

**VILLAGE OF RED HOOK (DRAFT)**  
**ZONING BOARD OF APPEALS MEETING**  
**April 23, 2026**

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

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Chair Cuthell opened the April 23, 2026 Zoning Board of Appeals Meeting at 6:30pm.

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

**Member Luks made a motion to approve the ZBA minutes from the March 26, 2026 meeting. Motion seconded by Member Potter. All in favor. Motion approved.**

**Agenda Item #1:**

Christie Billeci, C.W.B. Architect

Owner: Eccles

7449 South Broadway

Tax Parcel ID 6272-10-385673

Present: Christie Billeci, Architect & Jennifer Eccles, Owner

Chair Cuthell advised this was a continuation of an area variance request for parcel located in the General Business District 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 2 front yards.

Chair Cuthell advised 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's request is to go from required 55 feet centerline to 39.25. Ms. Billeci confirmed yes.

Chair Cuthell advised if anyone present this evening to speak to please sign name and address on the sign-in sheet provided.

**CHAIR CUTHELL MADE A MOTION TO OPEN THE PUBLIC HEARING FOR THE AREA VARIANCE APPLICATION FOR 7449 SOUTH BROADWAY LISTED UNDER TAX PARCEL ID6272-10-385673 AT 6:34PM. MOTION SECONDED BY MEMBER JAVSICAS. ALL IN FAVOR. MOTION APPROVED.**

Chair Cuthell advised that one email was received which will be read into record.

Ms. Billeci asked if she needed to present anything further to the Board. Chair Cuthell advised that the last application was complete and asked Board members if they needed to hear anything more about the application. Board agreed no.

**PUBLIC HEARING BEGINS:**

#1. Jennifer Eccles – 7449 South Broadway, Red Hook

Mrs. Eccles advised that they have been residents of that property for 20 years (21 this summer) and done their best to be considerate neighbors and concern themselves with the historical nature of the neighborhood and have been good neighbors. Mrs. Eccles advised that Apple Blossom Day & Hardscrabble Day are held on their lawns and has never been a problem for them. Mrs. Eccles referenced property next door being paved and a building being built right up on their fence and that they cared less.

#2. Chair Cuthell read into record the letter received from Claire Corcoran Stehling dated April 17, 2026.

Claire Corcoran Stehling  
149 Mill Road  
Red Hook, NY 12571

April 17, 2026

Village of Red Hook Zoning Board of Appeals  
7467 South Broadway  
Red Hook, NY 12571  
Attn: Lara Hart, Zoning Board of Appeals Clerk

Re: **Variance Application for 7449 South Broadway, Red Hook, NY**

Dear Chairperson Cuthell and Members of the Board:

I am writing as the owner of 9 Fraleigh Street, the property immediately adjacent to the proposed project. I am formally requesting that the Board deny the requested variance for a 39.25-foot setback to install an inground pool and pool house. My opposition is based on the following statutory criteria used by this Board:

1. **Undesirable Change to Neighborhood Character:** A 55-foot setback is the established standard for our street. Reducing this by nearly 16 feet disrupts the uniform building line and is inconsistent to the character of the Village of Red Hook.
2. **Substantiality of the Request:** The request to move the structure forward from 55 feet to 39.25 feet represents a 28.6% reduction in the required setback. This is a substantial deviation, not a minor adjustment.
3. **Feasible Alternative:** The applicant is seeking to build significantly outside the building envelope. A reconfiguration of the pool area and/or a smaller structure would achieve the same goal without requiring a variance.
4. **Adverse Physical or Environmental Impact:** Placing a large accessory structure in the front yard area (well ahead of the established house line) creates an oppressive massing effect that destroys the open character and visual rhythm of our street. Being only 32.25 feet from the road will significantly diminish natural light and air circulation currently enjoyed by my front porch which is my primary outdoor living space. It will block my view of the street and create a closed-in cramped feeling in my front yard.

