

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

**Zoning Board of Appeals
Meeting Minutes
March 25, 2025**

Present: Board Members: Mary Frank, Joe Gavner, Allen Kessler

Absent: Scott Campbell, Ed Quirk

Others: Anthony Cimorelli, Eyal Saad, Ben Neidl

Mary Frank opened the Zoning Board Meeting at 7:00PM

PUBLIC HEARING

See attached sign in sheet

33 Valley Street

Variance – Setback

Anthony Cimorelli, the original building was taken down by right to rebuild within two - year period. That time has passed. The law states any vacant lot to rebuild would need a variance for that lot. When did you buy it? Four years ago. Anthony was not aware of this law when he purchased the lot. Eyal stated it's a buildable lot. Penelope asked don't you have to comply with the variance setbacks. Are you selling the property? Anthony stated he has not made plans, question why is there a "For Sale" sign on the property, Anthony stated the real estate agent never picked up the sign. Penelope stated the original house on the property, was moved from another location to that property.

Ben Neidl stated that there are two variances, R2 one is front yard variance setback is 20 ft, seeking a 10 ft variance and one for is rear yard, seeking a variance of 5 ft, instead of the 25 ft. setback.

Anthony stated that the original foundation would have to be removed. Penelope asked about the wall would the construction affect the stability of the wall. Eyal said it's not on his property or he would not be digging into the wall. Penelope Milford commented 24 Valley Street, appreciate your building without getting the variance. Zoning is there for a reason to keep the neighborhood as it is. Eyal stated that he could build without a variance, if he moved the house plan to another location on the lot, he is trying to be neighborly. Anne Beul is this house going to be an Air BnB? I worry about people coming and going. Anthony stated he had no plan to do that. Anne asked if he were going to plant trees. Anthony said he would.

Mary Frank stated the Public Hearing will remain open and move on to the regular session.

Regular Session

Mary Frank presented the minutes from February 25, 2025, Zoning Board Meeting. Joe Gavner made a motion to accept the minutes of the February 25, 2025, Zoning Board meeting. Allen Kessler seconded the motion to accept the minutes of the February 25, 2025, Zoning Board meeting. All in favor, the motion carried.

Anthony Cimorelli presented the application for 33 Valley Street, needing variance of 10 ft for the front yard and a 5 ft variance for the rear yard. I would clean up the lot at 33 Valley Street, that house doesn't meet the current variance setback requirements for the location to build on.

The Ulster County Planning came back with a comment of **No County Impact.**

Mary Frank stated this application is a Type II action for SEQR. Type II means that it's exempt from SEQR review, environmental. Ben stated that all residential setbacks are exempt from SEQR review. A question was asked about what is a SEQR? Ben advised that the Public Hearing portion has been paused for questions.

Joe Gavner made a motion to declare this application for 33 Valley Street a Type II action for SEQR, Allen Kessler seconded the motion to declare this application for 33 Valley Street a Type II action for SEQR. All in Favor, the motion carried.

Ben Neidl explained you can vote or go through the factors. You have up to 62 days to approve the application after the Public Hearing has been closed, which has not yet been closed.

Ben Neidl read that the In making the determination, the zoning board of appeals shall take into consideration:

The benefit to the applicant if the variance is granted,

As weighed against

The detriment to the health, safety and welfare of the neighborhood or community by such grant.

Factors to be considered

In making such determination the board shall also consider:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to the nearby properties will be created by granting of the area variance.
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance's -
3. Whether the requested area variance is substantial -
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance

Ben asked the question on the street, are the other homes closer than 10 feet, Eyal stated yes they. The Person would have to move the house back, would offset the rest of the neighborhood. Ben stated that there is no feasible path to get the setback, without creating an awkward line of the street. Based on Eyal comments, the rear setback is not self-created, the shape of the lot is irregular. The front yard is self-created, including the deck.

Mary Frank asked if the Public in attendance had any further questions. The question asked if the Village has any ordinance for noise? Eyal stated that there is an ordinance, work can start at 7AM and end at 10PM, unnecessary noise.

Emily Brownawell 25 Valley Street it's a historic easement? Eyal stated that it is in the Historic District, asked if there was another process for the consideration of the is in the Historic Review Board, yes they meet once a

month, call the office before to make sure there is a meeting scheduled, if there is nothing on the agenda they will cancel.

Mary Frank stated the Board was ready to vote, Joe is ready to vote Mary asked for a motion to close the Public Hearing for 33 Valley Street Area Variance Application.

Joe Gavner made a motion to close the Public Hearing for 33 Valley Street Area Variance Application, Allen Kessler seconded the motion to close the Public Hearing for 33 Valley Street Area Variance Application. All in favor, the motion carried.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to the nearby properties will be created by granting of the area variance.

Mary No, Allen No, Joe No

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance's

Mary No, Allen No, Joe No

3. Whether the requested area variance is substantial –

Mary No, Allen No, Joe No

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

Mary No, Allen No, Joe No

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance

All agreed that partially, self-created on the front yard setback.

On the rear setback line, there is no way to build on that lot without variance.

Joe Gavner made a motion to approve 33 Valley Street Area Variance Application, Allen Kessler seconded the motion to close the Public Hearing for 33 Valley Street Area Variance Application. All in favor, the motion carried.

Ben Neidl has been directed to write the Resolution for 33 Valley Street Area Variance Application for next month's meeting.

20 Mill Lane

Side yard variance

Request to put the shed on the side of the house, requesting a 2 ft variance, shed 10 X 18 will be 2 ft at the edge of the property line. Eyal suggested to move to the backyard would not need a variance. The applicant wants to proceed with the variance. Type II action, residential exempt from SEQR. The fence is the neighbors.

Ben explained that if this is 500 ft from, Eyal stated that the address is within 500 ft from the Town line. So will have to be submitted to the Ulster County Planning Board.

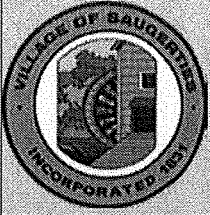
Mary Frank stated the application is as completed as needed. We will have to set a Public Hearing for April 22, 2025. Mary explained the process of what is to come, Ulster County Planning Board. Eyal advised applicant to be here next month, 4th Tuesday @ 7:00PM.

Allen Kessler made a motion to adjourn the Zoning Board Meeting of March 25, 2025. Joe Gavner seconded the motion to adjourn the Zoning Board meeting of March 25, 2025. All in favor. The motion carried unanimously.

Next Zoning Board Meeting April 22, 2025 @ 7:00PM

Peggy Melville

Village Clerk March 29, 2025



**VILLAGE OF SAUGERTIES
ZONING BOARD
PUBLIC HEARING
Sign in Sheet**

Meeting Date: March 25, 2025

Facilitator: Mary Frank

33 Valley Street

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