



**ZONING BOARD OF APPEALS**  
4 High Street Saugerties, NY 12477  
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**December 1, 2025**

**PRESENT:** Bill Schirmer (Chair), Henry Rua (Vice-Chair), Joseph Mayone, Randy Ricks and Holly Strutt (Alternate).

**ALSO PRESENT:** Becky Bertorelli (Zoning Board Secretary), Sean Weaver (Assistant Code Enforcement Officer) and George Redder, Esq. (ZBA Attorney).

**ABSENT:** Tim Scott Jr.

Schirmer called the meeting to order at 7:00 pm. Asked Strutt to join as a member in Scott Jr.'s absence. Strutt accepted.

**PLEDGE**

**PUBLIC HEARING**

**TOWERCO: INTERPRETATION OF §245-38 & §245-43 OF TOWN OF SAUGERTIES  
ZONING CODE**

167 Mt. Airy Road  
Saugerties, NY 12477  
File #: 25-008  
SBL #: 8.4-9-33

The parcel is located in the Moderate Density Residential (MDR) zoning district with Sensitive Area Overlay (SA) and Aquifer Overlay (AQ). The applicant is seeking an interpretation of §245-38 and §245-43 of the zoning code as it pertains to the replacement and extension of an existing telecommunications tower.

A motion was made by Mayone, seconded by Ricks, to open the public hearing. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried and the public hearing was opened at 7:01pm.

Taryn Ramey from McCullough, Goldberger & Staudt, LLP presented for the applicant. Also present were Zachery Medoff, P.E. (Structural Engineer) and Meghan Pitt, Director of Business Development for the Northeast Region (TowerCo). The applicant is looking to replace an existing telecommunications tower and build it 10' taller. The belief is the proposed action is exempt from zoning as this is considered a quasi public project according to section 245-38 of the Town Zoning Code and balancing of interests test set forth in the Matter of County of Monroe. It is also believed that this project allows for expansion by right according to section 245-43, as it is a pre-existing business, no further land use review is required. Schirmer-why does the applicant need an additional 10'. Pitt-AT&T and T-Mobile need that height to provide additional coverage

where there are currently gaps. AT&T First Net provides services to all emergency responders in the area so it is imperative that they have the service.

Schirmer asked if anyone was present from the public with comments/concerns. None. A motion was Rua, seconded by Mayone, to close the public hearing. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. The public hearing was closed at 7:05pm.

Redder-the additional 10' on top of the existing 185' pre-existing tower is what the Zoning Board will have to understand, and the necessity. Even under the pre-existing non-conforming classification it is not defined that it can be expanded in height without further land use review. The requirement of the additional 10' should be explained in detail for the Zoning Board so that they can understand the request and the need for such expansion. Medoff-structural engineer for 18 years, not an RF Engineer, but may be able speak on this a little. Different carriers purchase different spectrums. AT&T is existing on the tower today and requires the additional height for their first responders network as well as regular network. An RF Engineer will do an analysis of what is required for the mapped target area and the height increase is based on that. 10' can significantly expand the extent of service. Redder-it is incumbent to show the ZBA an analysis/reasoning that is supplied by an RF Engineer. Rayne-we believe that the height is exempt by right according to the County of Monroe and the tower being a pre-existing business. This would be considered a quasi-public project in which Monroe applies. The pre-existing business status protects the interest of those on the pre-existing business list. Redder-it will be the ZBA's responsibility to determine whether Monroe applies. Schirmer-if this is determined to be a pre-existing business status then the applicant would be allowed to expand by right. Redder-it is imperative to determine if the ZBA can look at this as a pre-existing business as it is a structure and not necessarily a business as defined within the Zoning. The existing telecommunications tower is a structure which is a static construction of building materials and not a business. Rayne-this site is listed as a cable tower and the subsequent use is similar by right and future expansion should be allowed by right.

A motion was made by Mayone, seconded by Strutt, to re-open the public hearing as someone wanted to ask a question of the applicant. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried and the public hearing was re-opened at 7:15pm. Public comments:

- Scott Lockrow, Mt. Airy Road-how long will construction take to remove the current tower and replace it? Traffic concerns? Who is the owner of the parcel? Rayne-if approved, hoping to have it done by Spring 2026. Construction traffic should only last for about 30 days. Carriers may access the site to upgrade and swap out equipment as necessary. That would take 1-2 days maximum when required. TowerCo owns the parcel where the tower is located but does have to access via an easement that runs through the Bornschien property.