5. **Self-Created Hardship:** The need for this variance is a result of the applicant's personal preference for a specific design, rather than a unique physical limitation on the land.

In addition, a pool house built closer to the road than adjacent homes creates a visual disturbance that can significantly decrease neighboring property values and diminish marketability.

For these reasons, I ask that the Board uphold the village's zoning standards and deny the application.

Sincerely,

Claire Corcoran Stehling

### #3. Christie Bellici, Architect for Project

Ms. Bellici said she disagrees and thinks they worked very hard with the Pattern Book to keep within the character of the traditional neighborhood and to keep scale appropriate to other outbuildings and accessory building that many other houses have; Ms. Bellici showed the Eccles home and neighboring home (showing picture from plans) and showing the building that Mrs. Eccles referenced that is 5 feet from the property line. Ms. Bellici advised she went down Fraleigh Street and drew a line at 55 feet and the person who wrote the letter is the only house that meets the criteria and the Zoning is strange in that it only offers 2 setbacks 30 feet from the curbs and 55 from centerline. Ms. Bellici said they meet the 30 feet from the curb and exceeding what almost every house on Fraleigh has because the average is 35 feet from the center and that they will be further than that average 35 at their 39.

Ms. Bellici feels this is not interfering with any uniform line because there is no uniform line.

Ms. Bellici said in terms of alternative cures they did seek a lot of experimental schematic designs trying to think about how things might work better but did not want encroach on neighbor's property lines because this could be built 5 feet from property line because this is an accessory structure but that would be closer than the fence already is right now, which fence is already 7.5 feet from the property line; and we did not want to be close to that industrial building which is 5 feet from the other line, so they explored options and chose that slab on grade so building would be low and clients property is a little lower than that neighboring property so this building will not be obtrusive and shorter than the 1.5 story that they have for instance.

Ms. Bellici said it is an extremely large lot, and they did think about other orientations and locations but as discussed before they are looking at future solar to the south for panels and important to them as well as keeping the trees as they try to move things around. Ms. Bellici said it will not cause an adverse effect as they will provide solar panels and keep trees. Ms. Bellici said of course it is self-created as they want to have a pool and pool house.

Ms. Bellici said property is very very large and their belief, and she agrees, that having a bathroom in the structure is great, due to being far from the house, and that things like that informed the size of their structure which is 150 sq. ft. larger than the accessory structure next door and the same size as many other neighboring structures that have 2-car garages.

#### #1. Jennifer Eccles – 7449 South Broadway, Red Hook

Ms. Eccles said they want to do something that is appropriate to the space and times they thought about having a two-story structure and decided against that, the pool planner wanted them to move the fence much closer to your driveway (neighbors) and we refused to do that because that is not a nice thing to do – and there will be plantings between pool house and fence and trees so the view from the house will be primarily the same fence that is there and the trees.

Mrs. Eccles said they did talk about moving the pool house further into the property, but what that does is - the land rises a little bit and that blocks her view entirely and does not work either.

Mrs. Eccles said they are not trying to run rough shop over the neighbors, and not the case at all and have tried to be super considerate in every way they can in planning this.

Member Reilingh asked that you mentioned a bathroom and asked what is in the pool house. Member Luks said it is all in the plans - a kitchenette and a bathroom. Mrs. Bellici showed plans.

Member Javsicas asked about the change in grade from street – do you know what the change in grade is. Mrs. Bellici said maybe 2-3 feet. 219 to 216 at low point.

#### #4. Claire Corcoran Stehling – 9 Fraleigh Street

Mrs. Stehling said it is almost 16 feet difference and when sitting on the front porch right now you look down the block and with this you won't see. Mrs. Stehling said it doesn't matter what the other houses are, although the Village does have a Zoning code.

Chair Cuthell said most of these houses were built before zoning. Mrs. Stehling said yes but this house is at a distance back and to have an accessory building which is essentially in the front yard because it is a corner lot it hems you in and really changes the character.

Chair Cuthell said yes and your letter was complete and the Board will discuss this.

