

**TOWN OF RED HOOK
ZONING BOARD OF APPEALS
May 8, 2024**

AGENDA

Meeting to take place at Town Hall – 7340 South Broadway

Preliminary Business

- 7:00 -Call to Order - Roll Call
-Approval of April 10, 2024 ZBA Draft Meeting Minutes
-Review of Planning Board Minutes
-Comments from the Chair

Review

ZBA 24-04 Adam and Michelle Castiglione, application for two area variances to construct a 30' x 50' detached garage ten feet from the side yard, northern property line, and ten feet from the primary structure. Town of Red Hook Zoning Law, Section 143-18 (A)(2) Accessory Structures requires accessory structures be located a minimum of 20' from any lot line, and Section 143-18 (A) (3) Accessory Structures, prohibits such structures from being located less than 12' from the principle building, or a distance equal to the height of the accessory building, whichever dimension shall be greater. The subject parcel is located a 7 Whalesback Road, in the Town of Red Hook, in the RD3 Zoning District. The subject parcel received area variance ZBA 2-22, on March 9, 2022, for a detached garage, with an apartment above it, which the applicant never constructed, thus the variance lapsed.

Public Hearing (Continued from the April 10, 2024 Meeting)

ZBA 23-04 George Santoire of Airosmith Development, representing New Cingular Wireless, PCS, LLC, and AT&T, and who is represented by Lauren M. Adornetto, of Phillips Lytle, LLP, application for an amendment to the existing Use Variance, 5-98, as amended on January 10, 2024, by Use Variance 23-10 (Revised), to authorize development of permitted uses, including the proposed wireless facility, at the Site, formerly consisting of two parcels, numbered 515038 and 512069, now merged to a single parcel, numbered 515038, by Dutchess County, on October 20, 2023, at property owner Michael Levy's of MK Levy Properties, LLC, request to combine the lots. The subject parcel is located at 3499 Route 9G, in the Town of Red Hook, in the RD-3 Zoning District.

Public Hearing (Continued from the April 10, 2024 Meeting)

ZBA 24-03 George Santoire of Airosmith Development, representing New Cingular Wireless, PCS, LLC, and AT&T, and who is represented by Lauren M. Adornetto, of Phillips Lytle, LLP, application to amend existing Use Variance, 5-98, as amended on January 10, 2024, by Use Variance 23-10(Revised), to construct a new, Wireless Telecommunications Facility, consisting of an approximately 100' monopole, and associated ground-based equipment. Town of Red Hook Zoning Law, Section 143-10 Applicability and Compliance with Zoning District Regulations, and Use Variance 5-98, as amended by Use Variance 23-10(Revised), allow only one principal use per lot, in a residential district. The applicant has applied for this use on "vacant land", however, Dutchess County merged former parcel 512069 with parcel 515038, on October 20, 2023, per property owner Michael Levy, of MK Levy Properties, LLC application to combine the two lots. The resulting parcel has three structures with a principal, commercial use of offices and office buildings. The subject parcel is located at 3944 Route 9G, in the Town of Red Hook, in the RD3 Zoning District.

Public Hearing

ZBA 24-05 Margaret and Bruce Lubman, application for an area variance to construct a 24' x 24' detached, two-car garage, on a parcel which has four existing Accessory Structures, including two sheds, and inground pool and pool house, on a 4.97-acre parcel. Town of Red Hook Zoning Law, Section 143-18 A (7) Accessory Structures states ...not more than three such accessory structures, other than a permitted sign, or agricultural buildings, of which no more than one structure shall be a private garage, shall be permitted on an individual lot, in a residential district. In the event that the lot exceeds five acres, additional, accessory structures may be sited upon issuance of a Special Permit by the Planning Board, in accordance with Article VI of this Chapter. The subject parcel is located at 276 West Market Street, in the Town of Red Hook, in the RD-3 Zoning District.

Public Hearing

ZBA 24-06 Sean Martin, application for an area variance to construct a six-foot-high fence 20' from the southern, front yard property line. Town of Red Hook Zoning Law, Section 143-28 A. Fences and Walls states *Fences and walls, except for agricultural fencing, shall not exceed six feet in height when erected in a required side or rear yard, nor exceed four feet in height when erected within the required front yard, except as otherwise, specifically required by this Chapter.* The subject parcel is located at 10 Cornell Avenue, in the Town of Red Hook, in the RD-1.5 Zoning District.

Public Hearing

ZBA 24-07 Shawn J. Hart, application for an area variance to construct an eight-foot-high deer fence approximately along the perimeter of the parcel's rear and side yards. Town of Red Hook Zoning Law, Section 143-28 A. Fences and Walls states *Fences and walls, except for agricultural fencing, shall not exceed six feet in height when erected in a required side or rear yard, nor exceed four feet in height when erected within the required front yard, except as otherwise, specifically required by this Chapter.* The subject parcel is located at 8000 Albany Post Road, in the Town of Red Hook, in the RD-3 Zoning District.

The next ZBA meeting is scheduled for Wednesday, June 12, 2024. Prospective ZBA Applicants must present their application to Building Inspector, Brandon Mullins. **The submission deadline for this meeting is *noon* Tuesday, June 4, 2024.**