

Town of Red Hook
Zoning Board of Appeals Meeting Minutes (Draft)

October 14, 2015

CALL TO ORDER

The meeting was called to order at 7:00 pm by Chairman Nick Annas.

ROLL CALL

Members Present: Chairman Nick Annas, Chris Carney, Jim Hegstetter, Kris Munn, Trilby Sieverding

Members Absent: John Douglas, Tim Ross,

Also Present: Jim Hall, Contractor for Gabriel Hendifar and Jeremy Anderson

PRELIMINARY BUSINESS

Minutes from June 10, 2015

Chairman Annas asks for a motion to approve the Minutes from the July 8, 2015 ZBA meeting. Jim Hegstetter so moves, Chris Carney seconds the motion, and all are in favor.

Planning Board Minutes and Letters: There are no comments regarding the Planning Board.

Comments from the Chairman: The Intermunicipal Task Force is giving a public presentation on 10/21/15 regarding the new rule for designated historic districts within the Town.

Review of Appeal

Appeal 15-07, Gabriel Hendifar and Jeremy Anderson application for an area variance to erect a fence, seven (7) feet in height, in the required front yard of the property. *Section 148-28 A of the Town Zoning Law limits the height of fences in the required front yard to four (4) feet.* The applicant's property is located at 354 Metzger Rd. in the RD3 zoning district, Tax Grid # 6271-00-249843.

Chairman Annas notes that the applicants have been before the ZBA, regarding a side addition to the house on the property. At that time it was recommended that they take down a tree to the back of the house, so that the addition could go there, and not require a variance.

James Hall, the contractor who built the fence, states that a separate landscape architect designed the landscaping and exterior floor plan, which includes a "screen wall" with a double door, as an

entrance to the courtyard off of the rear addition. There is also a pool, a deck, and an outdoor shower. Mr. Hall obtained a building permit for the deck, which he built, but not for the fence, since he did not know a building permit was necessary for it.

Chairman Annas asks to see a plot plan, which Mr. Hall does not have. He presents photographs to the Board. One of the pictures shows the height of the fence, with a tape measure. It is 66” high.

Chairman Annas asks if the fence is complete. Mr. Hall affirms that it is, and he and the Board members present discuss the fence’s position, length, construction methods, its proximity to the centerline of the roadway, and the front yard setback requirement for this property. Mr. Hall notes that the Town Highway Superintendent visited the property to check the position of the new trees, for snow plowing and road visibility. He further notes that she asked for a letter from the homeowners releasing the Town from any responsibility regarding damage to the landscaping due to snow piles or plowing. The homeowners sent her a letter via email. Chairman Annas asks if there will be any more new trees going in, and requests that Mr. Hall bring a letter from the Highway Superintendent, attesting to her visit, to the Public Hearing. Mr. Hall also states that there will be no more new trees planted, as part of the landscaping plan.

Kris Munn comments that the fence is approximately 4’ in height at one end, and higher at the other. Mr. Hall explains that the fence is uniformly high, and that the slope of the ground accounts for this change.

Chairman Annas asks Mr. Hall if Board members can make a site visit, to which Mr. Hall replies that they can. He informs Mr. Hall of the ZBA procedure for certified letters to the neighbors, prior to the Public Hearing on November 11, 2015, and places him first on the docket, for that night. He asks about the neighbors, and recommends that Mr. Hall speak to them, if he thinks there may be any objections. He also asks Mr. Hall to bring a plot plan, or a landscaping plan to the hearing.

At 7:20 pm Chairman Annas asks for a motion to adjourn the meeting, since there are no further questions or comments from the Board. Kris Munn moves to adjourn, Trilby Sieverding seconds, and all are in favor.

