



VILLAGE OF SAUGERTIES
43 PARTITION STREET
SAUGERTIES, N.Y. 12477
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Zoning Board of Appeals Meeting Minutes May 24, 2022

Present: Board Members: Scott Campbell, Sam Fisco, Ed Quirk, Alan Kessler

Attorney Ben Neidl, Eyal Saad, Others: Scott Roeber, Brian Clapper, Vanessa Piazza, Mike Piazza

Public Hearing: Michael & Lorrie Wardell, Roseann Stang, Rae Stang, Jen Tsakis, Mark Smith, Michael Hom, Elda Zulick, Dorothy Goren, Patrick Landewe, Michelle Aizenstat, Sarah Gorman, Jen Hicks, Beth Loven, Jennie & Dan Gelfand, Greg Mitchell, Serena Mitchell, Verona Mitchell, Ricki & James Tamayo, Ed Montano, Anthony Montano, David Radovanovic, Dave Minch, Robin Goss, Barbara Budick, Penelope Milford, Steve Gentile, Melanie Avallone, Nicele Aleto, Carlos Vidal

Chairman Campbell opened the Public Hearing for 105 - 107 Partition Street at 6:35pm. The public was asked to sign in and to keep their comments to 4-5 minutes each.

105-107 Partition Street LLC, Area Variance

Mike Wardell 28 Russell Street had observed the plans for the project in the Village office. He had worked with the Zoning Board regarding his own project and found the Board to be reasonable. The applicant's request for variances for the parking and height is out of character for the Village. There seems to be no hardship for the applicant with the burden being on the Village. There are safety concerns regarding the building have no elevators.

Roseanne Stang 139 Partition St, commented on the lack of parking as an issue along with the building being too big. Our own buildings private parking lot gets congested with people that should not be there. There are not enough parking spaces for the existing tenant in the area. If the building were to be rented as short term/hotel type rentals it will be worse. Where is this parking going to come from? This is not a hardship on the applicant.

Rae Stang, 39 Dock Street, the parking that is existing for the current building's rental will be eliminated with the new building. How can the building be built next to the neighboring building that will block all the windows and ventilation? The code requires the applicant to prove a hardship to obtain the variance for the lack of parking. Four spaces for 15 units is unacceptable. The building will cast a large shadow on the buildings across Partition Street. Three stories is the rule and it should stay that way.

Jen Tsakis, 9 Skyline Drive, has a shop on Partition Street next to Lux. The applicant should have known the rules before he bought the building. The parking is the issue. We don't need more apartments that no one can afford.

Mark Smith, 173 Stoll Road. Saugerties is the first Village in the state to have a historic business district designation. This does not fit in. Tourism is the number one industry in Ulster County and Saugerties. This building will not help to bring tourists to Saugerties as a destination.

Michael Hom, 135 Partition Street, has gone through the approval process to obtain a variance for an addition to his building and one of the few buildings that has a parking lot with 12 – 15 spaces. The private parking lot gets filled on the weekends by people who are not patronizing my business and think that it is public parking even with Private Parking signs. I have more parking with a two story building than the applicant that wants to have 5 stories. If the spaces are granted from the municipal lot than where will the customers for the other businesses park?

Elda Zulick, 7 Esopus Drive, owns a building on Main Street that has a small lot for her tenants behind her building and next to another private lot. There are issues with people parking in the private spaces due to lack of parking in the Village. Things should stay the way they are.

Dorothy Goren, 5 Esopus Drive, questioned if the current fire equipment can handle the height of the building or will it cost money to buy additional equipment?

Patrick Landewe, 168 Lighthouse Drive, stated that there are limitations that exist in the Business District and there is already a blanket variance to account for one third of the parking than what is normally required in the Village. This is a variance request on top of an existing waiver that the B1 already gets. A building of this size would normally require 27 parking spaces, the Village law for the B1 district brings it down to 9 parking spaces and the applicant wants to cut it down to 4 which is fraction of what is actually needed to serve a building of this size.

Ricki Tamayo, 89 Partition Street, questioned the parking requirement for the Business District. **Eyal Saad** responded that in the Village Business district the requirement for businesses with apartments is 1 parking space for every 2 apartments.

Michelle Aizenstat, 74 Dock Street, doesn't see a reason why this variance would be granted. We are in a historic district and there are zoning rules for a reason. We don't want to over develop or inappropriately. It is already congested due to not enough parking. The applicant should have done their due diligence when the building was purchased.

