



VILLAGE OF SAUGERTIES
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Zoning Board of Appeals September 25, 2018 Meeting Minutes

Present: Scott Campbell, Joe Gavner, Ed Quirk, Mary Frank, Jeff Helmuth
Building Inspector/Code Enforcer Eyal Saad, Ben Neidl
Others Present: Dolores and Michael Wardell, Rich Rothe

Chairman Campbell called the ZBA to order at 7:00pm.

Chairman Campbell presented the minutes of the August 28, 2018 Zoning Board meeting. A motion to accept the minutes as presented was made by Edward Quirk, seconded by Joseph Gavner. The motion carried unanimously.

Dolores and Michael Wardell, 28 Russell Street, presented their application for an Area Variance.

The plan is to build a small shed between their garage and their neighbor's property. The shed would be 1 foot from the neighbor's property line as opposed to the required 4 feet. The 8 x 12 shed would be on a flat area of the property and on a cement slab. It would be on the back of their property facing Post Street. They plan to use the shed as storage.

Chairman Campbell stated that the Board would have to consider the suggested 5 criteria for the area variance. Not all have to be met to approve the application.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the area variance. **All agreed NO**
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. **All agreed that the other options had been discussed previously and were not feasible.**
3. Whether the requested area variance is substantial. **All agreed NO**
4. Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. **All agreed NO**
5. Whether the alleged difficulty was self-created. **All agreed NO**

All members agreed to grant the area variance since the criteria's were met and there were no residents to oppose the application.

A motion was made by Mary Frank to approve the Wardell application for an Area Variance, seconded by Ed Quirk. The motion carried unanimously.

Ben Neidel will write up a memorandum of the Wardell approval for the next Board meeting.

Ray Rothe, Chestnut Hill Holding Group LLC, presented his application for a Use Variance for his Teetsel Street property. Mr. Rothe plans to construct row houses or townhouses on six vacant lots on Teetsel Street. The property is located in the B2 district which prohibits row houses and townhouses. The B2 zone would only allow duplexes or single family homes. Mr. Rothe would like to have the area rezoned to allow his desired use of town houses. The property borders the R2 and R1 zones which would allow the town homes.

He could put 6 duplexes, equaling 12 units now without a Special Use permit but financing for duplexes is more difficult to secure than town houses.

He feels that the town houses would be an acceptable use of the property. The units would be rented not sold. The town houses would be on the lower portion of the property out of the sight of the road.

Mr. Rothe has had the property since 2008 when the property was already zoned B2.

Ben Neidl explained the 4 criteria required for approval and that he would have to show a unique hardship in order to be approved for a use variance by the Zoning Board. In order to change the Zoning to allow townhouses- R2 – the request would have to go to the Village Board of Trustees for a zoning law change.

Ben Neidl stated that the Trustees may consider amending the schedule of use for the B2 to include townhouses as a Special Use permit instead of changing the whole zone.

Mr. Rothe may approach the Village Board of Trustees to consider the zoning change.

Chairman Campbell asked that the Board consider a new member to replace Mr. Stinemire, who has not been an active member recently. Mary Frank would move from an alternate member to a regular member and the new member would be the alternate. Any suggestions for an alternate board member should be brought to the village clerk or the Mayor for consideration.

Eyal Saad addressed the Board about the property at 8 Ann Street. The owner had built the house 2 – 3 years ago. The original plans were for a wine kitchen in the lower level. The owner now has an apartment in the lower level. The property is located in the PW – planned waterfront which does not allow 2 family homes. A violation letter has been sent to seize and desist. The owner stated she was going to attend this Zoning Board meeting to discuss.

Trustee Helmuth remarked that he remembers the Planning Board had originally approved a subdivision for the Teetsel Street property for 6 single family homes with a homeowners association. There were issues with the sewer lines not being acceptable to the Department of Health.

A motion to adjourn was made by Ed Quirk, seconded by Joe Gavner. The motion carried unanimously. The ZBA adjourned at 7:28pm.

The next scheduled Zoning Board Meeting is scheduled for October 23 at 7:00pm.

Respectfully submitted,

Lisa Mayone

Village Clerk

9/26/18