

DRAFT COPY
VILLAGE OF RED HOOK
ZONING BOARD OF APPEALS MEETING
March 26, 2026

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

Chair Cuthell opened the March 26, 2026 Zoning Board of Appeals Meeting at 6:32pm.

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

Member Luks made a motion to approve the ZBA minutes from the December 18, 2025 meeting. Motion seconded by Member Javscas. All in favor. Motion approved.

Agenda #1 Applicant Liam O'Farrell advised they were waiting for their engineer so Chair Cuthell advised that agenda order would change and Board would start with Agenda #2.

Agenda Item #2:

Christie Billeci, C.W.B. Architect

Owner: Eccles

7449 South Broadway

Tax Parcel ID 6272-10-385673

Present: Christie Billeci, Architect

Chair Cuthell advised that parcel is located in the General Business District and because the parcel abuts a residential district it has to abide by the setback regulations for that Residential District – per Zoning Section 200-10-E-(2).

Chair Cuthell advised application is for an area variance due to being a corner lot – which per Village Zoning Section 200-9-D-(9) is considered to have two front yards.

Chair Cuthell advised that per Zoning Section 200-9-D-(5) no part of any dwelling, building or structure shall extend nearer to the street line than 30 feet or nearer to the center line of the street than 55 feet, whichever distance requires the greater setback from the street line.

Chair Cuthell advised applicant is asking for a side yard setback variance for 55' to 39.25 feet for the purposes of a pool house for new pool construction.

Ms. Billeci came forward to give a presentation of the request and advised property is right on edge of business district so required to meet zoning next to it and seeking relief for setback.

Chair Cuthell asked the Board if they had any questions. Board had no questions.

Chair Cuthell said he had no questions, but mailings would be done and a public hearing scheduled and that clearly during review this will be determined as self-created and asked does the pool house have to extend as far out to the road as presented.

Ms. Billeci said you can see the length the pool and they did contemplate flipping the whole thing but that would give the pool less privacy being right on the road and with connecting solar panels they tend to have a covered porch facing the pool so if the whole thing flips then the covered porch mi gates the ability to have solar panels. Ms. Billeci said It is self-imposed by will not change character of neighborhood or have any environmental effect and not a substantial ask.

Member Luks asked what the setback is for the neighbor's one-story framed house to the west because it looks further back but not 55 feet and to have a conversation if they could at least meet that existing set-back so street façade line is equal.

Ms. Billeci said that would be hard and the pool would have to be smaller.

Chair Cuthell felt for the purpose of this application they have what they need and personally does not feel that setback is needed for a street view and it is so far back on that piece of property and houses up & down Fraleigh and all throughout the Village are in & out and all over the place and not an issue to force them to change their plan, but it can be discussed. Ms. Billeci said it is about 10 feet off.

Chair Cuthell asked if Board needed any other documents to move forward.

Member Reilingh felt this was very well presented.

Member Javicas asked about the setback requirements with the pool and the fence behind it that is at 31 feet right now. Ms. Bellici said accessory structures are only required to be 5 feet and unclear if a patio is considered an accessory structure. Board felt patio was not. Member Javicas said he was asking about the actual pool. Ms. Billeci said they have 31 foot 9 from the property line. Member Javicas said in trying to buy space wasn't sure what the setback is – Chair Cuthell said like to push the whole thing back – Member Javicas said maybe move over a little – Ms. Billeci pointed out on the plans where the curve where the chaise lounges will go and just over that property from that is where the garage is for the funeral home and undesirable to get closer and closer to that.

Chair Cuthell said this Board is to consider if this application is complete.

Chair Cuthell made a motion to approve this application as submitted as complete. Motion seconded by Member Potter. All in favor. Motion approved.

Chair Cuthell made a motion to classify this action as a Type II Action requiring no further additional environmental review. Motion seconded by Member Potter. All in favor. Motion approved.

Chair Cuthell made a motion to schedule a public hearing for the variance application for 7449 South Broadway for April 23, 2026 at 6:30pm. Motion seconded by Member Luks. All in favor. Motion approved.

Chair Cuthell signed public hearing notice. Secretary Hart provided the mailing list and copy of public hearing notices for mailing to applicant.

Chair Cuthell made a motion to table the area variance application for 7449 South Broadway listed under tax parcel ID 6272-10-385673 to April 23, 2026 at 6:30pm. Motion seconded by Member Potter. All in favor. Motion approved.

Agenda Item #1.

Connor & Liam O'Farrell

31 E. Market Street

Area Variance (Parking)

Tax Parcel ID 6272-10-482721

Present: Connor & Liam O'Farrell, Applicants and Marty Willms, Architect

Mr. Willms provided the Board will plans.