**CHAIR CUTHELL MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR THE AREA VARIANCE APPLICATION FOR 7449 SOUTH BROADWAY LISTED UNDER TAX PARCEL ID 6272-10-385673 AT 7:09PM. MOTION SECONDED BY MEMBER REILINGH. ALL IN FAVOR. MOTION APPROVED.**

Chair Cuthell said he takes this letter seriously and understands the concerns and spent time driving up and down Fraleigh and before chiming in asked the Board for comment.

Member Potter said she agrees that there are really important points in the email but does not feel property values will diminish. Chair Cuthell agreed. Member Potter said she understands being closed in and the light and view being obscured.

Chair Cuthell said the drawing as beautiful as it is, is rather incriminating and with the footprint of the house, if you are sitting on the front porch, you will be looking at the side of the pool.

Member Luks said she has no input, but at last month's meeting she said she thought it was too close to the road where it is currently cited on these drawings and still feels that way.

Member Javicas said he finds it compelling there is literally not a single other house on the street other than the next door house that meets that 55 feet, and in terms of site line they can plant as many trees and shrubs there as they wanted and while he understands the adverse impact of limited site lines there are all kinds of things that would have a very equivalent effect that would be well within the zoning and all those trees would have the same detrimental effect; and most of the houses are quite a bit within that distance, and referenced this Board had quite a discussion one that was also a setback issue and this Board ended up struggling as a Board with that there are all these old houses and it would have been the closest house on the entire block, but to me that is very different than saying that it is well below the average when determining how close it is to the road.

Chair Cuthell said the effect of this structure on this house for the neighboring house is substantial. Chair Cuthell felt there were alternatives that possibly would not require a variance at all but just would not line up. Member Luks agreed and felt it could line up. Chair Cuthell said there are other ways.

Member Reilingh said what he is wrestling with a little bit is the neighborhood character and by in large this is not just a matter of the number of feet from the

centerline, but pools in this Village are in the backyard and they are not something if driving on the street there are a bunch of people you see, but within your backyard we see what is going on and that will be the one pool and pool house that you can see from a car driving around the Village.

Member Luks said there is another pool where you can see and it's a side yard and you can see everything from the street, so it happens already in the neighborhood. Member Luks said you can make it private. Chair Cuthell said in his opinion the pool house does not need to be that close.

Member Reilingh said then he feels we are asking him to think quite strictly about the setback itself. Chair Cuthell said that is what we are here to discuss.

### **Chair Cuthell Started Area Variance Test Sheet:**

#### **#1. Undesirable Change to Character of Neighborhood or determinant to nearby properties:**

Board discussed:

Member Reilingh felt no issue with setback request or reduced number of feet and NO.

Member Javicas said as far as setback NO.

Member Luks: YES, has issue with setback

Member Potter: YES

Chair Cuthell: YES

**YES: 3 NO: 2**

Member Reilingh asked what the reasons are.

Chair Cuthell said it is too close to the road and the way you read as you approach Broadway going down Fraleigh the road appears wide, and the reason we didn't want to extend the porch on the other side of the Street, and this is going to be box that sticks out past the nearest house and that exaggerates its size and location to him.

Member Reilingh said he feels we are putting the cart before the horse if asking for answers before discussion. Board felt it was already discussed.

Member Potter said and part of the question is ...”does it impact neighboring property” .. and it does. Chair Cuthell agreed.

Member Reilingh said there was an opportunity to move him from NO to YES if the Board comes up with valid considerations which he felt did not answer his questions but is sticking with no.

## #2. Feasible Alternative:

Chair Cuthell: YES. Could rearrange on the property.

Member Reiling: YES

Member Javsicas: YES - other alternatives.

