

TOWN OF SAUGERTIES  
ZONING BOARD OF APPEALS  
4 HIGH STREET  
SAUGERTIES, NY 12477

REGULAR MEETING

DECEMBER 5, 2005

Present: Dan Ellsworth, Jeanne Goldberg, Bill Geick, Henry Rua, and Joe Roberti.

Meeting called to order at 7:10 pm by Chairman Dan Ellsworth who welcomed Joe Roberti, Sr. back to the board.

**PUBLIC HEARING**

1. 12-09-05

WILLIAM GARDINIER  
5 ROSE LANE  
SAUGERTIES, NY 12477

SECTION INVOLVED 5.1 BULK REGULATIONS SIDE AND REAR YARD SET BACKS  
FOR THE PURPOSE OF CONSTRUCTING A DETACHED GARAGE 2' FROM PROPERTY LINES

Mr. Gardinier presented green receipts.

No public comment.

To move the garage, it would block light to the dining room and would block access to the back yard. There is a tree to prevent moving along the rear line.

House to left is 100 feet away. Other side house is 25 feet across driveway. House behind is approx 60 feet from line.

Applicant might consider changing size of garage.

Applicant requested board to delay public hearing and decision until February to give him time to reconsider the plan.

2. 17-11-05

BRADFORD EBEL  
11 YORK STREET  
GLASCO, NY 12432

SECTION INVOLVED 5.1 BULK REGULATIONS SIDE AND REAR YARD SET BACKS  
FOR THE PURPOSE OF CONSTRUCTING A GARAGE 3' FROM SIDE AND 4' FROM REAR LINES

Mr. Ebel presented green receipts.

No public comment.

To move garage, it would block the cellar way and would create an awkward turn from driveway into garage. If turned he would not be able to put stairs to attic in garage. There is a garage on neighbor's property 4 to 5 feet from line. Garage would be 24 feet wide.

Public Hearing closed.

**SEQR**

1. 10-07-05 Raymond Bonnet: Is an interpretation. Type 2 on Motion of Jeanne seconded by Dan 4/0 Roberti abstained.

2. 15-09-05 John Stowell: Type 2 on Motion of Jeanne seconded by Henry 4/0 Roberti abstained.

3. 14-09-05 Jonathan Sherry / Virginia Perrin. Type 2 on Motion of Jeanne seconded by Bill 4/0 Roberti abstained.

4. 12-09-05 William Gardinier Type 2 on Motion of Dan seconded by Jeanne. 5/0

5. 11-11-05 Bradford Ebel Type 2 on Motion of Dan seconded by Bill 5/0

6. 16-10-05 Paul Cohen Type 2 on motion of Jeanne seconded by Bill.....4/0 Roberti abstained

7. 13-09-05 Susan Suraci Pelegrini. Motion by Jeanne seconded by Dan to declare this an unlisted action because of possible effects of the environment and changes in the character of the neighborhood by a kennel and required a short form EAF. 4/0 Roberti abstained.

**DECISIONS**

1. 10-07-05

RAYMOND BONNET

Did not submit any tax forms. Presented a copy of a sales tax check. Applicant thought former owner started to fill out application for addition to list in 1990 but failed to finish it and file it. Applicant submitted no proof of mistake or error in not being on list in 1990. Could build a second story.

MOTION by Jeanne seconded by Dan to deny request for garage to be added to list.

Ellsworth - yes; Goldberg - yes; Geick - yes; Rua - yes; Roberti abstained.

Motion passed and appeal is denied.

2. 14-09-05

JONATHAN SHERRY AND VIRGINIA PERRY

6.4.8 of the zoning law states "No lot shall be reduced in area so that it creates a non-conforming bulk or use in violation of any regulations contained in this law".

MOTION by Jeanne seconded by Dan to deny the appeal based on 6.4.8 which does not allow creation of an undersized lot.

Ellsworth-yes; Goldberg - yes; Geick - yes; Rua- yes; Roberti abstained

Motion is passed and the appeal is denied.

3. 15-09-05

JOHN STOWELL

Jeanne presented info regarding "Interpretations", there must be an appeal attached. She felt that this appeal was a challenge to the Jeffrey decision and there should have been an Article 78 not an appeal. Board felt it was a clarification of the pre-existing use area requirements.

A single family dwelling requires a minimum of 10,00 sq. ft.

A multi-family dwelling requires a minimum of 100,000 sq. ft. in a R-3 zone with water and sewer

A multi-family dwelling requires a minimum of 3,250 sq. ft. per bedroom in a R-3 zone with water and sewer.

4.2.1 "More than 1 dwelling may be on a lot provided each dwelling is located so that it would conform to all area and bulk regulations of the district in which it is located if a separate lot were created for each residence. Other sections considered were 4.2.5, 6.4.8, 6.5.1 a,b,c.

A MOTION was made by Dan seconded by Bill that an existing structure regulated under 4.2.5 and 6.5.1 shall be assigned either 10,000 square feet or 3,250 square feet per bedroom whichever is greater, for the purpose of establishing bulk area for the existing structure.

Ellsworth - yes; Goldberg - no; Geick - yes; Rua- yes; Roberti- abstained.

Motion is passed and the interpretation is established.

4. 16-10-05

PAUL COHEN

Applicant made decision not to file to be put on the list in 1990. Applicant supplied no proof of error or omission due to an action of the Building Department in 1990.

A MOTION was made by Jeanne seconded by Bill to deny the appeal

Willsworth - yes; Goldberg- yes; Geick - yes; Rua - yes; Roberti abstained.

Motion is passed and the appeal is denied.

5. 13-09-05

SUSAN SURACI - PELEGRINI

Secretary to write and ask for short E.A.F. and tax forms for the business.

**DISCUSSION**

1. Minutes for October approved on Motion of Jeanne seconded by Dan. 3/0

2. Minutes for November approved on Motion of Dan seconded by Jeanne 4/0

3. Planning Board minutes for November received

4. County Planning Board comments received.
5. Jeanne presented info from N.Y.P.F. training session
6. Jeanne to set up a training session with D.O.S.
7. County training session-- no one attended.

Next meeting will be January 9, 2006 7 pm at the Frank D. Greco Senior Center.

Merry Christmas and Happy New Year to all

Meeting adjourned on Motion of Joe seconded by Bill

Decisions to Town Clerk on December 8, 2005