Board members discussed parking lots in the rear for both properties at 31 East Market and the Henke property at 29 East Market Street.

Chair Cuthell advised that applicants were in front of the Planning Board and the Board and Attorney suggested applicants seek a parking variance due to not having enough parking spaces for their proposed building plan, adding an additional 4 apartments (making a total of 5 residential 1-bedroom dwelling units).

Chair Cuthell advised applicants are required to have 1.5 spaces per dwelling unit per Village Zoning Section 200-33-B-(2) but are seeking relief from section 200-33 to have only 1 space per dwelling unit.

Chair Cuthell advised that parcel is residential with 1 lower-level commercial space, but that commercial space could use street parking towards parking.

Chair Cuthell noted that applicants could consider the municipal lot – which could provide parking at 4-hour intervals and then tenant could park from 5pm overnight to 8am – then the 4-hour would kick in which would put them at 8am – 12 noon – which is confusing but an option.

Member Reilingh asked if that was the municipal lot here. Secretary Hart advised yes.

Chair Cuthell asked applicants to come forward.

Mr. Willms said on the site plan there is limited space in the back, and they are also proposing this project due to limited apartments/living units in the Village, and that this is for 4 new 1-bedroom apartments. Mr. Willms advised there is existing apartment with commercial space downstairs in the front structure. Mr. Willms said that parking for the front commercial structure is allowed on the Street and they are proposing 1 parking space for each of the 5 apartments. Mr. Willms said they do follow Village standards with spaces being 9x18 with 24 foot gap between the parallel stalls for parking to Henke property. Mr. Willms said plans show typical patterns for parking and turn around with existing easement and that the spaces between the two buildings will be the driveway easement.

Chair Cuthell asked if it was technically Henke's property. Mr. Willms said it is both properties but technically Henke's property. Chair Cuthell said it is Henke's lot with easement to get into the parking lot for the house in question at 31 East Market Street. Mr. Willms said yes. Chair Cuthell said that behind Henke property is just open space used for parking. Mr. Willms said right.

Chair Cuthell said a handshake agreement between friends may be fine, but you need to provide to the Planning Board that there is enough room to turn around, but what you need from us is a reduction in the number of parking spaces because technically at 1.5 you would need 7 spaces. Mr. Willms said 7.5 spaces. Chair Cuthell said with this structure and what is being built, being a tight area for space that he commends for calculating how cars would get in and out.

Chair Cuthell said what is in front of this Board is in the number of parking spaces per dwelling unit and the typography and easement of the driveway is not this Board's deliberation.

Chair Cuthell asked for any Board comments.

Member Reiling asked if plan indicates where the 5 spaces are. Mr. Willms showed on the plans indicating it is the yellow lines. Member Reiling asked if spots themselves would not involve Henke property just only for access. Mr. Willms said yes and vice versa for Henke.

Liam O'Farrell came forward and advised that they own 1/3 of the property that you traverse on to get to the back to the point where if they decided to do a fence or grass lawn area Henke would also lose access to the back so they discussed with the planning board a cross easement and that their Attorney, Kevin Wade, is preparing a cross easement. Mr. O'Farrell advised it is in their deed that they are both allowed to traverse into each other's property but its not in like a specific cross easement but a cross easement being drawn up.

Chair Cuthell said this Board will determine if the space left behind the property for 5 parked vehicles on your property and below Zoning requirements and what you are seeking relief from. Mr. O'Farrell said yes. Chair Cuthell said all the other stuff is Planning Board.

Mr. Willms did advise that if this were, but its not, a boarding house that they would be allowed 1 space per unit. Chair Cuthell said that was an interesting point.

Chair Cuthell said looking at this in its simplest terms he felt it was not a big ask.

Chair Cuthell asked the Board if they needed any more information for deliberation before scheduling a public hearing. Board members all agreed no.

Chair Cuthell made a motion to approve the application as submitted as complete. Motion seconded by Member Javsicas. All in favor. Motion approved.

Chair Cuthell made a motion to classify action as a Type II Action requiring no further environmental review. Motion seconded by Member Potter. All in favor. Motion approved.

Chair Cuthell made a motion to schedule a public hearing for the area variance application for 31 East Market Street for April 23, 2026 at 6:30pm. Motion seconded by Member Potter. All in favor. Motion approved.

Chair Cuthell made a motion to table the area variance application for 31 E. Market Street Listed under Tax Parcel ID 6272-10-482721 to April 23, 2026 at 6:30pm. Motion seconded by Member Javsicas. All in favor. Motion approved.

Chair Cuthell made a motion to adjourn the March 26, 2026 ZBA Meeting at 7:01pm. Motion seconded by Member Potter. All in favor. Motion approved.

Lara Hart
Zoning Board of Appeal Secretary