



TOWN OF SAUGERTIES

ZONING BOARD OF APPEALS

4 High Street Saugerties, NY 12477

Tel: (845) 246-2800, ext. 333

Fax: (845) 246-0461



July 7, 2015 Meeting Minutes

Present: Jeanne Goldberg, Sam Dederick, Joseph Mayone, Donn Avallone, Brian Sawchuk.

Absent: Henry Rua

Also Present: Alvah Weeks, James Bruno, Liaison, Donathan Dedloph, Mrs. Dederick, Blanca Aponte, and Mrs. Bruguier.

- ~ Meeting started with the Pledge of Allegiance by Joe Mayone.
- ~ Meeting started at 7:06pm by Jeanne Goldberg.
- ~ Jeanne asked Donn to join the meeting due to Henry's absence.

PUBLIC HEARING:

Bruguier, Christoph
1 Rue Andre Theuriet
78160 Marly le Roi – France

File#: 15-0002

SBL#: 16.4-1-17.220

- Mrs. Bruguier was present at meeting and handed in all the certified return receipts.
- Public Hearing started at 7:07pm, no one from the public was in attendance at the meeting.
- Property located at 186 Stoll Rd.
- Owner requesting a front yard area variance of 35' for an 8' x 6' garbage shed that was built to keep the bears on the road out of the garbage before the scheduled pick up day/time.
- Mrs. Bruguier emailed the waste management company asking how far away the shed could be for them to still pick it up. The waste management company stated that 20' off the pavement would be the farthest they could go. (See file for email)
- Mrs. Bruguier stated that they have owned the house for a few years and they had the bear issue the entire time and her husband built the shed to keep them out of the garbage, which has been working and did not in any way mean for it to cause an issue.
- They are very much willing to move the shed to wherever is acceptable.
- Brian wanted to make sure that granting this variance won't change the setbacks all together on this property. No it will only go with the shed.

PUBLIC HEARING CONT'D:

- If the applicants move the shed to the furthest point allowed by the waste management company then the applicants will only need a 25' front yard variance and not a 35' front yard area variance as originally sought.
- Jeanne asked if anyone had more questions, no one did.
- Joe Mayone made the motion to adjourn the public hearing, 2nd by Brian.
- Jeanne informed applicant that the Board now had 62 days to make their decision and once the decision was made they would have it in writing within 5 business days.
- Applicant thanked the Board for their time and for moving the meeting day.
- Public Hearing ended at 7:20pm.

NEW APPEAL:

Five D Enterprises
426 Malden Tpke.
Saugerties, NY 12477

File#: 15-0003
SBL#: 8.4-7-26

- Property located at 441 Malden Tpke.
- Owner present, owner's real-estate agent present, buyer present, and owner's children present.
- Appeal started at 7:20pm.
- Blanca Aponte, owner's agent spoke to the Board on how the owner, Mrs. Dederick, wishes to sell the property to Mr. Donathan Dedolph. Stated that the property has been on the market for 303 days and they would like to do whatever it takes to make this sale happen.
- After some discussion and investigative work it was found that this property was and is on the pre-existing business list under the old address of 6095 Malden Tpke. and therefore, does not need to obtain an interpretation and Mr. Dedolph is free to operate his business at this property so long as he gets the necessary building permits to change the use.
- Applicants formerly withdrew their appeal.
- Alvah stated he will put a memo in requesting that the Town Board return their application fee of \$200.00.
- The applicants thanked the Board.
- Appeal ended at 8:05pm.

DISCUSSION(S):

1. Brian made the motion to accept the minutes for June 1, 2015 meeting as written and was 2nd by Jeanne. Vote taken, 5-0.
2. All members received planning board minutes.
3. No public hearing needed to be scheduled since applicant withdrew.
4. No SEQRA needed since applicant withdrew.
5. Jeanne mentioned the class in Hyde Park on July 15, did anyone want to go? Brian, Joe, and Jeanne will attend.

DECISION:

Christoph & Fanny Bruguier
1 Rue Andre Theuriet
78160 Marly le Roi – France

Property located at 186 Stoll Rd.
SBL#: 16.4-1-17.220
File#: 15-0002

1. There will be no undesirable change made to the neighborhood as many other properties on Stoll Rd. have garbage sheds to keep bears out of the containers. Nor would a detriment be created to nearby properties by allowing the garbage shed to stay on the property. The neighboring properties will be protected from the garbage.
2. The benefit cannot be achieved by other feasible means because the garbage company will only pick up the trash so many feet from the pavement.
3. The variance has become less substantial in nature now that the applicant only needs a 25' front yard area variance and not the 35' originally asked for.
4. There will be no adverse impact on the environment by granting the requested variance, if anything, it will prevent the environment being negatively affected.
5. The alleged difficulty was self-created.

A motion was made by S. Dederick to grant the 25' front yard area variance for the 8' x 6' garbage shed only and that the shed is to be moved back 20' from the edge of the pavement to comply with the request. The motion was 2nd by B. Sawchuk.

A Vote was taken:

Avallone – yes, Mayone – yes, Dederick – yes, Sawchuk – yes, Goldberg – yes

Therefore, the motion is passed and the variance is granted.

~Next meeting date will be held on August 3, 2015, if new applicants come into the building department.

~ Joe made the motion to adjourn the meeting 2nd by Sam, vote taken 5-0.

~ Meeting ended at 8:35pm.

Respectfully submitted,
Kathleen Cappello, ZBA Sect.