



VILLAGE OF SAUGERTIES
43 PARTITION STREET
SAUGERTIES, N.Y. 12477
PHONE: 845-246-2321 FAX: 845-246-0887

Planning Board Meeting and Public Hearings September 13, 2023 Minutes

Present: Planning Board –Mike Karashay, Bill Barr, Rae Stang, Dara Ellenbogen, Anne Meiswinkel, Sean Paige Others: Ben Neidl, Christopher Coleman, Eyal Saad
Absent: Doug Mulqueen

Chairman Mike Karashay opened the Planning Board Public Hearing and Meeting at 6:30pm.

REGULAR MEETING

Mike Karashay presented the meeting minutes from the August 23, Planning Board meeting. Anne Meiswinkel made a motion to approve the meeting minutes from the August 23, 2023, Planning Board meeting. Bill Barr seconded the motion to approve the meeting minutes from the August 23, 2023, Planning Board meeting. All in Favor. The motion carried.

Struzzi Properties 310 Main Street - Mike Karashay are there any comments from the Board, Rae Stang I know a lot of people are against it, I know it doesn't necessarily mean anything. It's not against the rules; he has a hotel in the Village.

Mike Karashay – precedence has been set

1. The project will comply with special use permit criteria and be granted, he cannot be denied because the public prefer a different use or Board would prefer a different use. The property owner is not entitled to the special use permit merely for the asking. Once it has shown that the compiled use in conformance with conditions imposed with a special use ordinance. The special use permit must be granted unless there is reasonable ground for denial supported by subtended evidence. If there is a report shown that it's not in compliance. It is impermissible to deny a permit for use authorized by special use permit simply because of community pressure or generalized community objections. The law is clear that Board cannot deny a permit on the criteria of vacuous or speculative reasons i.e., Traffic congestion. Permit may not be denied by traffic congestion where no objective or reliable evidence has been presented on that issue. Generalized community objectives or concerns related to traffic congestion will not support the denial of a permit. The Board can consider other impacts on the neighborhood noise, light generation impact, property values but in order to deny the permit for one or more of these reasons there must be a positive showing that the proposed use will have a detrimental effect on the neighborhood and mere speculations or conclusory assertions regarding the devaluation of surrounding properties will not justify the denial of special use permit. The effective proposal on a landowner's neighbors will not support the denial of special permit that is no greater than the use is permitting without a special permit. Such as,

4-unit apt. building, athletic club, museum, churches, theaters, schools, professional offices, banks, drinking establishments, restaurants, retail stores, funeral homes, hospitals all allowed in the B1 District. The conclusion to deny the permit we would have to exceed those kinds of things, as far as traffic noise, interruptions, etc. The Comprehensive Plan is advised to the Village Board of Trustees, the plan itself it not Zoning Law. If the Comprehensive Plan said there should be limit on transit lodging uses the Trustees would have to consider how to amend the Zoning Laws to implement that objective. As now it stands the Village Board statement on hotel uses for B1, we know that because they left it in the Zoning Law; that trumps anything in the Comprehensive Plan. The Boards only jurisdiction is to consider a special use permit ordinance which impacts cause by the likes of traffic congestion, the size of buildings, lighting, noise and etc. The day-to-day operation as a hotel inside the building is regulated by State law. These are some of the findings we need to consider.

Anne Meiswinkel, it's seven rooms, correct? A question about the Ulster County Board advisement of the front desk at the 310 Main Street location, Mike Karashay as the Zoning Law stands today it does need to have that. It was not a mandatory requirement, it was advisement.

Ben Neidl – SEQR – see attached. Explained to the Planning Board the use of the SEQR and the definition of the responses, No or small impact may occur and Moderate to large impact may occur.

Dara Ellenbogen made a motion to make a negative declaration for the SEQR for Struzzi Properties 310 Main Street. Rae Stang seconded the motion to make a negative declaration for the SEQR for Struzzi Properties 310 Main Street. All in Favor. The motion carried unanimously.

Ben Neidl advised the Chairman to check mark the bottom box and sign and will become part of the application.

Dara Ellenbogen made a motion to approve the Special Use Permit for Struzzi Properties 310 Main Street. Bill Barr seconded the motion to approve the Special Use Permit for Struzzi Properties 310 Main Street. All in Favor. The motion carried unanimously.

Roll Call taken

Rae Stang Y

Anne Meiswinkel Y

Dara Ellenbogen Y

Bill Barr Y

Mike Karashay Y

Dara Ellenbogen made a motion to approve the Site Plan for Struzzi Properties 310 Main Street. Anne Meiswinkel seconded the motion to approve the Site Plan Permit for Struzzi Properties 310 Main Street. All in Favor. The motion carried unanimously.

Roll Call taken

Rae Stang Y

Anne Meiswinkel Y

Dara Ellenbogen Y

Bill Barr Y

Mike Karashay Y

105 and 107 Partition Street - Required modification from the Ulster County Planning Board. Ben Neidl, it's a site plan. This is not a special use permit. The Board would have to leave the required modification in and have the owner come back and notify the Board. Christopher Coleman stated that they would be willing to agree to the requirement of UCPB to do 2nd floor 2 apartments not short-term rental, but not on the 3rd floor. Rae stated she does not want it to happen. Dara stated to Rae I would actually suggest that have you a real serious interest in this that you would recuse yourself from a formal vote. Bill stated he would accept the condition given by Christopher Coleman with the condition of short-term rental. Christopher Coleman stated his concern about Rae's voting. Ben Neidl stated that this vote is not about Zoning, the vote it's site plan approval only.

Dara Ellenbogen made a motion to override the Ulster County Planning Board's required modification on the short-term rental modification for 105 and 107 Partition Street. Anne Meiswinkel seconded the motion to override the Ulster County Planning Board's required modification on the short-term rental modification for 105 and 107 Partition Street. The motion carried.

Roll Call

Anne Meiswinkel Y

Dara Ellenbogen Y

Bill Barr N

Sean Paige Y

Mike Karashay Y

Rae Stang recused

Anne Meiswinkel made a motion to approve the site plan for 105 and 107 Partition Street. Dara Ellenbogen seconded the motion to approve the site plan for 105 and 107 Partition Street. The motion carried.

Roll Call

Anne Meiswinkel Y

Dara Ellenbogen Y

Bill Barr Y

Sean Paige Y

Mike Karashay Y

Rae Stang recused

Eyal Saad noted that the North Street and Mullen's building both have been approved, but they are starting to build, both were dormant for a while. Archive has two storage buildings going in on North Street. Also, Storage 28 is going in by Steel Place.

Andrew Zink – FAQ sheet that Ben created. Ben will make a few edits when contacting Eyal.

Anne Meiswinkel asked about building on the sidewalk, on Partition Street (previous Black-Eyed Susie's) Eyal noted he is not adding to the building, it's temporary coverage while working. The whole wall has to be addressed and they are working by sections.

Dara Ellenbogen made a motion to adjourn the Planning Board meeting. The motion to adjourn the Planning Board was seconded by Sean Paige. All in Favor. The motion carried unanimously. The meeting adjourned at 7:09pm.

The date of the next Public Hearing and Planning Board meeting is **Wednesday, October 11 at 6:30pm.**

Submitted by Peggy Melville

September 20, 2023