Sara Gorman, 12 Partition Street, stated that the applicant should have known the limitations when the building was purchased. Why doesn't he beautify the existing building? I don't agree with a five-story building.

Jen Hicks, 12 Jane Street, owner of the Newberry building and 11 Jane Street. Jen is concerned regarding the additional demand on water and sewer infrastructure. Also, the limited supply chain delays may cause the building to be in the middle of construction for a very long time.

Beth Loven, 79 Dock Street, also stated that the building is too big and we need the parking for residents and visitors. The Village will be less appealing. It will discourage tourism or make it harder for the locals.

Jennie Glefand 16 Bennett Avenue has the property next to 105-107 Partition. Even with a fenced-in private parking, the lot gets filled and the tenants can't park in their own spaces. The dumpster will eliminate the four available spaces that the new building is asking for.

Greg Mitchell, PO Box 193 Malden, owners of Lucky Chocolates. There is always a parking issue. Most of our customers come from the municipal parking as they are walking through. We will lose those walk by customers if the lot is filled with tenant parking. Also, the lot behind 105-107 is now grass and absorbs the rain. The new building may create a worse drainage and flooding situation.

Serena Mitchell PO Box 193 Malden grew up in Saugerties when there was only bars and antiques shops in the Village. I don't see how this could possibly improve the Village and the lives of the people that live here.

Verona Mitchell PO Box 21 Malden, the flooding is a concern on Partition Street and the municipal lot from the runoff. Saugerties is considered one of the cutest Villages in NY. The visitors from NYC come here to get away from the big buildings and the proposed 5 story building will diminution our cute value.

Barbara Budick, 1088 Kings Highway was part of the Saugerties Area Transportation Study done several years ago and head of the Economic Development. The municipal parking lot is what draws people to the Village. We worked hard to get people and businesses here and we shouldn't give it away so cheaply. Fire equipment is an issue for safety. We have people living here now that need the parking and we should do what is best for the common good. The rules should be applied evenly across the board.

Penelope Milford, Valley Street commented that a lot of these people have worked very hard to develop their properties and abided by the rules. We should not set a precedent that will destroy what we all have worked so hard to have. A variance is only granted for a hardship, and the applicant have created his own hardship.

Steve Gentil, formerly 196 Main Street gallery. Is in the village often and hates not finding parking The five-story building is not in character of the village. A fire will spread rapidly and may spread to neighboring properties. The building without elevators may not give the residents on the upper floors enough time to get out of the burning building.

Roseanne Stang, 139 Partition Street let us not forget about the tragic fire on Russell Street where the residents on the third floor were unable to get out in time. There is a problem with parking in my private lot on Russell Street and cars going the wrong way out of Russell Street when leaving the lot.

Ed Montano, 77 Partition Street, business owner of family business for 116 years, is a bad idea for many reasons and is totally against any variance for the project.

Elissa Tuchy teacher at SHS, stated there may be a more suitable place to build apartments than five stories in the Village.

Melanie Avallone, 202 Washington Avenue is a member and grant writer for the Village Tee Commission. The historic status of the Village is a big help in securing grants that we depend on for planting and caring for the Village trees. It would be a mistake to endanger our historic status with a five-story building.

Rae Stang, 39 Dock Street, the applicant may decide to build the three-story building. It will still cause problems with construction vehicles.

Ricki Tamayo, 89 Partition Street is a three-story building an option. The variance would still be required either way.

Steve Gentile, what is to stop others from adding additional floors to their buildings.

Nicole Aleto and Carlos Vidal, 157 Washington Avenue moved here four years ago for the charm and not wanting to be in the city anymore. We feel it important to preserve the Village as it is. We are here to be part of the community and respect the culture that exists here.

Michelle Aizanstat, 74 Dock Street the zoning laws protect the neighbors, and they work on their buildings accordingly.

Chairman Campbell thanked the public for their comments and for keeping it a pleasant exchange. The Board will continue their discussion regarding the 105-107 Partition Street application. The Public Hearing will remain open.

Ed Quirk made a motion for the Zoning Board to keep the Public Hearing for the 105-107 Partition Street application open until the June 28, 2022 meeting. Sam Fisco seconded the motion for the Zoning Board to keep the Public Hearing for the 105-107 Partition Street application open until the June 28, 2022 meeting. The motion carried unanimously.

Chairman Campbell opened the regular meeting of the Zoning Board at 7:20pm.

Chairman Campbell presented the minutes from the April 26, 2022 Zoning Board meeting.

Sam Fisco made a motion to accept the minutes of the April 26, 2022 Zoning Board meeting as presented.

