

Town of Red Hook Zoning Board of Appeals
Draft Minutes September 14, 2022

Preliminaries

Roll Call

Chairperson Kate Karakassis calls the meeting to order at 7:03pm. Present are Chairperson Karakassis, Chris Carney, Chris Klose, John Bonavita-Goldman, and George Jahn, a quorum for the meeting is established. Also present are ZBA Attorney Janis Gomez Anderson, Town Board Liason, Bill Hamel, and Town of Red Hook ZEO, Bob Fennell.

May 11, 2022, June 08, 2022, July 13, 2022 Meeting Minutes

At 7:03 pm Chris Klose moves to accept the May 11, 2022 meeting minutes. Chris Carney seconds and Chris Carney, Chris Klose and Chairperson Karakassis, who were present at the meeting, vote in favor of accepting the May 11, 2022 meeting minutes.

At 7:04 pm John Bonavita-Goldman moves to accept the June 8, 2022 meeting minutes. Chris Carney seconds and John Bonavita-Goldman, Chris Carney, and Chairperson Karakassis, who were present at the meeting, vote in favor of accepting the June 8, 2022 meeting minutes.

At 7:05 pm Chris Klose notes the actual name of the structure referred to during the meeting as the "Tack Shop", is the "Tack House". Clerk Rubin states the minutes reflect the oral discussion between the Board and the applicant, and states she will note the correction for the record.

At 7:06 pm Chairperson Karakassis moves the accept the July 13, 2022 meeting minutes. Chris Klose seconds. Board members George Jahn, Chris Carney, and Chairperson Karakassis, who were present at the meeting, vote in favor of accepting the July 13, 2022 meeting minutes.

Review of Planning Board Minutes and Comments from the Chairperson

Chairperson Karakassis states the Planning Board currently has no ZBA applicants before it, and thanks everyone for being at the meeting.

Review

ZBA 22-09, Gideon Lester and Tom Sellar, represented by Kristina Dousharm Architecture, application for an area variance to construct an addition of a covered porch and deck, and construct a barn of 384 SF, with a total lot coverage of 7.3%. The Town of

Red Hook Zoning Law, Section 143-12, The District Schedule of Area and Bulk Regulations, limits lot coverage to 5%. The subject parcel is located at 1098 River Road, in the Town of Red Hook, in the RD 5 Zoning District.

Chairperson Karakassis reads the agenda item, and states the applicant is proposing alterations to the main house by adding a covered porch and a deck, and further notes there is an office in an accessory structure in the Site Plans, but not in the ZBA application itself. Zak Hall, of KDA, representing applicants Gideon Lester and Tom Sellar, states the office is part of future plans for the site. Chairperson Karakassis confirms with Mr. Hall the subject parcel is located at 1098 River Road, in the Town of Red Hook.

Chairperson Karakassis asks Mr. Hall to state why he is unable to create a project for his clients that would not require a variance, if the existing coverage is 3.5%, and further asks Mr. Hall to state how he is getting his numbers, since the building and deck are all considered as lot coverage. Mr. Hall asks Chairperson Karakassis if she wants him to revisit existing and proposed coverage, to which Chairperson Karakassis replies yes. Mr. Hall states the current coverage is 3.8%, and the proposed porch and deck are 2.3% over the required maximum. Chairperson Karakassis asks Mr. Hall to provide the Board with his calculations for the next meeting.

Mr. Hall states the house dates from 1806, prior to the adoption of zoning in the Town, and further notes the parcel is one acre in a five-acre zoning district, and identifies it as an existing non-conforming lot. Chairperson Karakassis states the parcel is .91 acres, and notes there are other parcels of a similar size, which manage to conform to zoning requirements, and asks Mr. Hall why this proposal cannot. Mr. Hall replies this is what his clients are looking for, to which Chairperson Karakassis replies they want a larger addition. John Bonavita-Goldman asks Mr. Hall to state the square footage of the buildout, to which Mr. Hall replies the existing structure measures 1747 square feet, and the proposed buildout will increase it to 2544 square feet.

Chairperson Karakassis asks Mr. Hall to provide the Board with a breakdown of the square footage for each floor. Mr. Hall states the existing square footage on the first floor is 1,349 square feet, and the existing second floor is 398 square feet, as depicted in the drawings provided to the Board. Mr. Hall states the proposed screened porch is 268 square feet, the proposed deck is 176 square feet, and the proposed second floor is 688 square feet, bringing the total proposed square footage to 2,544 square feet.

Chris Klose notes there is a separate building in the plans described as a future office or future garage, and asks Mr. Hall if the applicants are seeking to avoid applying for a second variance. Chairperson Karakassis states if this structure is not part of the variance request, the Board may not consider it. ZEO, Bob Fennell, confirms there is no Building Permit application for a barn/garage. Mr. Hall states the applicants are looking to build it in the future. Bob Fennell notes there is a time limit on variances, under which construction must take place.

Chris Klose asks Mr. Hall to confirm the present variance request is for a build out of the house, which Mr. Hall confirms. Mr. Hall further states the design process includes a garage/office, but it is not part of the present application. Chris Klose states the ZBA can only grant what is based on a Building Permit. Bob Fennell asks Mr. Hall if the 7.3% lot coverage calculation includes the garage, to which Mr. Hall replies it does.

