



ZONING BOARD OF APPEALS
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September 8, 2025

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

ALSO PRESENT: Becky Bertorelli (Zoning Board Secretary)

Schirmer called the meeting to order at 7:00 pm.

PLEDGE

PUBLIC HEARING

ISAAC NICHOLS: APPLICATION FOR A 32' REAR YARD SETBACK AREA VARIANCE

496 West Saugerties Road
Saugerties, NY 12477
File #: 25-005
SBL #: 7.4-3-42

The parcel is located in the Low Density Residential (LDR) zoning district. The applicant is requesting a 32' rear yard setback area variance to construct an addition to an existing house and extend the garage to the existing retaining wall. The public hearing was held open from the August 4, 2025 monthly meeting to ensure that notifications to all neighbors within a 500' radius were notified by certified mail, return receipts requested as required. The green cards/returned mailers were given to the ZBA secretary prior to hearing public comments.

Nichols-the variance is being requested in the rear of my building only. Due to the size and layout of the parcel, putting an addition or any type of accessory structure will require an area variance. When the property was originally purchased the hope was the existing structure could be renovated but that turned out to be impossible. A structure was re-built within the footprint of the original structure to create a house that would fit into the neighborhood and match how homes look and feel within the neighborhood. There is a 7' fence between the proposed addition and the closest neighbor's property. The proposed structure will only be one story and will not be visible beyond the fence. Will not cause any shadow on the neighbor's property. Schirmer-as explained last month, the ZBA can only look at the addition and the area variance that is being requested to construct that addition.

Public Comments:

- Barbara Marcello, 490 West Saugerties Road. The applicant is a very good neighbor and has removed a run down structure to rebuild a beautiful home. We all help each other out and the addition can not be seen from the property, especially with the fence.

A motion was made by Mayone, seconded by Rua, to close the public hearing, since there was no one else present with comments/concerns from the public. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried.

A motion was made by Rua, seconded by Ricks to grant the 32' rear yard area setback. Schirmer - the ZBA will perform the balancing test, weighing the benefit to the applicant against the potential harm to the neighborhood and community based on five criteria:

1. The variance will not create an undesirable change in the character of the neighborhood or negative impact on nearby properties as it will not be visible from adjacent properties.
2. There are no feasible alternatives, due to the size of the parcel, for the applicant to achieve the desired benefit.
3. The variance is substantial, but as explained by the applicant any addition to the existing structure or an accessory structure will require a variance due to the size and layout of the parcel.
4. The variance will not create an adverse effect on the physical or environmental conditions in the neighborhood.
5. The difficulty is self-created but there is no other location to put the addition that will create the storage that the applicant needs and not require a variance.

Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried.

NEW APPEAL

NONE

OLD BUSINESS

NONE

BOARD DISCUSSION

- A motion was made by Scott Jr., seconded by Mayone, to approve the draft minutes of the August 4, 2025 meeting. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried.
- The Planning Board meeting minutes were received.
- Schirmer-back in July the Town Board approved an amendment for the local law regarding Planning Board public hearing notifications in order to make it more consistent for subdivisions and site plan/special use permits. However, the ZBA public notification section of the zoning law was not updated. Will be working with the ZBA attorney to draft the updated requirements and ensure that they are consistent with what was approved for the Planning Board.

ADJOURNMENT

A motion was made by Mayone, seconded by Rua, to adjourn the meeting as there are no further items to discuss. Board vote: Ricks-Aye, Scott Jr.-Aye, Mayone-Aye, Rua-Aye, Schirmer-Aye. Motion carried. Meeting adjourned at 7:21 pm.

Respectfully submitted,

Becky Bertorelli

Secretary

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