



VILLAGE OF SAUGERTIES
43 PARTITION STREET
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Zoning Board of Appeals Meeting Minutes January 28, 2019

Present: Board Members: Scott Campbell, Joe Gavner, Ed Quirk, Mary Frank, Sam Fisco
Benjamin Neidl, Building Inspector/Code Enforcer: Eyal Saad, Applicants: Ryan Cornelison, Anthony Spadaro

Chairman Campbell called the Public Hearing for 48 Post Street Area Variance to order at 7:00pm. No one from the public was present to address the Board regarding the area variance for 48 Post Street. The Public Hearing was left open.

Chairman Campbell presented minutes of the November 26, 2019 Zoning Board meeting. Joe Gavner made a motion to accept the minutes of the November 26, 2019 Zoning Board meeting as presented. Sam Fisco seconded the motion to accept the minutes of the November 26, 2019 Zoning Board meeting as presented. The motion carried unanimously.

Chairman Campbell presented the application for an Area Variance for 48 Post Street.

Ryan Cornelison, project design engineer for 48 Post Street and Anthony Spadaro presented the revised building plan.

The variance is to seek relief from the 20 ft. minimum front setback and 15 ft. minimum total side setbacks. The revised plan indicates a front setback of 9 ft. and each side setback is 5ft. The rear setback would be with in code at 25ft. The side setbacks meet the required 5ft on each side but not the total 15ft required. It is an improvement over the original building's west side setback of 6 inches. The front setback of 9 ft. is in line with the existing homes on the street that are between 5 and 10 ft. and an improvement over the existing building's less than 1 ft.

Ryan stated that the letter of no effect from SHPO was received and submitted to the Board. The building was not made smaller due to the building being 2 apartments side by side and it would make them too small.

Ben Neidl stated that the letter of no effect from NYS Parks, Recreation, and Historic Preservation was received. There would be nothing else procedural to do except to complete the SEQR Part 2.

Scott Campbell made motion to close the Public Hearing for 48 Post Street Area Variance of January 28, 2020. Sam Fisco seconded the motion to close the Public Hearing for 48 Post Street Area Variance of January 28, 2020. The motion carried unanimously.

Scott Campbell read through the eleven questions of the SEQR Part 2 – Impact Assessment form. All questions were answered with a *No or small impact may occur* response. Based on the responses, a negative declaration was declared for SEQR2.

The Board considered the five factors in making a determination to grant an area variance:

1. The Board finds that the variance would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.
2. The Board finds that the benefit sought by the Applicant cannot be achieved by some other method, other than the proposed area variance.
3. The Board finds that the proposed variance is not substantial.
4. The Board finds that will not have an adverse impact on the physical or environmental conditions in the neighborhood or zoning district. It will improve the existing conditions.
5. The Applicant's difficulty was self-created inasmuch as the lot width restrictions for the R-2 district pre-date the Applicant's. The variance would improve the side setbacks over the existing setbacks.

All five Board members voted yes on the action to approve the area variance.

Sam Fisco made a motion to grant the area variance for the 48 Post Street project. Ed Quirk seconded the motion to grant the area variance for the 48 Post Street project. The motion carried unanimously.

The resolution memorializing the decision to grant the Area Variance for the 48 Post Street project will be prepared and presented at the next Zoning Board meeting on February 25, 2020.

Scott Campbell made motion to adjourn the Zoning Board Meeting of January 28, 2020. Sam Fisco seconded the motion to adjourn the Zoning Board meeting of January 28, 2020 at 7:18 pm. The motion carried unanimously.

The next scheduled Zoning Board Meeting will be February 25, 2020 at 7:00pm.

Respectfully submitted,
Lisa Mayone
Village Clerk
1/29/2020