

Town of Red Hook
Zoning Board of Appeals Meeting Minutes
August 14, 2013

CALL TO ORDER

The meeting was called to order at 7:05 PM by Nick Annas.

ROLL CALL

Members Present: Nick Annas, Trilby Sieverding, Ken Anderson

Absent: Tim Ross, Jim Hegstetter, Chris Carney, John Douglas

Also Present: Jim Ross, TB Liaison

Let it be noted that Trilby Sieverding disclosed at the start of the meeting she knew Hank and Mary Cha personally, but did not feel that she had a conflict of interest and that she could fairly review their appeal.

PRELIMINARY BUSINESS

Minutes of June 12, 2013: Nick asked if everyone had read the July 10, 2013 Minutes and invited comments or questions. Although there were no comments or questions, the minutes could not be approved at this meeting due to lack of quorum.

Planning Board Minutes and Letters: Chairman Annas asked the Board if they had any comments. There were no comments from the Board.

Building Inspector/ZEO Permits and Memos/Comments: The Permits were reviewed by the Board. There were no Memos/Comments.

REVIEW OF APPEAL

7:08 Appeal 13-04, Henry Cha application to install PV Array 13 ft. from side property. Section 143-18A(2) requires that accessory structures be located 20 ft. from any lot line. The applicant's property is located at 1 Crestwood Road in the RD3 zoning district, Tax Grid #6372-00-307697.

Nick asked Henry Cha to present his argument to the Board.

Henry said he had installed four solar panels about three years ago. There were no boundary markers on the property at that time. Henry thought he was within the property line. He recently had a survey done by Marie Welch and the panels are not all on his property. Henry said that two of the four panels are on his neighbor's property and one is very close to the property line.

Henry said he would like to move three of the panels and would like to leave one of them because it's the main panel that feeds the residence. Henry said he would like to move the two that are on the adjoining parcel as well as the one adjacent to the boundary. That will leave 13 ft. between that boundary and the closest corner of the remaining unit.

Nick asked Henry if he had any objections to any of the Board members going out on his property and taking a closer look.

Henry did not have any objection.

Nick went over the next steps of obtaining his variance.

There were no other further comments. There were none.

REVIEW OF APPEAL

7:35 Appeal 13-05, William McKay application for placement of a 12 x 30 Prefab. Garage. District schedule of area and bulk regulations requires:

*20 ft. from rear property line. Applicant is requesting 6 ft.

*60 ft. from front property line. Applicant's property has 2 front yards as a corner lot. Applicant is requesting 8 ft. from Rte. 199 set back. The applicant's property is located at 12 Country Club Drive in the RD3 zoning district, Tax Grid #6372-19-739189.

Nick asked William McKay to present his argument to the Board.

William and his wife recently purchased the house. It's a new construction. William would like to have the garage used for storage and a workshop. It will act as a sound barrier too because they are very close to Rte. 199.

William presented a survey of the property and pictures to the Board to review.

William would like the garage to sit perpendicular to and behind the house.

William was concerned that if he placed the structure too far back, he would lose most of his backyard.

Nick and the other Board members were concerned about setting any structure that close to Rte. 199.

William said the house was 48 ft. along the front and approximately 20 ft. wide. The ground floor is approximately 1,488 sq. ft.

Nick asked William to sketch out the structure showing exactly how he would like it to sit on the property. William would have to maintain a minimum distance between the house and adjacent structures of 12 ft.

Nick thinks there may be need for a second variance because, years ago, the party that built the structure got a variance to exceed the coverage limits. By code you are allowed 7% coverage and the party before got a variance to increase that to 13%.

Trilby explained to William that 7% coverage means the amount of building that takes up the lot. There's already a whole lot more building than the lot is supposed to have but you get a variance for that. This would be considered a permanent structure.

Ken suggested that the structure length be reduced from 30 ft. x 24 ft.

Nick said a couple things need to be done: First, Nick would like to be sure that Steve is correct that this has to be a 60 ft. setback on the Rte. 199 side; and secondly, William is going to have to modify his variance and go for an additional area variance. He will have to establish the size structure he wants, the location of the structure, the distance from the house to the structure, the distance from the rear lot line to the nearest corner of the structure and from the side yard lot line to the nearest corner of the structure.

Nick invited William to join him when he talks to Steve or Bob Fennell as to whether that has to be classified as a 60 ft. setback or 20 ft. setback.

William would like to sit in on the meeting with Nick, Steve and/or Bob.

Nick asked if there were any further comments. There were none.

ADJOURNMENT

Nick made a motion to adjourn the meeting. The motion was seconded by Trilby and all were in favor. The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Jackie Fenaroli
ZBA Secretary