

Minutes Red Hook Zoning Board of Appeals

September 14, 2005 meeting called to order by Timothy Ross, Chairman

Roll call: Members present: Kenneth Anderson, Robert Latimer, Gordon Denegar
Jeanne Douglas, Corinne Weber

Absent: Michael Mosher

Town Board Liaison: James Ross

The minutes of August 10, 2005 were reviewed. There were no additions/corrections. Upon motion by Kenneth Anderson and seconded by Robert Latimer, the minutes were accepted 6-0 upon roll call vote.

Planning Board minutes: No comments or questions. A discussion again arose as to the attendance of Michelle Greig rather than Fred Fink at the Planning Board meetings. It was determined that this is a question for the Town Board.

ZEO memos: Bob Fennell reported that the swimming pool problem is slowly proceeding .

Building permits will be reviewed at next months meeting.

The Chairman spoke to the Board regarding the class being held in Millbrook by Pace University Land Training. Forms for attendance are to be handed in by September 29th. Robert Latimer plans on attending this seminar.

Continuation of Public Hearing Appeal 05-05 TKB,LLC. This matter was adjourned to September 14, 2005 as the Village Board has not yet completed the SEQRA process.

Public Hearing Appeal 05-09 Paul Telesca application for an area variance from §143-28. This application is being continued from the August meeting. The applicant wants to install an 8' fence. The applicant has a permit to erect a six-foot fence but would like to put up an eight-foot fence. Mr. Telesca submitted a pictures showing placement of the fence and the different heights of 6 feet and 8 feet. His property line runs along that of a gasoline station. He states that trucks and cars come onto the station property and make a lot of noise and that there are dumpsters in his view shed from the deck on his house. He feels that an eight-foot fence would better

mitigate these issues than a six-foot fence. Mr. Telesca produced photographs showing how a higher fence would screen views of the gas pumps and truck lights shining into his home at night. He could possibly put up fewer (3) sections of fence since he now has a shed and snow fence to partially shield his property. The applicant advised that both sides of the fence would be the same. Robert Latimer had visited the site and advised the Board of his findings and stated that the extra two feet will improve the problems being encountered by Mr. Telesca. The Chairman closed the Public Hearing and a short discussion followed by the Board. Timothy Ross made a motion to grant the variance for a fence not to exceed eight feet and extending 120 feet along the side yard adjacent to the gas station and no closer than 20 feet from Kalina Drive based upon the uniqueness of the situation, it would be of benefit to the applicant with no detriment to any neighbor and would not infringe upon the neighborhood. This was seconded by Corinne Weber and carried by the following roll call vote:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Timothy Ross	Yes
Jeanne Douglas	Abstain
Kenneth Anderson	Yes

Public Hearing Appeal 05-11 This is a continuation of the Public Hearing opened at the August meeting. H. Knick Staley request for a variance to replace an existing single wide house trailer with a double wide trailer north of single wide existing position. This is in violation of Sections 143-125A4(d) and 143-125B. Mr. Staley appeared and apologized for having missed the August meeting. He stated that his motivation for installing a double wide was to get better tenants and get more money. It is his intention to upgrade with a 2005 doublewide placed on cement blocks. The location must be changed to the north as the lot widens and the site where the old trailer now sits will be used for a new septic system. His goal is to improve the property that in turn will improve the neighborhood. Jeanne Douglas asked if a variance for a double wide were granted, would he remove both old ramshackle trailers. His reply was “absolutely not”, that he would loose money by not having tenants in the second trailer. He does not have approval from the Board of Health for a new septic system. The Chairman opened the Public Hearing. Comments from the audience were basically the same as they were at the August meeting. Judith Barromeo said that a double wide would be only 26’ from the road and asked if the trailer could be moved to the extreme north of the parcel. This could not be done because of the septic system for the house on the parcel. Marcy Traudt, who lives diagonally across from the trailers was told that there was no control as to who would reside in the trailers. The Chairman stated that the plan for the double wide would end up as a three (3) bedroom unit, would increase intensity with the increased footprint. The Chairman suggested replacing both trailers with a duplex. Mr. Staley replied that he could not afford to do this. Corrine Weber suggested replacing the old trailer with a new mobile home. This, again, was not possible stated Mr. Staley. The Chairman stated that the bigger the footprint the more people would live in the trailer

and there would be a more intense use. The Chairman closed the Public Hearing as there were no further comments from the audience. Jeanne Douglas made a motion to deny a variance to replace an old trailer in a different location on the property with a double wide trailer on cement block. This was seconded by Robert Latimer and carried by a 5-0 roll call vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Timothy Ross	No
Jeanne Douglas	Yes
Kenneth Anderson	Yes

Timothy Ross then made a motion as follows: A variance be granted for a single wide on the rear line as shown on the submitted map as it would be of benefit to the applicant to replace the antiqued one and Board of Health approval to be obtained, existing trailer to be removed and trailer not to exceed 14' x 72'. This was carried by a 5-0 roll call vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Timothy Ross	Yes
Jeanne Douglas	No
Kenneth Anderson	Yes

Public Hearing Appeal 05-12 Diane Demskie request for a variance to construct an addition which will not meet the set back requirements to the side of the house. John Vidurek, contractor for Custom Built Homes appeared on behalf of Ms. Demskie. Mr. Vidurek advised the Board that Ms. Demskie, who owns the home, is physically challenged, uses a motorized wheel chair and needs a wider garage to exit her vehicle and enter her home which requires a 3' variance for the 24' garage. Mr. Ross opened the Public Hearing. James Guyette, an adjoining neighbor, submitted letter of concern from both him and neighbors and photographs showing how this might allegedly affect him and his wife and strongly urged the Board to deny the request. Tracy Miller was concerned about possible runoff created by the project. Mrs. Guyette also expressed her concerns and stated that she felt other options were available. Mr. Vidurek stated that he could not understand how 3 feet could make such a difference. The walkway which is being proposed to the rear of the house would be used for emergency exit for his client, Ms. Demskie. Two trees were removed one of which was dead. Ms. Demskie is planning on planting screening and drainage would not be a problem. Mrs. Guyette would like to see other plans with different options. The Chairman ascertained that the architect for the project was Melodie Lewis who was reached by telephone by Mr. Vidurek. Mr. Ross spoke with her and inquired if steps leading to the basement could be moved to reduce the width of the garage and had she looked at lengthening the garage from front to back. Ms. Lewis replied that she knew a variance would be required and had attempted different

designs but had to go with the one being presented to the Board because of the ramp remaining as an issue. The Chairman closed the Public Hearing and remarked that the applicant was a special needs person, the garage was needed and three (3) feet was not significant. There was no discussion from the Board. Jeanne Douglas made the following motion: A 3 foot variance be granted as the benefit to the applicant outweighed any detriment to the neighborhood. The Chairman added to this motion that some sort of green screening be established along the planned asphalt walkway and seconded the motion. The motion was carried by a unanimous vote as follows:

Robert Latimer	Yes
Gordon Denegar	Yes
Corinne Weber	Yes
Timothy Ross	Yes
Jeanne Douglas	Yes
Kenneth Anderson	Yes

Review Appeal 05-13 Anthony Pica request to 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. A Public Hearing was scheduled for 7:40 October 12th.

Review Appeal 05-14 Ronald Goodman request for a 17'6" variance to allow for a turnaround area in a proposed parking area and also a variance for an independent access driveway on a 50' flag lot with less than minimum 160' frontage. A Public Hearing has been scheduled for October 12th at 7:20.

Review 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. A Public Hearing on this appeal is scheduled for October 12th at 8:00. +

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.