Member Luks: YES

Member Potter: YES

YES 5 NO 0

## #3. Is it substantial:

Chair Cuthell: YES

Member Reiling: YES

Member Javsicas: YES

Member Luks: YES

Member Potter: YES

YES 5 NO 0

## #4. Adverse impact on the physical or environmental conditions in the neighborhood:

Chair Cuthell: NO

Member Reiling: NO

Member Javsicas: NO

Member Luks: NO  
Member Potter: NO

YES 0 NO 5

#5. Self-Created:

Chair Cuthell: YES  
Member Reiling: YES  
Member Javsicas: YES  
Member Luks: YES  
Member Potter: YES

YES 5 NO 0

Chair Cuthell read aloud that the benefit to the Applicant DOES NOT outweigh the detriment to the Neighborhood or Community and therefore the variance request is DENIED.

BOARD VOTE:

Chair Cuthell: YES  
Member Reiling: NO  
Member Javsicas: NO  
Member Luks: YES  
Member Potter: YES

MAJORITY VOTE TO VARIANCE BEING DENIED.

The Board did acknowledge that this is a full board vote and not entirely based on the neighbor's letter that was received.

**CHAIR CUTHELL MADE A MOTION TO DENY THE AREA VARIANCE APPLICATION FOR 7449 SOUTH BROADWAY LISTED UNDER TAX PARCEL ID6272-10-385673 FOR FRONT YARD SETBACK GOING FROM REQUIRED 55 FEET TO 39.25 FEET. MOTION SECONDED BY MEMBER POTTER. ALL IN FAVOR. MOTION APPROVED.**

Ms. Bellici and Mrs. Eccles said they were disappointed.

Agenda Item #2.

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

Chair Cuthell advised this was a continuation for an area variance for parking for parcel located in the General Business District for a request seeking relief from section 200-33 which requires 1.5 spaces per dwelling unit down to 1 space per dwelling unit.

Chair Cuthell advised applicants were present last month and gave a presentation and a public hearing was set for this evening.

Chair Cuthell advised Board requested no additional information from applicants.

Chair Cuthell advised Secretary Hart has published legal notice for public hearing and advised that she has received proof of mailings to all residents within 200 feet.

**CHAIR CUTHELL MADE A MOTION TO OPEN THE PUBLIC HEARING FOR THE AREA VARIANCE APPLICATION FOR 31 EAST MARKET STREET LISTED UNDER TAX PARCEL ID 6272-10-482721 AT 7:10PM. MOTION SECONDED BY MEMBER REILINGH. ALL IN FAVOR. MOTION APPROVED.**

Chair Cuthell advised no written responses or emails have been received by Secretary Hart.

No person(s) was present to speak at public hearing.

Mr. Willms wanted to add to their application that there are a lot of different needs in the Village and a lot of different types of people living in the Village and this 4 apartment addition would fill a need and if they were to rent any of these apartments to someone we would say this is not the kind of apartment that 3 adults would move into and the kind of apartment that people/couple with one vehicle would occupy. There is a need in the Village for that.

**CHAIR CUTHELL MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR THE AREA VARIANCE APPLICATION FOR 31 EAST MARKET STREET LISTED UNDER TAX PARCEL ID6272-10-482721 AT 7:13PM. MOTION SECONDED BY MEMBER LUKS. ALL IN FAVOR. MOTION APPROVED.**

Chair Cuthell asked the Board for comment:

Member Potter has no issues.

Member Luks felt they are being overly positive about how many cars people have and feels that they will have an issue in the winter with snow clearing and feels it is very narrow and tight to get back into parking area and self-inflicted and needs more (the legal amount) parking spaces.

Chair Cuthell confirmed already 2 dwelling units in the building with commercial space. Mr. Willms said one with commercial space. Mr. Wilms said it is 2-story. Chair Cuthell said a total of 5 units. Mr. Willms said yes. Member Cuthell said that would be 7.5 parking spaces and they are asking for 5.

Member Javicas said the snow issue is a concern of his too and realistically Red Hook is not a place like Manhattan with public transportation and wanted to know if there was a backup plan and that this is a very car dependent community and we mentioned possibility of using the municipal lot but does not know the feasibility of what that is so needs a better understanding of what the plan is if there is more than exact 1 car per apartment.

