

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

December 09, 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, John Douglas, Tim Ross, Kris Munn, Trilby Sieverding

Members Absent: No members were absent.

Also Present: Norman Greig, applicant for an interpretation. Mark VanDeCarr President Emeritus, of the Poughkeepsie, NY Chapter of the Sports Car Club of America.

## **PRELIMINARY BUSINESS**

### Minutes from November 11, 2015

At 7:03 pm Chairman Nick Annas asks for a motion to approve the Minutes from the November 11, 2015 ZBA meeting. Kris Munn so moves, Chris Carney seconds the motion, and all are in favor, with Chairman Annas abstaining, due to his absence at the prior meeting.

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

Comments from the Chairman: Chairman Annas mentions educational credits and recommends that board members attend the courses available.

## **Review of Appeal**

Appeal 15-08, Norman Greig application for an interpretation of the determination by the Zoning Enforcement Officer, denying a zoning permit for Motorsport Rallycross Events, pursuant to Sections 143-39.1 Uses in the AB Zoning district, 143-39 C (1) Permitted Uses, and also, 143-39 C (2) Permitted Accessory Uses. This type of activity is not an allowed use in the AB Zoning District. Parcels relevant to the application for an interpretation for this use are as follows: 6273-00-944725, 6273-00-896812, 6374-00-090235, 6374-00-104157, 6374-00-114128, 6274-00-960193, 6274-00-980090 in the Agricultural Business District. The applicant resides at 221 Pitcher Lane.

Chairman Annas invites the applicant to present information supporting his application.

The applicant states that the zoning code lists most of the things he has been doing on his farm over the past 25 years, but that it does not allow for uses that have not yet been imagined. He further states that he

has hosted the sports car club for the past 20 years, as a special event, 1-3 times a year. He moves the event to different fields, according to which field is fallow, and dry, and far enough away to not disturb the neighbors. The applicant states that he is asking for guidance from the ZBA regarding accessory uses, other than what is listed in the code, are allowed. He mentions events on other farms, such as mud runs, balloon launches, as activities not listed in the code, and for which no one has complained. The applicant maintains that the rural character and open spaces in the Town afford recreational uses, not necessarily listed in the code.

Chairman Annas asks the applicant: to describe motor sport rally cross, the type of terrain used, who regulates the safety of the event, if the cars used are street legal, and when the last event took place. The applicant describes the vehicles, the race course, the terrain, and states that the last event took place about one month prior to the ZBA meeting on this date. He also states that the impact to his farm is minimal, as the car club repairs any divets, immediately following the event. Mark VanDeCarr, representing the Sports Car Club of America, discusses the safety training, and rules for the drivers. He also presents a brochure that includes the club's safety regulations.

Chairman Annas asks what the complaint was about, and the applicant replies that he does not have a copy of it. John Douglas asks the ZBA Clerk to obtain a copy of the complaint. He also asks how many people attended the last event. Mr. Van DeCarr states there were 45 drivers, two officials, and an estimated 30 spectators, coming and going to and from the event. He further clarifies that this was a larger than usual event, that they usually have 25-30 drivers. Chairman Annas asks about the distances and the speeds. Mr. VanDeCarr states that the course is one minute long, and that speeds are 35 – 40mph, that he designs the courses, with flow and safety in mind, so that the drivers are not building up too much speed, or slowing down suddenly. He also states that they are strict on noise requirements, but that they can adjust it to be more stringent if necessary. The current levels are set at 92 decibels.

John Douglas notes that car shows are a permitted use in the AB district and asks Mr. VanDeCarr if his events can be classified as a car show. Mr. VanDeCarr replies that they are not, since the club does not advertise, charge admission, or invite spectators. He notes that most of the attendees, who are not racing, are there to see someone they know, who is racing at the event. He further notes that safety personnel set up an area for these people to watch the event, out of harm's way.

The Board members review the areas of the Town Code that list the permitted accessory uses in the AB district, including small scale entertainment, and temporary permitted uses. The applicant states that he will not be able to attend the scheduled January 13, ZBA meeting. Chairman Annas states he will review the Zoning Official's decision, with the officer who issued it, before setting a public hearing date, in order to ascertain the reason for a denial. The Board will advise the applicant of the outcome of that review, and if necessary, set a public hearing date for the February ZBA meeting.

At 7:45pm Jim Hegstetter moves to adjourn the meeting, Chris Carney seconds, and all are in favor.



