

VILLAGE OF RED HOOK
Zoning Board of Appeals Meeting
October 25, 2012

Present: Chairman George Beekman, Co-Chairman Roger Husted, Member Erik Cuthell, Member Paul Duntz and Secretary Hart

Absent: Member Cliff Gubler

Chairman George Beekman opened the October 25, 2012 Village of Red Hook Zoning Board of Appeals meeting at 7:01pm.

Chairman Beekman asked the Board members present if they have reviewed the ZBA minutes dated September 27, 2012. Board members present replied yes and had no comment.

Member Erik Cuthell made a motion to accept the ZBA minutes dated September 27, 2012. Motion Seconded by Co-Chairman Roger Husted. All in favor.

#1. STEVE & MICHELE SEKO	65 Old Farm Road	Area Variance
Tax Grid #6272-13-161410		

Chairman Beekman spoke and advised the Board that the applicant is seeking an area variance for the height of a fence from 36" to 72". Chairman Beekman read the definition of an area variance (page 100 of the Guide to Planning & Zoning Laws of New York State).

Chairman Beekman advised that from looking at the photos submitted by the application that there is currently a 6ft. fence in the back. Mrs. Seko advised correct and that the pool is no longer there. Chairman Beekman asked if they were looking to close off this area. Mrs. Seko advised it was to extend the area to the edge of the property to the hedgerow and then up and around the side of the house. Chairman Beekman asked if this was for privacy. Mrs. Seko said it was for privacy and for their dog. Chairman Beekman advised that the problem is that the maximum allowed that close is 36". Mrs. Seko said the hedgerow already exists so it would be 3 feet in from the hedgerow. Co-Chairman Husted asked if the hedgerow was going to be left as is. Mrs. Seko said left as is, but maintained. Mrs. Seko said that the hedgerow is about 15 years old and 8ft. tall. Chairman Beekman asked if they have given any thought to another kind of fence that would meet the 36". Mrs. Seko said yes but it would not provide privacy. Chairman Beekman advised that technically because this is a corner lot they say it is 2 front lots. Member Cuthell asked if the privacy fence that wrapped around the pool was still there. Mrs. Seko said yes. Member Cuthell asked if this runs along the property line from point a to b on her drawing. Mrs. Seko said yes. Member Cuthell said there is nothing that goes from point a toward Old Farm Road on the south side. Mrs. Seko said on the south side is a 4ft. picket fence that faces the corn field and a row of trees and the row of trees being about 30 feet wide.

Member Cuthell asked if applicant had any intentions of taking down that fence. Member Cuthell said he drove by the site and feels that this is going to be just a big wall with a big visual impact, but can see

where she is coming out to include the tree and concrete bench and that she wants to put that inside the fence. Mrs. Seko advised that depending on where the lines are how the holes are dug they may end up pushing it from Old Farm Road back farther away from Cambridge and what they are asking for primarily is for the height on Cambridge because it is not an issue on Old Farm Road. Member Cuthell said he asked about existing fence because he feels that is a big obstacle to the back yard and if that was not there and the fence could be shrunk further up from Cambridge – he is worried about if and when that privet shall expire – which is will do – and the hedgerow be gone – he is worried about this being visually imposing. Co-Chairman Husted advised that he drives by this house every day and almost every other corner lot on Cambridge has at least a 6 foot fence on one of the sides of the corner, and he feels that because this one is quite a ways set in from the street and that it would not be out of place as to what we are already seeing back there. Member Cuthell said he drove in to look at it but did not drive all the way around. Member Duntz asked if this area of development was done pre-zoning. Co-Chairman Husted said this section was the newer section from the mid-80's, so he did not think so. Member Duntz said he thinks the heights on fencing came up about 10 years ago. Chairman Husted said then it could be possible that these are pre-zoning. Chairman Beekman asked the applicant if they could put hedges there. Mrs. Seko said that would not help the dog. Mrs. Seko came forward and explained her site plan showing where the fence exists now and where they are looking to extend and she is very conscientious of her property being aesthetically pleasing. Chairman Beekman said this Board's obligation is to grant the minimum variance, so we are looking at other possible options. Mrs. Seko said if they move the fence 30 ft. from the road it would be wasted space that was not utilized. Chairman Beekman asked how much distance was between the fence to the other fence. Mrs. Seko said it would push it out possibly 10-12 ft. Member Duntz asked Mrs. Seko to explain site plan as to her side yard, front yard and the entry to her house. Mrs. Seko said the hedgerow is on the field side, which is more than ample and the trees for privacy and the back is already 6ft. stockade fencing, and from point a to point b, and the front is 4ft. picket fencing which they are considering doing 4ft. stockade fencing. Mrs. Seko said they would like to utilize the entire yard. Chairman Beekman said the part that we are looking at as far as the height goes is c-d to e. Mrs. Seko said points from c-d-to e and only along Cambridge.

Chairman Beekman advised that public hearing letters were not mailed yet and that this was the preliminary meeting and that we could do SEQR tonight.

Co-Chairman Husted asked applicant if she has spoken to her neighbors yet. Mrs. Seko said no. Co-Chairman Husted recommended that she talk to her neighbors.

Co-Chairman Husted read SEQR.

- A. No.
- B. No.

- C1. No
- C2. No.

C3. No.
C4. No.
C5. No.
C6. No.
C7. No.

D. No.
E. No.

Co-Chairman Husted made a motion to declare a negative declaration. Motion seconded by Chairman Beekman. All in favor.

Chairman Beekman read Section 200-16-26 (a) of the Village of Red Hook Zoning.

Chairman Beekman said we will close this meeting and scheduled a public hearing for Thursday, September 15th. Chairman Beekman asked everyone if that date was ok. Board was ok with this date.

Chairman Beekman suggested again to the applicant that she should let her neighbors know about this hearing and the letter that will be mailed to them.

Chairman Beekman said the only place you will see this fence is at a short stretch on Cambridge and a short stretch on Old Farm Road, and Co-Chairman Husted said you don't need a variance on Old Farm Road. Member Cuthell spoke to the applicant on aesthetic appearance issues.

Member Duntz asked how far they were from the Village line to the Town line. Mrs. Seko said they are right on the line.

Chairman Beekman made a motion to set the public hearing for November 15, 2012. Motion seconded by Member Cuthell. All in favor.

Chairman Beekman made a motion to adjourn the ZBA meeting at 7:35pm. Motion seconded by Member Duntz. All in favor.

Submitted by,

Lara Hart
Secretary for the ZBA