Chair Cuthell said this is perfect condition scenario and you don't even know who is there until you pull in and if there are 5 cars then backing out and had concerns with turnaround and when filling up spaces there is no way out. Member Luks felt it was bad.

Member Javicas asked if there is a backup plan for parking in dealing with snow, and no other exit if lot was full – tight spot – backing out.

Mr. Willms said they have shown that you can negotiate that lot if it were full by backing out and doing a 3-point turn. Member Javsicas asked if that was with other spaces being empty. Mr. Willms said no. Member Javsicas said he drove back there and had a difficult time picturing 5 spots without the building. Member Luks agreed.

Mr. Willms said this is not a set it and forget it thing and that it would be a before knowledge before anyone moving in that you are permitted to have one parking space and possibly numbering spaces to each apartment. Member Cuthell said that would help.

Connor O'Farrell said they planned on having assigned parking spots and that he has rented many parking spaces where he was limited to one vehicle and you sign your lease accordingly and that they will be strict in that way and making sure tenants know the rules. Connor advised if someone arrived home and someone took their spot there would be a number to call and it would be taken care of that and would part of the lease.

Member Javsicas said that would be important to him and asked if there was a backup plan where someone else parks.

Connor O'Farrell advised in the summer there is ample street parking, municipal lot and it is just coordinating with people.

Member Javsicas asked if during the winter the only option would be the municipal lot.

Mr. Willms said tenants would have their assigned space for their apartment and anyone else would be on their own to find additional parking spot. Mr. Willms felt this was not a unique issue in the Village.

Chair Cuthell said there are a lot of parking properties in the Village that do not have 1.5 spaces per dwelling unit but they predate zoning. Member Luks said correct. Chair Cuthell said you have to consider worst case but what we do as a Board stays in perpetuity and worst case you sell and are out of there and the next owner comes in and they don't care or take care of it. Member Luks said well said.

Mr. Willms said so this Board's concern is possibly selling and next owner won't care and multiple people will have issues with parking. Chair Cuthell said that is a legitimate concern. Mr. Willms said it is not a workable situation when you have small apartments and the landlord would get involved. Chair Cuthell said that is why we have Zoning because we don't know who owner will be and whatever we agree to change is permanent change to that property moving forward.

Chair Cuthell said there are restrictions that stay with the property from here moving forward and that is what this Board has to be concerned about.

Chair Cuthell said he is concerned because as much as we want accessory dwelling units added to properties they have to conform to requirements and we cannot just willy-nilly and let people put buildings in their backyards if they cannot provide parking for them.

Reducing apartments option discussed.

Member Reilingh asked how many parking spots are drawn on these plans. Chair Cuthell said 5. Mr. Willms showed where indicated by yellow diagonal lines.

### **Chair Cuthell Started Area Variance Test Sheet:**

#### **#1. Undesirable Change to Character of Neighborhood or determinant to nearby properties:**

Board discussed:

Chair Cuthell said they understand they are working with neighboring property and does not think what they are building is an undesirable change but the increase in car density is problematic and concerns during snow.

Chair Cuthell: YES

Member Reilingh: YES

Member Javsicas: YES

Member Luks: YES

Member Potter: YES

**YES: 5 NO: 0**

#2. Feasible Alternative:

Chair Cuthell: NO

Member Reiling: NO

Member Javsicas: NO

Member Luks: YES

Member Potter: YES

YES 3 NO 2

#3. Is it substantial:

Chair Cuthell: YES

Member Reiling: YES

Member Javsicas: YES

Member Luks: YES

Member Potter: YES

YES 5 NO 0

#4. Adverse impact on the physical or environmental conditions in the neighborhood:

No environmental, but physical condition would be too many vehicles

Chair Cuthell: YES

Member Reiling: YES

Member Javsicas: YES

Member Luks: YES

Member Potter: YES

YES 5 NO 0

#5. Self-Created:

Chair Cuthell: YES

Member Reiling: YES

Member Javsicas: YES  
Member Luks: YES  
Member Potter: YES

YES 5 NO 0

Chair Cuthell read aloud that the benefit to the Applicant DOES NOT outweigh the detriment to the Neighborhood or Community and therefore the variance request is DENIED.