Schirmer-the board will require the applicant to provide a clear reasoning why the 10' additional height is required. Rayne-tied to coverage and capacity.

Since there were no further comments from the public a motion was made by Rua, seconded by Mayone, to close the public hearing. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye,

Schirmer-Aye. Motion carried. The public hearing was closed at 7:19pm.

Schirmer-the board has 62-days to make a decision. The applicant will be on the agenda for the January 12, 2026 meeting. Request something in writing from a RF Engineer regarding the 10' increase in height.

### **INFLIGHT, INC: APPLICATION FOR 5' SIDE YARD AREA VARIANCE**

4 Edith Avenue

Saugerties, NY 12477

File #: 25-007

SBL #: 29.21-1-13

The parcel is located in the High Density Residential (HDR) zoning district. The applicant is requesting a 5' side yard setback area variance to construct an exterior fire escape/access stairway on an existing structure and meet the 15' side yard setback requirement in the HDR zoning district. Nevina Ilcheva, CFO InFlight, Inc., presented. The existing home is operated by InFlight to house individuals with developmental disabilities. The proposed stairway will provide access to the second story exterior door that currently does not have any means of egress.

A motion was made by Mayone, seconded by Ricks, to open the public hearing. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. The public hearing opened at 7:22pm.

Schirmer asked if anyone was present for this public hearing with comments/concerns. None. Schirmer-to be clear there are structural reasons for the location and design of the stairwell. It needs to be supported by the ground and not the garage roof. The stairwell is mandated by New York State, due to the nature of the population that resides in the home. A motion was made by Strutt, seconded by Mayone, to close the public hearing since there was no one present with comments/concerns. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. The public hearing was closed at 7:25pm.

Schirmer-the Board will now consider the five (5) criteria regarding the balancing test that states that the Board shall balance benefit to the applicant with detriment to health, safety, and welfare to the community:

1. It was determined that an undesirable change will not be produced in the character of the neighborhood nor would a detriment to nearby properties be created.
2. There is no other feasible method for the applicant to pursue, other than a side yard setback area variance, because NYS has required the exterior emergency stairwell.
3. The requested variance is not substantial.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood.
5. The alleged difficulty is not self-created because the exterior door on the second floor was existing when InFlight, Inc. purchased the property and due to the nature of the residents NYS is requiring that an exterior emergency escape be installed.

A motion was made by Mayone, seconded by Ricks, to approve the 5' side yard area variance. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Recuse. Motion carried.

## **NEW APPEAL**

### **PUTTIN PLUS**

455 Washington Ave, Ext.

Saugerties, NY 12477

File #: 25-009

SBL #: 18.1-3-57.100

The parcel is located in the Recreational Business (RB) zoning district. Applicant is seeking a 10' side yard area variance to remove two existing structures, replace it with a new two-story structure and meet the 30' side yard setback requirement. The applicant is seeking a 24' side yard area variance and a 37' rear yard area variance for an existing structure that has been located on the parcel since 2011 and conforms to corresponding setback requirements in the district. Jennifer Rossano-Koschitzki, owner of Puttin Plus, presented. Trying to fix existing non-conformities and remove several structures to replace with two-story climate controlled building that will house the office, arcade and an event space. The new structure will be moved further into the property and make the non-conformity less non-conforming.

A motion was made by Mayone, seconded by Strutt, to set the public hearing for the January 12, 2026 monthly meeting. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. A motion was made by Strutt, seconded by Mayone, to declare this a Type II Action under SEQR. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. Schirmer-since this is a commercial use it will have to be referred to the Ulster County Planning Board for their comments/review. A motion was made by Strutt, seconded by Ricks to refer to the UCPB. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried.

## **OLD BUSINESS**

NONE

## **BOARD DISCUSSION**

- A motion was made by Rua, seconded by Mayone, to approve the draft minutes of the November 10, 2025 meeting. Board vote: Strutt-Abstain, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried.
- The Planning Board meeting minutes were received.

## **ADJOURNMENT**

A motion was made by Rua, seconded by Mayone, to adjourn the meeting as there are no further items to discuss. Board vote: Strutt-Aye, Ricks-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. Meeting adjourned at 7:43 pm.

Respectfully submitted,

Becky Bertorelli

*Secretary*

*Zoning Board of Appeals*