

**APPROVED**  
**Town of Red Hook Planning Board**  
**Meeting Minutes**  
**July 15, 2013**

**CALL TO ORDER/ DETERMINATION OF QUORUM**

The meeting was opened at 7:30 p.m. by Chair Christine Kane, and a quorum was determined present for the conduct of business.

Members present — Chair Christine Kane, members Michelle Turck, Sam Harkins and Sam Phelan. Brian Walker, Betty Carr and Charlie Laing were absent.

**BUSINESS SESSION**

Christine Kane confirmed the agenda, and the board approved the minutes of the July 1, 2013 meeting on a motion by Sam Harkins, seconded by Sam Phelan and carried unanimously.

**PUBLIC HEARINGS**

**John and Susan Pelosi – 48 Old Post Road North – Certificate of Appropriateness**

Christine Kane opened the public hearing and read the public hearing notice published in the Poughkeepsie Journal and the Kingston Freeman.

On a motion by Sam Harkins, seconded by Michelle Turck and carried unanimously, the project was determined to be a type 2 SEQR.

John Pelosi was present to represent his application for a Certificate of Appropriateness for fencing along the perimeter of a  $\pm$  0.25 acre lot in the H (Hamlet) Zoning District.

Mr. Pelosi provided pictures of the fence as installed and a photo of a section of the fence that he had replaced, which was higher. He explained to the Board that he was unaware he needed a permit because he was replacing an existing fence.

Michelle Turck asked why he needed a permit to replace an existing fence. Sam Phelan said that a Certificate of Appropriateness was required for any changes made to properties in Hamlet districts. Paula Schoonmaker further clarified that anything that requires a building permit in the Hamlet District must be reviewed by the Hamlet Review Committee for architectural consistency.

Ms. Kane said there is no record of a permit for a fence ever having been granted for the property. The Assessors office had provided some photos of a fence from 2004. Mr. Pelosi said

that he had taken most of that fence down, and replacing those parts was not included in his project.

Ms. Kane said that the Zoning Enforcement Officer believed that fences are not grandfathered. She also noted that there are no setback requirements for fences in the Hamlet district. Sam Phelan disagreed with the notion that fences are not grandfathered, saying that this fence should be considered a repair or replacement. Mr. Pelosi and Ms. Turck agreed with Mr. Phelan.

Ms. Kane read the Hamlet Committee's review. The Committee felt that the new fence was similar to the one it replaced, and, although they were unsure whether replacing an existing fence required a Certificate of Appropriateness, they nonetheless recommended granting the Certificate of Appropriateness.

Ms. Kane also read a letter of support from Chris Gilbert, a neighbor of the Pelosi's.

Ms. Kane reviewed a memo from the Zoning Enforcement Administrator which states that all exterior alterations requiring a building permit require review by the Hamlet Review Committee and a Certificate of Appropriateness from the Planning Board. He also directed the Board's attention to section 143-16 of the zoning code which addresses fences on corner lots. Mr. Harkins determined by the scale of Mr. Pelosi's survey map that the section of fence in question complied with the 30 foot set back requirement from Old Post Road.

Ms. Kane asked if there were any comments from the public. There were none. On a motion by Michelle Turck, seconded by Sam Harkins and carried unanimously, the public hearing was closed.

The Board revised the draft Certificate of Appropriateness to include the review of the zoning code 146-16. On a motion by Sam Harkins, seconded by Michelle Turck and carried unanimously, the Certificate of Appropriateness was approved.

### **Certificate of Appropriateness – Trevor and Joanna Baker - 107 Old Post Road**

Christine Kane opened the public hearing and read the public hearing notice that was published in the Poughkeepsie Journal and the Kingston Freeman.

Trevor and Joanna Baker were present to represent their application for a Certificate of Appropriateness to install a cedar lattice fence on their property at 107 Old Post Road.

The Board reviewed the Hamlet Review Committee's comments. The Committee recommended the project be approved, with some recommendations regarding fence breaks.

Mr. and Mrs. Baker described the fence and fence breaks in detail at the request of Sam Phelan.

