

VILLAGE OF RED HOOK
ZONING BOARD OF APPEALS MEETING
April 25, 2024

Present: Chair Erik Cuthell, Member David Javscas, Member Maarten Reilingh, Member Kristin Luks and Member Janice Potter

Chair Cuthell opened the April 25, 2024 Zoning Board of Appeals Meeting at 6:30pm.

Chair Cuthell announced members present and that there was a quorum for tonight's meeting.

Agenda Item #1:

Holly Weber – Church Street Nursery School
52 W. Market Street
Tax Parcel ID 6272-10-357737
Area Variance

Present: Holly Weber, Director for Church Street Nursery School

Chair Cuthell said this application is for an area variance.

Chair Cuthell asked if all Board members received a copy of the submitted application and reviewed the same. Members replied yes.

Chair Cuthell felt this was straight forward and asked members if they had a chance to visit the site. Members replied yes.

Chair Cuthell said he can see in his own opinion that anything done to that fence will be an improvement and that because this is a corner lot it considered as two front yards and there is a fence height restriction in the Village Code. Chair Cuthell advised that exiting fence is four feet in height.

Chair Cuthell spoke on SEQR, but that it will probably be a TYPE II Action and explained SEQR to the applicant.

Chair Cuthell asked the Board for comments.

Member Javscas asked if there are regulations for best practices out there for playground fence height and if applicant could bring that for the next meeting.

Ms. Weber said nothing as far as specifics but from experience with the height now parents will reach in to take their children, so her concern is anyone being able to reach in.

Chair Cuthell said it was good to include that information in the application.

Member Reilingh said it was good to have something to hang a variance on and in the past this Board has given a variance for “this reason only” so that is really important information.

Chair Cuthell explained that the process grants the property a variance but if the church was sold and someone wants to do something else, we cannot make them take the fence down, so it is there, and if someone else says “you let them have it” it helps this Board to say what the consideration was for the Nursery School. Chair Cuthell said if this Board could quote any regulations for fencing height per NYS Code it would be great. Ms. Weber said ok.

Member Reilingh asked with the way the fence is and if driving would see through the fence to the other road, and kiddy corner at Fraleigh, they cut off the corner diagonally which opens the view to the other street or right hand turn and asked if that was an option. Ms. Weber said the only problem with that is they have a huge boat inside.

Member Luks said that fence is set back from the sidewalk already and over four feet back and probably seven feet from the road and felt it did not need to be cut back.

A copy of the public hearing notice and mailing list was given to the applicant and the applicant was asked to return mailing slips to the building department.

A board of trustee member from the Church was present and advised they approved of this application.

Member Potter asked if there was a gate. Chair Cuthell said it was on the last page of the Adams fence proposal.

CHAIR CUTHELL MADE A MOTION TO SET A PUBLIC HEARING FOR THE AREA VARIANCE APPLICATION FOR PROPERTY LOCATED AT 52 W. MARKET STREET LISTED UNDER TAX PARCEL ID 6272-10-357737 TO MAY 23, 2024 AT 6:30PM. MOTION SECONDED BY MEMBER REILINGH. ALL IN FAVOR. MOTION APPROVED.

CHAIR CUTHELL MADE A MOTION TO ADJOURN THE APRIL 25, 2024 ZONING BOARD OF APPEALS MEETING AT 6:42PM. MOTION SECONDED BY MEMBER POTTER. ALL IN FAVOR. MOTION APPROVED.

Lara Hart,
Secretary, Village of Red Hook ZBA

