



VILLAGE OF SAUGERTIES
43 PARTITION STREET
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Zoning Board of Appeals Public Hearing and Meeting Minutes August 25, 2020

Due to COVID19 pandemic and the Governor's Executive Order 202 regarding open meetings, this meeting was held via Webex. Connection information was broadcast online for residents to participate.

Present: Board Members: Scott Campbell, Ed Quirk, Mary Frank, Joe Gavner
Counsel Benjamin Neidl, Building Inspector/Code Enforcer: Eyal Saad, Applicant: Jeremy Ellenbogen, Khattar Elmassalemah, Others: Doug Sturges, James Whitaker, Philip Horvath, Sierra Ovel, Edgar Manoslava

Public Hearing

Chairman Campbell called the Public Hearing for the Ellenbogen Project, 32 Partition Street meeting to order at 7:00pm.

Scott Campbell asked those on the Webex if they would like to speak regarding the Ellenbogen Project at 32 Partition Street. Philip and Sierra Horvath stated that they had made an offer to purchase the house at 22 Partition Street and were interested in hearing what the project was about. Doug Sturges and James Whitaker were with Sawyer Savings Bank, which property borders the parking lot to the west, and Edgar Manoslava, who owns 27 Partition Street across the street, were also interested to hear the details of the project. No one else chose to speak.

Scott Campbell made motion to leave the Public Hearing for Ellenbogen Project, 32 Partition Street open. Joseph Gavner seconded the motion to leave the Public Hearing for Ellenbogen Project, 32 Partition Street open. Roll call: Scott Campbell – Yes, Ed Quirk– Yes, Mary Frank– Yes, Joe Gavner - Yes, Sam Fisco- Absent. The motion carried.

Regular Meeting

Chairman Campbell presented the minutes of the July 28, 2020 Zoning Board meeting. Ed Quirk made a motion to accept the minutes of the July 28, 2020 Zoning Board meeting as presented. Joseph Gavner seconded the motion to accept the minutes of the July 28, 2020 Zoning Board meeting as presented. The motion carried unanimously.

Scott Campbell presented the application by Jeromy Ellenbogen Saugerties Brewery for a lot line revision at 32 Partition Street.

Jeremy Ellenbogen updated the plan for the lot line revision at 32 Partition Street. The school structure will be removed and a parking lot created in the space. The church structure will remain and be converted into a multi office building. The brewery/restaurant is on hold now due to COVID19. The lot line change is necessary

to provide the entrance to the parking lot and to create additional required parking spaces. The driveway between 32 and 22 Partition Street is currently a shared driveway. They are under contract with Mr. Fitzgerald to purchase the portion of the neighboring property to fulfill the entrance and parking spot requirements for the project. The portion of the property requiring the variance is 2.75ft wide and 120ft long along the driveway to the rear of the properties. This lot line revision would allow for one way traffic flow with the entrance at the driveway and through the parking lot to the exit near the church. Additional parking spaces would be created in area to the south of the lot line. A new plan has been submitted with the proposed changes included. There would be no parking on the shared driveway and two additional parking spaces would be created in the rear of the 22 Partition Street property to provide off street parking and turn around space. The driveway/entrance would be maintained by the Ellenbogen project and the parking spaces in the rear of the 22 Partition Street property would be maintained by the property owners.

This revision would return the lot line back to what it had been before the Planning Board had approved a lot line revision in 2006 that separated the church property from the rectory at 22 Partition Street.

Jeremy Ellenbogen stated the part of the 2006 revision was supposed to be used as a parking area but is now used as a grassy side yard. The proposed change would not allow for cars having to back out on to Partition St. since the drive way would be one way. The parking spots would be required for 22 Partition St.

Philip Horvath and Sierra Ovel stated that it is the first time they are hearing of the plans to change the driveway and add the parking spaces in the rear of the property. Mr. Fitzgerald or their realtor had not mentioned the project and the possibility of this change. Philip Horvath has a major concern as to the effect the change would have on the property value. **Jeremy Ellenbogen** stated that Mr. Fitzgerald had lowered the price of the property to reflect the change and offered to speak with them regarding the project. He wants to be good neighbors and care about the integrity of the Village.

Eyal Saad reviewed the position of the new line and what parts of the property it includes. He requested a new plan showing the new line, parking spaces and the location of the trash receptacles.

Ben Neidl verified the amount of the side yard variance is from 6' to 2.75'.

Ben Neidl reviewed the five criteria for consideration for this variance:

1. *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of this variance;* The Board agreed there would be no impact.
2. *Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance;* The Board agreed that there would be no other way
3. *Whether the proposed requested area variance is substantial;* The Board agreed that it would not be substantial.
4. *Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;* The Board agreed there would be no impact.
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.* The Board agreed that the difficulty was not self-created.

A roll call of approval was yes from all 4 ZBA members.

Scott Campbell made motion to approve the lot line revision of 2.75' for Ellenbogen Project, 32 Partition Street. Ed Quirk seconded the motion to approve the lot line revision of 2.75' for Ellenbogen Project, 32 Partition Street. The motion carried unanimously.

Counsel Ben Neidl will draft a resolution memorializing the decision for the Ellenbogen Project lot line revision for the September 22nd Zoning Board meeting.

Mary Frank made motion to close the Public Hearing for the Ellenbogen Project, 32 Partition Street application for a lot line revision. Joe Gavner seconded the motion to close the Public Hearing for the Ellenbogen Project, 32 Partition Street application for a lot line revision. The motion carried unanimously.

Khattar Elmassaleham from Praetorius and Conrad, shared the information regarding the Diaz Memorial Ambulance Services application. The ambulance service at 1 Main Street currently has three existing garage bays. The proposal is to add a fourth garage bay to house another ambulance. Khattar indicated on the plans the rear property line where the variance is needed. The corner of the addition is 11' off the property line resulting in the need for a 14' variance from the 25' requirement.

A Public Hearing will be required as well as the application being sent to the Ulster County Planning Board. Site Plan approval will be necessary from the Village Planning Board, they will also be an involved agency for SEQR purposes.

Khattar requested if there is a way to have a joint Public Hearing for both Zoning and Planning Boards. Ben Neidl would check the possibility.

Ed Quirk made a motion for the Zoning Board to be lead agency for SEQR purposes and referred to the Planning Board for comments. The motion for the Zoning Board to be lead agency for SEQR purposes and referred to the Planning Board for comments was seconded by Scott Campbell. The motion carried unanimously.

Scott Campbell made motion to schedule a Public Hearing for an Area Variance application by Diaz Ambulance Services for 1 Main Street for September 22, 2020 at 7:00pm. Ed Quirk seconded the motion to schedule a Public Hearing for an Area Variance application by Diaz Ambulance Services for 1 Main Street for September 22, 2020 at 7:00pm. The motion carried unanimously.

Khattar stated that an application to the Planning Board will be submitted also.

Scott Campbell made motion to adjourn the Zoning Board Meeting of July 28, 2020. Ed Quirk seconded the motion to adjourn the Zoning Board meeting of August 25, 2020 at 8:02pm. The motion carried unanimously.

The next scheduled Zoning Board Meeting and Public Hearing will be September 22, 2020 at 7:00pm.

Respectfully submitted,
Lisa Mayone
Village Clerk
8/28/2020