

Minutes Red Hook Zoning Board of Appeals

January 11, 2006 meeting called to order by Timothy Ross, Chairman

Roll call: Members present: Kenneth Anderson, Gordon Denegar
Jeanne Douglas, Michael Mosher
Absent: Robert Latimer and Corinne Weber
Town Board Liaison: James Ross

The minutes of November 9, 2005 were reviewed. The minutes were, upon motion by Michael Mosher and seconded by Kenneth Anderson, accepted 5-0 upon roll call vote.

Planning Board minutes: There was a discussion as to the zoning changes being requested by the Planning Board. It was suggested that there be more communication between the Planning Board and the ZBA as to changes/additions being made to the code.

ZEO memos: no comments

Building permits were reviewed with no comment.

The Chairman made a motion to appoint Jeanne Douglas secretary to the ZBA for the year 2006. This was seconded by Michael Mosher, and carried by unanimous roll call vote.

The Chairman discussed certification by the Land Use Law Center and will provide all new members with materials to qualify.

The Chairman discussed with the Board the possibility of a change in membership. The Town Board determined that Jeanne cannot hold both the position as a member and as secretary. Jeanne has chosen to remain as secretary and give up her place on the Board. Gordon Denegar's term was completed December 31, 2005. It is unclear if he will be reappointed. There are four applicants for these two positions.

Review Appeal 01-06 RPC Main Street Corp., Ralph Cautela, agent. The applicant is asking for a variance for a six foot fence already constructed in the front yard. The land in question is a corner lot which predates zoning. It is a 1.02 acre lot in a 3 acre zoning district. The Chairman recused himself from this appeal as he was the design engineer for the project. The first matter for the Board was to determine if this was a fence or a wall. After some discussion, it was determined that this was a retaining

wall to retain an earth embankment. In order for the applicant to obtain Dutchess County Board of Health approval, a retaining wall was required. Section 143-28 (A) And (C) of the zoning code applies to this application stating that no wall shall exceed four (4) feet in height when erected in the front yard. It further states that the finished face of the wall shall be directed toward abutting property. A Public Hearing is scheduled for February 8, 2006 at 7:20 p.m.

As there was no further business to come before the Board, upon motion by Timothy Ross seconded by Michael Mosher, and unanimously carried, the meeting was adjourned.