John Bonavita-Goldman asks Mr. Hall if the house build out surpasses the maximum permitted lot coverage, to which Mr. Hall replies it does. Chairperson Karakassis asks Bob Fennell to confirm the open deck is included in the lot coverage calculation, which Mr. Fennell confirms. John Bonavita-Goldman notes the deck will have a hot-tub, and asks Mr. Hall if it will be within another structure, or on top of the deck, to which Mr. Hall replies it will be in or on top of the terrace. Bob Fennell notes any approval of a variance is good for one year, and if not used, the approval is lost.

Chris Klose suggests the applicants seek a variance for the house, and come back for a second variance for the proposed garage. Chairperson Karakassis confirms with Bob Fennell, if the applicants fail to construct within a year, they will lose the variance. Mr. Hall asks the Board what it would like him to do, and states he can present the calculations. Chris Klose states Mr. Hall will need to apply for a Building Permit for the garage/office. Chairperson Karakassis states she would like to amend her previous statement, further stating if the applicants want to pursue an application for the barn/garage/office, as shown on page A002.00 of the Site Plan, the ZBA will refer to it as the "garage/office". Mr. Hall states the plan is for a garage/office, and further states the variance is for lot coverage and not use. Mr. Hall also states his clients are not yet sure what it is going to be.

At 7:34 pm Chris Klose moves to declare the Action Type II under SEQR. John Bonavita-Goldman seconds and all Board members vote in favor of declaring the Action Type II under SEQR.

At 7:34 pm Chris Klose moves to set a public hearing for the October 12, 2022 ZBA meeting. Chris Carney seconds, and all Board members vote in favor of setting a public hearing for the October 12, 2022 ZBA meeting.

Review

ZBA 22-10 Patricia H. Dantzic application for an area variance to construct an approximately 12' x 24' one-story, one car garage on the west side of the principal dwelling, approximately ten feet from the west side property line. Section 143-18 A of the Town of Red Hook Zoning Law, requires a setback of 20' for accessory structures in the R 1.5 Zoning District The subject parcel is located at 37 Echo Valley Road, in the R1.5 Zoning District.

Chairperson Karakassis reads the agenda item, and invites the applicant to present her proposal to the Board. Ms. Dantzic states her name and address for the record. Chairperson Karakassis confirms with Ms. Dantzic the property was a recent purchase. Chairperson Karakassis asks the applicant to state why she is unable to comply with zoning, to which Ms. Dantzic replies the proposed garage would be in her living room, and further notes her lot is .7 acres in size. George Jahn asks Ms. Dantzic why, and Chairperson Karakassis states, according to Dutchess County Parcel Access, her lot is .87 acres in size. Ms. Dantzic states the previous owner created a driveway and parking pad, and further notes she is proposing to extend the garage to just beyond the driveway. Ms. Dantzic states the existing driveway is wider than the proposed garage.

Chairperson Karakassis states the proposed garage site is 32 feet from the house, and asks Ms. Dantzic why she cannot move the garage ten feet closer to the house. Ms. Dantzic states there is also a leach field. Chairperson Karakassis asks Ms. Dantzic if she has drawings indicating the locations of the leach field and septic system, to which Ms. Dantzic replies she does not. Chairperson Karakassis notes the subject parcel is flat, and asks Ms. Dantzic if there are any characteristics of the lot, or land use, which would preclude her from moving the garage closer to the house.

Ms. Dantzic states the other side of the house has even less room, and further notes there is also a well in front of the house. Ms. Dantzic states she does not wish to attach the garage to the house, since it is an historic home. Chairperson Karakassis states the applicant could position the garage behind her house, and comply with zoning.

Chris Klose asks Bob Fennell how wide a driveway supposed to be, to which Mr. Fennell replies he does not believe it is stated in the Code. Ms. Dantzic states the proposed garage will be more modern than the house, but will be behind the driveway. Chris Klose suggests using gravel instead of asphalt to keep costs down. Ms. Dantzic states she will not be using asphalt, and further notes there is a stockade fence, somewhat broken-down, between her and her neighbor, and further notes she is hoping to create some storage economically and respectfully.

Chris Klose asks Mr. Fennell if an agricultural building, a garage that looks like a barn would work on the site, to which Mr. Fennell replies it would not need to sit on a concrete pad. Ms. Dantzic states it would still need to meet the setback requirements. Chris Klose confirms with Mr. Fennell the rear setback requirement is 20 feet.

At &50 pm Chris Carney moves to declare the Action Type II under SEQR. Chris Klose seconds, and all Board members vote in favor of declaring the Action Type II under SEQR.

At 7:51 pm Chris Carney moves to set a public hearing for the October 12, 2022 ZBA meeting. Chris Klose seconds and all Board members vote in favor of setting a public hearing for the October 12, 2022 ZBA meeting.

Adjournment

At 7:52 pm Chris Klose moves to adjourn the meeting. Chairperson Karakassis seconds, and all Board members vote in favor of adjourning the meeting. The next ZBA meeting will be held on October 12, 2022, at Town Hall. **The submission deadline for this meeting is noon, Tuesday, October 4, 2022.**