safety issues.

One major issue is whether something preexisting on property has an effect on future use of property.

Sections of the zoning law were referred to:

Bulk regulations, A four family dwelling requires 100,000 square feet in a R-3 zone with central water and
sewer. A two family dwelling requires a minimum of 10,000 square feet per dwelling unit in a R-3 zone with
central water and sewer.

Section 1.2 purpose of zoning to f) prevent excessively dense and inefficiently spaced urban development; g)

g) to provide adequate light and air to all buildings and prevent overcrowding of structures.

Section 4.2.1 Right to convert providing number of bedrooms is not increased

Section 5.3.1 Size and location of parking spaces

Section 6.4.8 Creating an undersized lot

Section 6.5.1 Undersized preexisting lots.

Existing used must be considered in future use of property.

MOTION made by Dick seconded by Jeanne to grant appeal and have the building permit rescinded by the

Building Inspector because existing uses of a lot must be considered in the future use of property.

Vote: Ellsworth - Yes; Conley - Yes; Goldberg - Yes; Geick - Yes; Rua - Yes.

The Motion is passed and the appeal is granted. The Building permit should be revoked.

Mr. Jeffreys and Mr. Stowell present at meeting.

Members of Z.B.A. to submit individual reasons to the Secretary.

2. 05-06-05 TIMOTHY & LINDA GOKEY

Mr. Gokey is a contractor and is familiar with Building Permits. Built building without any permits. There is a question if the building is in fact, 15 feet from property line. Applicant has reasonable use of land. Could move building or make smaller. Has options. Problem is self created. Requested variance is substantial. An undesirable change could be created in the neighborhood or a detriment to nearby properties could be created by the granting of the variance. Proposed variance could have an adverse effect or impact on the environmental conditions in the neighborhood. Was advised in '98, '01 and '02 he was in violation and made no attempt to correct.

Motion made by Jeanne seconded by Dick to deny appeal due to the fact there is no building permit and there are other remedies. Problem is self created.

Vote: Ellsworth - Yes; Conley - Yes; Goldberg - Yes; Geick - Yes; Rua - Yes

The Motion is passed and the appeal is denied.

3. 04-06-05 EUGENE BRICE

There is a question on the exact location of the property line. Request is substantial. Has other options.

MOTION made by Dan seconded by Bill to grant appeal with the conditions that a survey showing property line be presented and a covenant made that the deck would be a flat deck only with a railing. There is to be no roof nor walls, screened or open.

VOTE: Ellsworth - Yes; Conley - No; Goldberg - No; Geick - Yes; Rua - No. The Motion is defeated and the appeal is denied.

DISCUSSION

1. Minutes for June approved on Motion of Jeanne seconded by Dick 4/0
2. Minutes for July approved on Motion of Henry seconded by Dick 3/0
3. Planning Board minutes for July received
4. No one attended the training session on July 15
5. Jeanne has made arrangements with the New York Planning Federation to conduct a training session regarding SEQRA. It will be September 26 at 7 pm. Letters of invitations will be sent to the Town Board, Planning Board, Building Department, C.A.C, and C.P.C and Attorneys for the Town.
6. The ZBA was to have receive a letter from the Supervisor regarding sending a representative to the Steering Committee being formed by the C.P.C. to meet with Chris Round of Chazen to identify problem areas in the Zoning Law. No letter was received but the secretary knew of the request. Jeanne volunteered.
7. Secretary requested permission to request applicants supply the board with a list of S.B.L.#'s and property owners to whom they sent notices. Granted

Next meeting September 12, 2005 7 pm at the Frank D. Greco Senior Center

Meeting adjourned on Motion of Jeanne seconded by Bill.

Decisions filed with the Town Clerk and Planning Board and Building Inspector on August 8, 2005