



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

Zoning Board of Appeals October 23, 2018 Meeting Minutes

Present: Scott Campbell, Joe Gavner, Ed Quirk, Mary Frank, Sam Fisco
Building Inspector/Code Enforcer Eyal Saad, Ben Neidl

Others Present: Julie Gallagher, Joanne Ostrander, Mary Leahy, Mike Moriello, John Joseph, Barry Medenbach, and 2 others

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

Chairman Campbell presented minutes of the September 25, 2018 Zoning Board meeting. A motion to accept the minutes of the September 25, 2018 Zoning Board meeting as presented was made by Scott Campbell, seconded by Joseph Gavner. The motion carried unanimously.

Chairman Campbell presented the minutes of the September 25, 2018 Zoning Board Public Hearing for 28 Russell Street. A motion to accept the minutes of the September 25, 2018 Zoning Board Public Hearing for 28 Russell Street as presented was made by Edward Quirk, seconded by Joseph Gavner. The motion carried unanimously.

Julie Gallagher, 8 Ann Street, presented her application for a Use Variance.

The owner had built the house 2 years ago. The owner explained that she does have a kitchen and bathroom in the lower level. It was not originally planned to be an apartment but friends have been living there since they are waiting to purchase a home. She feels that since the property is essentially part of the Cantine Island community that it is primarily residential and cohousing type housing. It is unique and it is one of only two cohousing areas in NY. The property is located in the PW – planned waterfront which does not allow 2 family homes. It is the only area zoned PW. The R2 zoning is across the street. She stated she spoke with Mr. Saad regarding her application to the Zoning Board. He had explained the criteria required for approval of a use variance. The “self-created” criteria is the hardest one to meet.

Ms. Gallagher explained that all properties at the Cantine Island community are owner occupied. And having a rental unit available for someone to be able to observe the cohousing community before buying a home there would be helpful. She doesn't feel that approving the use variance would set a precedent.

Ben Neidl explained that the SEQR portion of the application would have to be completed and that a Public Hearing would have to be scheduled.

A motion was made by Scott Campbell to set a Public Hearing for November 27th at 6:45, to review the Gallagher use variance application. The motion to set a Public Hearing for November 27th at 6:45, to review the Gallagher use variance application was seconded by Sam Fisco. The motion carried unanimously.

John Joseph and Barry Medenbach presented an updated map of the proposed project – “Auto Zone” at 298 Ulster Avenue. The application had been submitted to the Planning Board on October 10th. The Planning Board suggested the applicants address the Zoning Board for a use variance that would be required to keep the portion of the building and the parking spaces in the R1 district. The proposed building is mostly in the I1 and parking and delivery in the R1. The R1 zone district would not currently allow a retail store, the 17

commercial parking spots or a delivery area. The required parking spaces per square foot area of the building is 37. Even if the parking spaces were eliminated the area would be needed for the delivery.

The possibility of a lot line adjustment to push the lot line 15ft to allow a small portion of the parking to be in the I1 zone was discussed. The lot line adjustment would have to be addressed with the Planning Board. The new position of the building also pushes a portion of the parking spaces in front of the building into the 15ft highway right of way. Two variances would be needed – one for the parking in the R2 and one for the parking spaces in the right of way. If the variance for the parking in R2 is approved than the setback variance would not be needed since the parking spaces in the right of way could be eliminated and still stay within the required number of spaces.

A Public Hearing would have to be set up once the formal application for use variance is received.

Mike Moriello will be submitting the use variance application for the property at 298 Ulster Avenue for the November 27th meeting.

Chairman Campbell presented Zoning Board Resolution #1, memorializing the findings as to the granting of the area variance at 28 Russell Street. A motion to accept Zoning Board Resolution #1, memorializing the findings as to the granting of the area variance at 28 Russell Street was made by Scott Campbell, seconded by Mark Frank. Roll call was taken for the Resolution – 5 yes votes, 2 absent. The motion carried.

Chairman Campbell asked again that the Board consider a new member to replace Mr. Stinemire. 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.

A motion to adjourn was made by Scott Campbell, seconded by Ed Quirk. The motion carried unanimously. The ZBA adjourned at 7:45pm.

The next scheduled Zoning Board Meeting is scheduled for November 27 at 7:00pm with a Public Hearing set for 6:45pm.

Respectfully submitted,
Lisa Mayone
Village Clerk
10/25/18