

**Town of Red Hook Zoning Review Committee
Meeting Minutes
October 9, 2014**

CALL TO ORDER

The meeting was called to order at 7:35 p.m. by Susan Simon - Chairperson

ROLL CALL

Members Present - Susan Simon-Chairperson-Zoning Review Committee;
Steve Cole-Code Enforcement Officer;
Sam Phelan-Planning Board;
Ken Migliorelli - Ag. & Open Space Committee
Brent Kovalchik-Village of Red Hook Trustee
Christopher Klose- Economic Development Committee;
John Douglas - Zoning Board of Appeals
Bill O’Neill - Town Board Liaison

Members Absent – Chuck Simmons – Community Representative;
Ann Rubin-Conservation Advisory Committee

Agriculture & Open Space Committee Members Present

Richard Biezynski; John Hardeman; Michael Robertson; Secretary Linda Keeling

OLD BUSINESS

The Minutes of June 10, 2014, meeting were reviewed. Brent Kovalchik made a motion to approve minutes as submitted; seconded by Ken Migliorelli

ALL IN FAVOR. OPPOSED - None. Minutes accepted as submitted.

Fencing

Susan Simon opened the meeting by welcoming the Ag. & Open Space Committee to the meeting for the purpose of finalizing the recommendation that the Zoning Review Committee will be making to the Town Board regarding the proposed fencing changes. Susan thanked Sam Phelan for formulating the definition of “Agricultural Fences to read as follows:

Add to Section 143-4 of the Code of the Town of Red Hook the following definition:

Agricultural Fences: fences constructed on parcels that are within a New York State certified Agricultural District and constituting a farming operation as defined in section 395-a of the New York State Agriculture and Markets Law for purposes of a) containing or protecting farm animals and crops from wild animals or trespassers or b) buffering agricultural areas from residential and commercial uses.

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Modify Section 143-28 A. as follows:

- A. Fences and walls for nonagricultural purposes shall not exceed six feet in height when erected in a required side or rear yard nor exceed four feet in height when erected within the required front yard except as otherwise specifically required by this chapter. Agricultural fences shall be exempt from building permits and height restrictions in all zones.

Susan requested any questions/comments be directed to Sam and Steve Cole, the driving forces behind the wording.

Brent Kovalchik questioned the modification to Section 143-28 A and asked if the sentence being added could read “qualified” zones.

Rich Biezynski commented that by adding “qualified” to the definition will cause a lot of greyness and will cause problems down the road.

Bill O’Neill asked if co-chairmen Norman Greig and Peter Hubbell have reviewed the definition and modification.

Ken Migliorelli confirmed that Norman and Peter have reviewed the changes and they are fine with it.

After discussion all parties agreed that the way the definition reads is fine.

Brent Kovalchik asked if spite fences are to be included in this or will it be separate from Agricultural Fences.

Sam Phelan replied that we are not discussing spite fences at all at this time - we are here to deal with the issue of Agricultural Fences.

Susan Simon stated that, if approved, this will be presented to the Town Board as the recommendation of the Zoning Review Committee in conjunction with the Agriculture & Open Space Committee for change to the current Red Hook Code.

John Douglas made a motion to present this to the Town Board to be implemented into the Town Code as written. Seconded by Ken Migliorelli. **ALL IN FAVOR. NONE OPPOSED.** Unanimously voted to be accepted. The Zoning Review Committee will send to the Town Board.

Bill O’Neill noted that the Town Board would like spite fences pursued. Susan Simon informed Bill that the Town Board came to the Zoning Review Committee regarding the Agricultural Fences. The Zoning Review Committee has *not* been approached by the Town Board to have any conversation or discussion for submission to the Town Board about spite fences. The ZRC has had many discussions regarding this topic.

Steve Cole commented that nothing formal has ever been presented to the Zoning Review Committee.

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Susan Simon asked that Bill O'Neill let the Town Board know that Spite Fences will be an Agenda Item at our November 13, 2014 meeting.

NEXT MEETING - November 13, 2014 - 7:00 p.m.

ADJOURNMENT

A motion to adjourn was made by Christopher Klose, seconded by Brent Kovalchik –all in favor. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Susan Simon

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Chairman – Zoning Review Committee

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