

## Minutes Red Hook Zoning Board of Appeals

October 12, 2005 meeting called to order by Corinne Weber, Acting Chairman

Roll call: Members present: Kenneth Anderson, Robert Latimer, Gordon Denegar Jeanne Douglas, Michael Mosher

Absent: Timothy Ross  
Town Board Liaison: James Ross

The minutes of September 14, 2005 were reviewed. Robert Latimer had one correction. The Staley appeal roll call vote should read 5-1. The minutes as amended upon motion by Corinne Weber and seconded by Robert Latimer, the minutes were accepted 6-0 upon roll call vote.

Planning Board minutes: A discussion arose regarding the issue of the Eye Associates plan on Glen Pond Road and in the information contained in the October 3 minutes of the Planning Board.

ZEO memos: No one from the Building/Zoning office was present. Memos were not reviewed. Building permits were reviewed with no comment.

The Acting Chairman read a letter to the Board from Mr. Goodman asking to be removed from the Agenda. He will advise the Board when he would like to appear. Mr. Gardner, a neighbor, and a representative from the village were given copies of the letter.

Review Appeal 05-17 Gregory Antonakas, owner of Hooked On Antiques, application for a variance to place a sign in the 15' setback requirement. The applicant stated that the engineer for the project had placed the sign on the south side of the property without the knowledge of the applicant who is a tenant of the property. This plan was approved by the Planning Board. A house to the south of the property blocks sight of the sign and the applicant wants to place the sign on the north side. Front and side yard variances will be needed. The applicant was asked to bring in dimensions of proposed front and side yard placement. A Public Hearing was scheduled for November 9 at 7:20.

Public Hearing Appeal 05-13 Anthony Pica request for the construction of a 10 x 14 storage shed four (4) feet from the side and rear yard property line. The District Schedule of Area and Bulk Regulations requires a setback of 20 feet in the R1 zoning district. Mr. Pica explained that it was not visible by any neighbor. The shed is sitting on cement block, has a ramp front and rear and is made from rough lumber.

Ms. Weber opened the Public Hearing and as there were no comments, closed the Public Hearing. After a short discussion by the Board, Jeanne Douglas made a motion to grant the requested variance based on the facts that there was no opposition from the neighbors, there would be no change in the neighborhood and it would be of benefit to the applicant. This was seconded by Corinne Weber and unanimously passed by a 6-0 roll call vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Jeanne Douglas	Yes
Kenneth Anderson	Yes
Michael Moshier	Yes

Public Hearing Appeal 05-15 Amy Bildzok request for a variance for an eight (8) foot fence in her side yard. The applicant stated that the construction of a new house on an adjoining lot located the house in such a manner that the applicant can look directly into its kitchen and family room and destroys the applicants privacy. Ms. Bildzok submitted photographs showing the slope, proximity of the two houses and the affect upon her privacy. The Public Hearing was opened. Harry Williams, a neighbor, supported the request. There were no further comments from the public and the hearing was closed. The applicant was asked if she was sure that an 8" fence would solve the visual problem and the Board was told that it will barely clear but will give significant relief. Robert Latimer made a motion to grant a variance for a 32' long, 8' high fence which will alleviate a burden beyond the applicant's control This was seconded by Kenneth Anderson and carried unanimously by a 6-0 roll call vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Jeanne Douglas	Yes
Kenneth Anderson	Yes
Michael Moshier	Yes

Review Appeal 16-05 Elizabeth Jones request for an interpretation of the word "structure" as defined in the zoning code. Ms. Jones has two vertical propane gas tanks situate on her property line 75' from her property line and 15' from her neighbor's property line. The enforcement officer has determined that these tanks are structures and should meet the set back requirements as stated in the zoning law. Should the Board determine that these tanks are "structures", a setback variance will be needed to keep the tanks in place. A Public Hearing has been scheduled for November 9 at 7:40

Continuation Appeal 05-05 TKB,LLC application for six area variances from the requirements for lot size, coverage and setback requirements of the District Schedule of Area and Bulk Regulations of the zoning law. Steven Tinkleman, Architect associated with Morris Associates, reviewed this application for the public and the Board. There are different lot areas, lot widths, front yard, back yard and side yard setbacks, and coverage, each requiring a variance. The Public Hearing was opened.

Two ladies in the audience identified themselves as being from Hyde Park and were very interested in what they thought was a very well done project. There were no other comments from the public. The hearing was closed. A discussion followed by the Board members as to how, in theory, 18 variances should be voted upon. It was decided that the Board should address the six required area variances on a developmental level not on a unit basis. Michael Mosher made a motion, that although substantial, this is a unique project, would have no undesirable effect upon the environment, is an efficient use of design criteria, is in line with the Town Mater Plan, to grant the variances as requested and set forth in the applicants submitted Bulk Regulations Analysis (attached hereto and made part hereof) This was seconded by Robert Latimer and passed unanimously by a 5-0 roll call vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Jeanne Douglas	Yes
Michael Mosher	Yes

As there was no further business to come before the Board, upon motion by Corinne Weber seconded by Kenneth Anderson, and unanimously carried, the meeting was adjourned.