



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

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August 12, 2019
Meeting Minutes

Present: Jeanne Goldberg, Samantha Dederick, Patti Kelly, & Henry Rua

Absent: Joe Mayone & Tim Scott

Also Present: Kevin Brown: Assistant Building Inspector, Paul Andreassen: Town Board Liaison, & Kim Smith: Zoning Board Secretary

Discussion:

- Jeanne called the meeting to order at 7:06pm
- Pledge started by Henry Rua
- Jeanne advised that although they don't have a full board they still have a quorum with four board members present

New Business:

Dr. George Siber
113 Emerick Rd
Saugerties, NY 12477
File #: 19-0008
SBL #: 9.3-6-6.200

- This property is zoned Low Density Residential
- This is in regards to an existing dock into the Hudson River, and shed built in 2011.
- The existing dock extends into the river 110 feet, and is a total of 924 square feet.
- The applicant is asking for an Area Variance of distance for 80 feet, and an Area Variance in square footage of 774 square feet, as existing dock exceeds allowable amount per Zoning Law.
- Zoning Law allows a dock size of 150 square feet, and distance into river of 30 feet.
- Dr. Siber explained that dock was in fact built in 2011, after several years of planning and getting what he thought were all necessary permits.
- The design of this existing dock meets all requirements, and was approved by the DEC, Army Corps of Engineers & NY Dept. of State.
- Dr. Siber explained that the boat he has is 34 feet long, 10.5 ft at the beam, and has a 3 ft draft. He chose the property because of its ability to dock this boat on the river, safely in a cove. These dimensions dictated the size and location of the dock.
- He advised that the cove is very low and dangerously low during low tide.

- Dr. Siber explained that another reason he purchased this property is because it also included a Riparian rights to the land under the water in the Hudson.
- He advised that the length of boat and depth of water dictated the length and size of the dock.
- He explained that the dock is only in the water from May thru October. During the other months a large portion of the dock is taken out of the water.
- Dr. Siber apologized to the board as he was unaware that the dock required any kind of approval from the Town.
- Sam asked if the board had his permission to visit the property to see the dock at low tide. Dr. Siber granted them permission.
- Patti asked why the address is Emerick Rd when the property is actually on Deak Rd.
- Dr. Siber explained that the property was originally accessed from Meadow Lane, but that entrance was closed by the railroad, as it was unsafe. So Dr. Siber and his neighbor (115 Emerick Rd) paid to have a new right of way constructed off of Emerick Rd.
- Jeanne advised the applicant that this is a retroactive appeal and a very large variance, which makes this a hard decision for the board. If they set a precedent they are then legally bound to follow their own precedent.

Discussion:

- A motion was made by Jeanne to hold determining SEQRA for the Siber appeal until after the board is able to visit the site, 2nd by Patti. A vote was taken 4-0 in favor of holding SEQRA on the new appeal.
- A motion was made by Jeanne to set the Siber appeals Public Hearing for Monday October 7th, as Dr. Siber is not able to attend the September meeting, 2nd by Sam. A vote was taken 4-0 in favor of the Siber Public Hearing to be held on October 7th, 2019.
- A motion was made by Patti at 7:35 pm to accept the April 18, 2019 ZBA Special Meeting Minutes, 2nd by Sam. A vote was taken to approve the meeting minutes as written, 3-0 in favor, as Henry was unable to vote because he was not in attendance at that meeting. April 18, 2019 minutes approved.
- A motion was made by Jeanne at 7:36 pm to accept the June 3, 2019 ZBA Meeting Minutes, 2nd by Patti. A vote was taken to approve minutes as written, 4-0 in favor. June 3, 2019 meeting minutes approved.
- The board recognized that everyone received the May and June Planning Board meeting minutes
- Jeanne mentioned that all 6 ZBA Board members will be attending New York Federal Planning training in Hyde Park on September 18, 2019.
- Sam made a motion to adjourn the meeting, seconded by Henry, vote taken 4-0 in favor
- Meeting ended at 7:38 pm

Respectfully Submitted,
 Kim Smith
 ZBA Secretary
 Approved September 9, 2019