Ms. Kane noted that the applicants had obtained a variance for a section that is six feet high. She asked if there were any comments from the public. There were none.

Michelle Turck made a motion to close the public hearing. It was seconded by Sam Harkins and carried unanimously.

On a motion by Sam Harkins, seconded by Michelle Turck and carried unanimously, the Certificate of Appropriateness was granted.

### **OTHER BUSINESS**

Regarding the Brookmeadow minor subdivision application, Christine Kane said that Kevin Battistoni, who had been representing the original applicant (Hilda McDonald), is currently in the process of obtaining a letter of authorization to represent the new landowner, Frank Migliorelli. In the meantime, he requested via email some clarification from the board regarding the buffer requirement along the boundary with Migliorelli's farmland.

Mr. Battistoni wrote that his main concern is preserving the southerly view of the farmland from the proposed subdivision. Ms. Kane read Mr. Battistoni's email and Town Planner Michelle Grieg's response.

The board generally agreed that the view need not be blocked, and agreed with Ms. Grieg that the applicant should propose a buffer plan that tastefully discourages encroachment on to either property.

Sam Phelan said that he had observed work going on at the site. Ms. Kane said that while an application is pending, no work may be done at the site. She asked the planning secretary to contact Mr. Battistoni and advise him that no work should be done while the application is pending.

Since there was no other business, Sam Harkins made a motion to adjourn the meeting. It was seconded by Michelle Turck and carried unanimously.

Respectfully submitted

Kathleen Flood  
Secretary

### **Attachments**

Certificate of Appropriateness granted to John and Susan Pelosi  
Certificate of Appropriateness granted to Trevor and Joanna Baker

**Town of Red Hook Planning Board  
CERTIFICATE OF APPROPRIATENESS**

Date: July 15, 2013

For: Trevor and Joanna Baker, Tax Parcel # 6373-01-254977

The applicants own 0.575 acres at 107 Old Post Road N in the Hamlet of Upper Red Hook. They wish to install perimeter fencing on their property.

The application, survey, and photographs were sent to the Hamlet/Design Review Committee on April 16, 2013.

The Hamlet/Design Review Committee reviewed the proposed changes, and submitted its comments to the Planning Board on May 28, 2013. The Committee recommended that the Planning Board issue the Certificate of Appropriateness.

The applicants obtained an area variance from the Zoning Board of Appeals on June 12, 2013.

A public hearing was held July 15, 2013.

The Planning Board has reviewed and discussed the proposed plans and determined that the proposed fence is compatible with the historic character of the property as well as with the neighboring properties and the district and that there will be no visual negative impact. Therefore,

The Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Trevor and Joanna Baker for the proposed installation as described above.

Certified by: \_\_\_\_\_ Date: \_\_\_\_\_  
Secretary

**Town of Red Hook Planning Board  
CERTIFICATE OF APPROPRIATENESS**

Date: July 15, 2013

For: John and Susan Pelosi

Tax Parcel # 134889-6373-01-256825

The applicants own 0.25 acres at 48 Old Post Road North in the Hamlet of Upper Red Hook. They wish to replace perimeter fencing on two sides of their property.

The application, drawings, photographs and site plan were sent to the Hamlet/Design Review Committee on July 8, 2013.

The Hamlet/Design Review Committee reviewed the proposed changes and submitted its comments to the Planning Board on July 15, 2013. The committee recommended that the Planning Board issue the Certificate of Appropriateness.

A public hearing was held July 15, 2013.

The Planning Board has reviewed, discussed the proposed plans, and considered the comments of the Hamlet Design/Review Committee. The Board has determined that the proposed modifications are compatible with the historic character of the property as well as with the neighboring properties and the district and that there will be no visual negative impact.

The board also reviewed the requirements of section 143-16 and a survey map of the property to determine that all requirements were met. Therefore,

The Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to John and Susan Pelosi for the proposed changes as described above.

Certified by: \_\_\_\_\_ Date: \_\_\_\_\_  
Secretary