



# *Town of Red Hook*

## *Zoning Board of Appeals*

7340 South Broadway

Red Hook, NY 12571

(845) 758-4624 (voice)

[zba@redhook.org](mailto:zba@redhook.org)

## **TOWN OF RED HOOK ZONING BOARD OF APPEALS**

**August 14th, 2019**

### ***AGENDA***

#### **Preliminary Business**

- 7:00 Call to Order - Roll Call  
Approval of July 10, 2019 Minutes  
Review of Planning Board Minutes  
Comments from the Chairman

#### **Discussion (Continued from June, 12, 2019)**

Appeal 19-03, Fred and Madeline Delgrosso, application for an interpretation, regarding Town of Red Hook ZEO, Bob Fennell's denial letter of April 2, 2019, denying the applicants' Application for a Building Permit, dated April 1, 2019, to construct a fence, four feet in height, along the applicants' property line. Said Building Permit Application included a Boundary Survey Map by John H. Decker, LS, which shows the applicants' property line extends into large portions of Williams Road, a user road, maintained by the Town of Red Hook. Mr. Fennell's determination states he is denying the issuance of a Building Permit, to construct a fence along the applicants' property lines, since the fence would be located in the user road, and further states "said user road cannot be intruded upon, and a fence cannot be built within it".

#### **Public Hearing**

Appeal 19-04, Iris Jusino Guyette, represented by Warren Temple Smith, AIA, application for an area variance to construct a 760 SF addition, including side and rear porches, resulting in a maximum building coverage of 17%, on a pre-existing, non-conforming, 0.286 acre parcel, in the R1 Zoning District of the Town. Sections 143 Attachment 2, and 143-12, District Schedule of Area and Bulk Regulations, of the Zoning Law of the Town of Red Hook, stipulate a maximum building coverage of 12% in the RD1 Zoning District. The subject property is located at 71 Jefferson Road, in the Town of Red Hook.

## **Public Hearing**

Appeal 19-05, Frank and Lucy Albano, application for an area variance regarding the installation of a deck and above ground swimming pool measuring 1953 SF, resulting in a building coverage of 15.1% on a 0.52 acre parcel, in the R1.5 Zoning District of the Town. Section 143-12, District Schedule of Area and Bulk Regulations, of the Zoning Law of the Town of Red Hook, stipulates a maximum building coverage of 10% in the RD1.5 Zoning District. The subject property is located at 17 Cedar Drive, in the Town of Red Hook.

## **Review**

Appeal 19-07, Jeffrey Bennett/Rokeby Farms, LLC, represented by Warren Replansky, application for an area variance regarding the Town of Red Hook ZEO, Bob Fennell's May 2, 2019 Notice of Violation, and Bob Fennell's June 13, 2019 letter, regarding the operation of a heliport, without a Special Permit, on a 17.72 acre parcel, with a landing and takeoff area approximately ten feet from the property line of adjacent parcel 212134. Section 143-70, of the Zoning Law of the Town of Red Hook, allows airstrips and heliports by Special Permit, provided that, A. The use is situated on a parcel of not less than 50 acres; B. No landing or takeoff area for aircraft shall be located within 300 feet of any property line or street line; C. No structure associated with aircraft activity shall be located within 200 feet of any residential property line or street line. The subject property is located at 7211 Albany Post Road, in the AB Zoning District of the Town of Red Hook.

## **Review**

Appeal 19-08, Susan Von Reusner, represented by Vicki Weavwer of Solar Generation, application for three area variances regarding the Town of Red Hook ZEO, Bob Fennell's May 28, 2019 Denial Letter, , regarding the installation of a ground-mounted, small (9.45kW) solar energy system, ± 25 feet from the front property line, along Fraleigh Lane. Section 143-37 D. (1) (c) (4), of the Zoning Law of the Town of Red Hook, states "the solar energy system shall not project closer to the fronting street than the principal building on the lot". Section 143-37 D. (1) (c) (3) of the Zoning Law of the Town of Red Hook reads "the solar energy system meets all the applicable setback requirements for accessory structures in the zoning district in which it is located and is not located within the front yard of the lot. Ground-mounted small energy systems are prohibited in the front yard." Solar Collectors are listed in Section 143-4 Definitions of the Zoning Law of the Town of Red Hook as accessory structures, and Section 143-18 A. (4) of the Zoning Law of the Town of Red Hook states "No such structure shall project closer to the fronting street than the principal building on the lot or the required front yard setback for the district, whichever shall be the less restrictive". The front setback requirement for structures in the RD3 Zoning District is 60 feet, per the District Schedule of Area and Bulk Regulations of the Town of Red Hook Zoning Law. The subject property is located at 285 Fraleigh Lane, in the RD3 Zoning District of the Town of Red Hook