BOARD VOTE:

Chair Cuthell: YES  
Member Reiling: YES  
Member Javsicas: YES  
Member Luks: YES  
Member Potter: YES

MAJORITY VOTE TO VARIANCE BEING DENIED.

Mr. Willms asked in moving forward if they changed plans to have 4 apartments plus one commercial space (total 5) would this Board consider it. Chair Cuthell said yes and it makes it less substantial but can't be hypothetical but it would be a different application.

**CHAIR CUTHELL MADE A MOTION TO DENY THE AREA VARIANCE APPLICATION FOR 31 EAST MARKET STREET LISTED UNDER TAX PARCEL ID6272-10-482721 SEEKING RELIEF FROM ZONING SECTION 200-33 TO HAVE ONLY 1 PARKING SPACE PER DWELLING UNIT. MOTION SECONDED BY MEMBER JAVSICAS. ALL IN FAVOR. MOTION APPROVED.**

Agenda Item #3

Polina Malikin  
25 Fisk Street  
Tax Parcel ID 6272-10-493612  
Present: Polina Malikin

Applicant is present this evening for an area variance seeking relief from Zoning Section 200-16 for a fence around her property to go from required maximum 6 feet to 8 feet.

Application was reviewed by Village of Red Hook ZEO, Thomas Keith, who determined that parcel is a corner lot but that proposed fence is set back far enough to not be considered a front yard so applicant does not require a separate fence variance for front yard setbacks and that the proposed fence on the side yard at Elizabeth Street has a setback of at least 10 feet.

Chair Cuthell said applicant is seeking request for height.

Chair Cuthell asked the Board if they felt they received enough information from applicant.

Member Luks: Yes

Member Potter: Yes

Member Reilingh asked in letter of application and anticipation setting back a number feet from Fisk and Elizabeth and could we review those. Chair Cuthell said does not come close to those.

Ms. Malikin said from Fisk Street approximately 100 feet and from Elizabeth Street approximately 10 feet.

Chair Cuthell said there is a dark black line running through barn around house to Elizabeth Street and is fence going around entire property. Ms. Malikin said no fence is the dark black line in the back. Ms. Malikin said property is in the Ag District and this is standard fencing.

Ms. Malikin spoke on reasons for having fence to keep deer out and ruining crops.

Chair Cuthell: Yes

Member Javicas: Yes

Member Reilingh: Yes

**CHAIR CUTHELL MADE A MOTION TO APPROVE APPLICATION AS SUBMITTED AS COMPLETE. MOTION SECONDED BY MEMBER LUKS. ALL IN FAVOR. MOTION APPROVED.**

**CHAIR CUTHELL MADE A MOTION TO CLASSIFY APPLICATION AS A TYPE II ACTION WHICH REQUIRES 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 AREA VARIANCE APPLICATION FOR FENCE FOR 25 FISK STREET TO MAY 28, 2026 AT 6:30PM. MOTION SECONDED BY MEMBER POTTER. ALL IN FAVOR. MOTION APPROVED.**

Copy of public hearing notice and list of parcel addresses within 200 feet was provided to applicant.

**CHAIR CUTHELL MADE A MOTION TO TABLE THE AREA VARIANCE APPLICATION FOR FENCE FOR 25 FISK STREET TO MAY 28, 2026 AT 6:30PM. MOTION SECONDED BY MEMBER LUKS. ALL IN FAVOR. MOTION APPROVED.**

**Chair Cuthell made a motion to adjourn the April 23, 2026 ZBA Meeting at 7:45pm. Motion seconded by Member Reilingh. All in favor. Motion approved.**

Lara Hart  
Zoning Board of Appeal Secretary