

Minutes Red Hook Zoning Board of Appeals

November 9, 2005 meeting called to order by Michael Mosher, 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 October 12, 2005 were reviewed. The minutes were, 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 comments

Building permits were reviewed with no comment.

Public Hearing Appeal 05-16/18 Elizabeth Jones, application for an interpretation of "structure" as defined in the zoning code of the Town of Red Hook and a variance to place the gas tanks less than the 15' setback requirement. The Zoning Enforcement Officer had made the determination that the tanks were structures and read the definition of "structure" as found in the zoning code. Mr. Mosher opened the Public Hearing and as there were no comments from the public, closed the hearing. The Chairman asked for comments from the Board and stated that he felt these were permanent type tanks. Ken Anderson said they were on a fixed location on the ground; Jeanne Douglas thought they were related to gas pumps as did Rob Latimer; Corinne Weber thought the tanks were moveable and could be relocated and had a problem calling them a structure. After some discussion, Jeanne Douglas made a motion to confirm the determination of the Zoning Enforcement Officer. This was seconded by Michael Mosher and carried by the following roll call vote:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	No
Jeanne Douglas	Yes
Kenneth Anderson	Yes
Michael Mosher	Yes

The Acting Chairman then opened the Public Hearing regarding the variance required for the tanks. Ms. Jones explained how she was attempting to be helpful to a neighbor by placing both the neighbors and her tank on the property line so that they could be filled conveniently. The neighbor, Clarisse Jaget, was present and told the Board if the tanks were moved, they would be in her line of vision from her porch. The applicant was going to place a fence and gate around the tanks for the sake of appearance. The hearing was closed. Michael Mosher stated that he felt the applicant had made a good presentation, that the fence would mitigate the appearance from the road and the request was not substantial. Corinne Weber made a motion to grant the applicant a 6' variance from the property line seconded by Jeanne Douglas. This motion was passed by the following roll call vote:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Jeanne Douglas	Yes
Kenneth Anderson	No
Michael Mosher	Yes

Public Hearing Appeal 17-05 Gregory Antonokas, owner of Hooked on Antiques was present. The applicant is requesting a variance to place a sign within the required set back. If the sign was placed on the south side of the property, it would not be visible from the road coming north, he does not have 15' of property on the north and is not asking for a substantial variance. Mr. Antonokas had contacted Marie Welch, Surveyor, who was unable to locate any marker on the corners of the back line. He wants to erect a sign 10' from Bottini's side yard and 6' from the road. Rob Latimer questioned if the sign could be in the road right of way. The Applicant stated that he had contacted the State and was told that it had no objection to the placement of the sign. The applicant said that the state property ended at the back of the telephone pole. Mr. Mosher opened the Public Hearing. Joel Sasser, representing Bottini Fuel Co. had no objection whatsoever. A letter was read from Mark Bottini enclosing a letter from Mr. Sasser, which was also read urging the ZBA to grant the variance. Isabelle Schultz, a neighbor immediately to the south, also wrote to the Board expressing no objection to the placement of the sign as proposed by Mr. Antonokas. As there were no further comments, the hearing was closed. Rob Latimer made a motion to grant a side yard variance and 1.5' from the back of the utility pole on the location as shown on the attached map seconded by Corinne Weber. This was carried unanimously by roll call vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Jeanne Douglas	Yes
Kenneth Anderson	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.