



Town of Red Hook

Zoning Board of Appeals

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TOWN OF RED HOOK ZONING BOARD OF APPEALS September 11th, 2019

AGENDA

Preliminary Business

- 7:00 Call to Order - Roll Call
- Approval of August 14, 2019 Minutes
- Review of Planning Board Minutes
- Comments from the Chairman

Public Hearing

Appeal 19-08, Susan Von Reusner, represented by Vicki Weaver 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

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.

Application Amended

Appeal 19-07, Jeffrey Bennet/Rokeby Farms, LLC, represented by Warren Replansky, application for an amended area variance.

Variance Request: The applicant requests the following variance from the Town of Red Hook Zoning Law: Section 143.70 of the Town Code.

Pertaining to: Airstrips and heliports to permit a heliport to be located on a 17.72 acre parcel of land rather than a 50 acre parcel of land and within 10 feet of the property line of the adjacent parcel owned and used by the applicant.

From: 50 acres (143.70[A]) to 17.2 acres; 300 ft. from Landing & Take Off Area (143.70[B]) to 193 ft. (11 Rokeby Road); 300 ft. from Landing Area (143.70[B]) to 70 ft. (5 Rokeby Road, owned by applicant); 200 ft. from Helipad structure (143.70[C]) to 50 ft. (5 Rokeby Road, owned by applicant); and 200 ft. from Helipad structure (143.70[C]) to 173 ft. (11 Rokeby Road). The subject property is located at 7211 Albany Post Road, in the AB Zoning District of the Town of Red Hook.