

**Town of Red Hook
Zoning Board of Appeals Meeting Minutes
March 9, 2011**

CALL TO ORDER

The meeting was called to order at 7:03 P.M. by Chairman Nick Annas.

ROLL CALL

Members Present: Nick Annas, Christopher Carney, John Douglas, Jim Hegstetter,
Paul Marienthal, Tim Ross, Trilby Sieverding (Alternate)
Also Present: Jim Ross, TB Liaison; Bob Fennel, ZEO
Absent: Kenneth Anderson

PRELIMINARY BUSINESS

Minutes of October 13, 2010: Chairman Annas asked if everyone had read the October 13, 2010 Minutes and invited comments or questions. Hearing none, Jim made a motion to accept the Minutes as written. The motion was seconded by Chris and all were in favor.

Planning Board Minutes and Letters: There were no comments from the Board.

Building Inspector/ZEO Permits and Memos: The Board reviewed the Permits and Memos.

Comments: Chairman Annas announced that there will be a short Stormwater course in Millbrook on March 29th. He noted that the members are required to complete four hours of course work each year and that credits earned one year can be carried over to the next year.

MOTION FOR RETURN OF APPLICATION FEE

7:10 Motion for return of application fee to Robert & Linda Lasher following ZBA decision to vacate stop work order.

Chairman Annas made a motion that the \$150 application fee paid by Robert and Linda Lasher be returned as the Board vacated the stop work order rather than ruling on a variance. This action obviated the need for payment of the application fee. The motion was seconded by Jim and all were in favor.

REVIEW OF APPEAL

7:15 Appeal 11-01, Charles & Christine Riedinger application to expand the foundation of an existing single family dwelling to accommodate a one bedroom accessory dwelling where the zoning law does not permit such expansion. The applicants' lot is located at 14 Grandmour Drive in the R1.5 zoning district. Mrs.Riedinger was present and, in the absence of her husband who was out of town, was accompanied by her nephew, Aaron Craft.

Chairman Annas invited Mrs. Riedinger to come forward and address the Board. She said that they are seeking a variance because they want to extend the foundation of their home. Discussion ensued regarding the type of variance needed. Bob Fennell said there were two possibilities, viz. a use variance or an area variance. As it is a use which is permitted in the zone, he concluded that an area variance is needed. The proposed structure meets all the setback requirements; the only thing which is not permitted is putting on the addition. They do not meet the standards required to accomplish the use. Bob read the pertinent section of the zoning law as well as the definitions of area variance and use variance. He said that if a variance is granted, the Riedingers will have to go to the Planning Board as all accessory apartments require a Special Permit and site plan approval from the Planning Board.

The Board then reviewed the plans submitted by the applicants. Chris asked if they were building on top of the garage. Mrs. Riedinger said that they are building a second level on top of the garage, then out on the sides and the back. Mr. Craft answered several questions posed by the Board as they studied the maps. Chairman Annas verified that the proposed structure will be a two storey apartment. The habitable space has been measured and is 650 square feet

John asked about the present size of the garage. After discussion, it was determined that it is roughly 308 square feet. The addition would extend it to the back. John asked if the roof line of the addition would match the present roof line. Mr. Craft said that it will follow the same path and have the same pitch. The back will be dormered and will have skylights. John asked if the parcel is wooded and Mrs.Riedinger said that it is. Mr. Craft then presented an elevation for the Board to review.

As the Board had no further questions, Chairman Annas set the Public Hearing for April 13, 2011 at 7:15 P.M. In response to Paul's question, Mrs. Riedinger said she had no objection to members of the Board coming to see the house.

ADJOURNMENT

Chairman Annas made a motion to adjourn the meeting. The motion was seconded by Tim Ross and all were in favor. The meeting was adjourned at 7:30 P.M.

Respectfully submitted,
Sheila Franklin