Alan Kessler seconded the motion to accept the minutes of the April 26, 2022 Zoning Board meeting as presented. The motion carried unanimously.

105-107 Partition Street LLC, Area Variance

Scott Roeber, Hudson Valley Architecture, presented the plans for 105-107 Partition Street and addressed the concerns presented.

The number of stories is below the maximum height of 50 feet. There other buildings in the Village that may not be five-stories but are at the 50 feet height limit. The building will not be seen from the street. It will be visible mainly from the municipal parking lot. The applicant will be happy to address and modify the plans to fit the character of the Village and the Historic Review Board.

Additional fire rating has been included, one hour separation from the adjacent buildings on the property line, stairs will be fully enclosed, a sprinkler system throughout the building, fire rated assemblies between units, all at current code. Many of existing buildings in the village may not be up to current fire code.

Scott Campbell stated that the fire issue is not only the height but the location of the building behind the existing building. It will be hard to get apparatus into a full parking lot or set up ground ladders since the buildings are so close.

The SEQR process will address the interested and concerned agencies for their comments. The Fire Dept. comments on the project were received today.

The variances being requested are for the additional two stories, side yard setbacks of 12 ft to 5 ft, parking for 9 spaces reduced to 4 spaces. The applicant has not secured a lease agreement with neighboring properties for additional parking yet.

In the business district if you are not building on the property line than a 12 ft set back is required.

The property line requires a fire wall by the two neighbors is a minimum of 5 feet setback without a fire wall.

The reason there are no windows is because the building would be on the property line.

The side yard set back would be required whether the building is 3 or 5 stories.

The owners are trying to justify the expense of building a new apartment building. The front building would be renovated to match the new building.

Ben Neidl mentioned that there are five criteria that required to be met for the variances. One that has not been addressed is *whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance*. Is it feasible to have a 3 story building instead of a 5 story?

Scott Roeber was not able to speak to the possible change of the applicant's building height.

There are still outstanding responses due from interested parties.

Scott Campbell made a motion to continue the review of the 105-107 Partition Street application with an open Public Hearing at The the June 28th Zoning Board meeting at 7:00pm. **Sam Fisco** seconded the motion to continue the review of the 105-107 Partition Street application with an open Public Hearing at the June 28th Zoning Board meeting at 7:00pm. The motion carried unanimously.

10 Montross Street, Area Variance

Brian Clapper presented the site plans along with the setbacks for an addition to the existing property at 10 Montross Street.

An addition to the existing building requires a variance for the front yard setback and the lot size coverage. The current front yard setback is at 7.5 feet and 20 feet is the current requirement. The 7.5 feet setback would be requested to continue. The lot coverage is 2700 square feet currently and a minimum of 6000 square feet is required. A required maximum lot coverage is 35% and the house with the addition will be at 20% lot coverage, so a variance is not needed for lot coverage.

The set back is not being reduced only extended.

Scott Campbell made a motion to set a Public Hearing for the 10 Montross Street variance application for the June 28, 2022 Zoning Board Meeting at 7:00pm. **Alan Kessler** seconded the motion set a Public Hearing for the 10 Montross Street variance application for the June 28, 2022 Zoning Board Meeting at 7:00pm. The motion carried unanimously.

Ben Neidl stated that the application is considered a type 2 action and is exempt from the SEQR process. Village of Saugerties Water and Sewer Dept., Village of Saugerties Fire Dept., Village of Saugerties Dept. of Public Works, and Ulster County Planning Board as interested parties will be notified by letter for their comments and input.

Eyal Saad mentioned that NYSERDA has an energy new stretch code that is more restrictive regarding non fossil fuel energy usage. NYSERDA is giving municipalities funds to adopt the new code. It is geared for more commercial than residential properties. The Town of Esopus has adopted the new code. Heat pumps will be required in place of gas lines. The Village of Saugerties has not considered it until is required by NYS. Read up on this new code if you have an opportunity.

The Planning Board had received a requirement from the UCPB on a recent application. It is beyond their scope to require a code that the Village has not adopted.

Sam Fisco made a motion to adjourn the Zoning Board Meeting of May 24, 2022. **Alan Kessler** seconded the motion to adjourn the Zoning Board meeting of May 24, 2022 at 7:55 pm. The motion carried unanimously.

The next scheduled Zoning Board Meeting and Public Hearing will be June 28, 2022, at 7:00pm.

Respectfully submitted,

Lisa Mayone Village Clerk

June 6, 2022