

Town of Red Hook ZBA
Draft Meeting Minutes
June 11, 2025



Preliminaries

Roll Call

Chairperson Karakassis calls the meeting to order at 7:00 pm and asks Clerk Rubin to conduct the roll call. Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis state they are present. Also present are ZBA Attorney, Janis Gomez Anderson, and Town Board Liaison, Bill Hamel.

Approval of May 14, 2025, Draft Minutes

At 7:00 pm Chairperson Karakassis asks for a motion to approve the January 8, 2025, draft ZBA minutes. At 7:00 pm Chris Klose so moves, George Jahn seconds. Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney vote in favor of approving the May 14, 2025, draft ZBA minutes.

Planning Board Minutes and Comments from the Chair

Chairperson Karakassis has no comments on the Planning Board minutes, nor regarding other matters; extraneous to the applications before the Board, at this time.

Review

ZBA 25-01 Kenneth A. Migliorelli, application to perform a lot line adjustment of a pre-existing, non-conforming lot comprising 2.011 acres, reducing the proposed lot size to 1.138 acres. Section 143-12, District Schedule of Area and Bulk Regulations, Attachment 2, of the Town of Red Hook Zoning Law requires a minimum lot size of three acres in the RD3 Zoning District. The subject parcel is located at 404 Lasher Rd., in the Town of Red Hook, in the RD-3 Zoning District.

Chairperson Karakassis reads the agenda item and asks the applicant to state how his project will support his farm. Mr. Migliorelli states he has a conservation easement on the 28 acre parcel, adjacent to the subject parcel, and further notes there is a flat spot on the subject parcel, on which he wants to install high tunnels, to function as greenhouses for winter greens cultivation for the farmers markets in New York City.

Chairperson Karakassis notes Mr. Migliorelli owns both parcels, and asks why he is seeking a lot line adjustment, to which Mr. Migliorelli replies it would allow him to get approval for structures such as a washroom to complement the greenhouses. Mr. Migliorelli further notes he is not looking to create a separate building lot, just a buildable space for outbuildings. Chairperson Karakassis asks if there is anything in the

Code which prevents you from doing this, to which Mr. Migliorelli replies he is looking to sell a couple of farms in three to five years. Chris Klose asks the applicant if the hoop houses are temporary structures, to which Mr. Migliorelli replies yes, and notes he has permission from the New York State Department of Environmental Protection and has received funding from the US Department of Agriculture for farming on West Kerley Corners Road. Mr. Migliorelli states there will be no blacktop or concrete. ZBA Attorney, Janis Gomez Anderson confirms the applicant is not permitted to put structures on the parcel under a conservation easement.

At 7:06 pm Chairperson Karakassis moves to declare the Action of a proposed Lot Line Adjustment Type II under SEQRA. Chris Carney seconds, and Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney vote in favor of declaring the Action of a proposed Lot Line Adjustment Type II under SEQRA.

At 7:07 pm Chris Klose moves to schedule a public hearing for ZBA 25-01 Migliorelli AV for the July 9, 2025, meeting. Chris Carney seconds and Chris Carney seconds, and Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney vote in favor of setting the public hearing for ZBA 25-01 Migliorelli AV for the July 9, 2025, meeting.

Prior to the first public hearing, Chairperson Karakassis reminds all present that comments and questions from applicants and members of the public are to be addressed to the Board only, and further states cross-talk is not permitted.

Public Hearing

ZBA 25-03 Jonathan Shapiro, represented by Dawn Santiago, of Kristina Dousharm Architecture, PLLC, application to demolish a Non-Conforming Structure, and to construct a 26' x 32' Accessory Structure, with a height of 16.5', approximately 4.5' from the Side Property Line, and approximately 12.5' from the Primary Structure Section 143-18 A, (2) of the Town of Red Hook Zoning Law, requires a minimum setback of 20' from any lot line, for an Accessory Structure. Section 143-18 A, (3) of the Town of Red Hook Zoning Law requires that no structure shall be located less than 12' from the principal building, or a minimum distance equal to the height of the Accessory Structure, whichever dimension shall be greater. The subject parcel is located at 987 River Road, in the Town of Red Hook, in the Limited Development Zoning District.

Chairperson Karakassis reads the agenda item and notes the variance request for the 26' x 32' Accessory Structure represents a 77% increase over what is permitted, and the variance request for the 12.5' distance from the Primary Structure represents a 24% increase over what is permitted. Chairperson Karakassis notes she spoke with ZEO Brandon Mullins about the distance requirement between structures, and states a minimum distance affords fire and collapse protection. Chairperson Karakassis asks Ms. Santiago, as the applicant's representative, if the architects have taken into account fire mitigation to accommodate the lesser distance. Ms. Santiago asks what part of the Code the Chair is referring to, to which Chairperson Karakassis replies Ms. Santiago should speak to ZEO Brandon Mullins. Ms. Santiago states all fire regulations will be adhered to. Janis Gomez Anderson states a Building Permit will require the applicant to address this issue.

At 7:10 pm Chairperson Karakassis asks for a motion to open the public hearing for ZBA 25-03 Shapiro-Santiago-KDA. Chris Klose so moves, George Jahn seconds, and Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney all vote in favor of opening the public hearing for ZBA 25-03 Shapiro-Santiago-KDA. There are no members of the public present to comment on ZBA 25-03 Shapiro-Santiago-KDA, and the ZBA Office has received no written comments.

At 7:11 pm Chairperson Karakassis moves to close the public hearing for ZBA 25-03 Shapiro-Santiago-KDA. Chris Klose seconds and Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney all vote in favor of closing the public hearing for ZBA 25-03 Shapiro-Santiago-KDA.

Chairperson Karakassis refers to the draft resolution for ZBA 25-03 Shapiro-Santiago-KDA and asks the Board members if they are ready to vote. Chairperson Karakassis states the Findings of Fact as follows:

1. With relation to the fire issue and proximity of the proposed structure to the main structure, the property fronts on River Road, and is comprised of a nine-acre lot with no other houses nearby.
2. The proper fire code will be adhered to.
3. The proposed variances present no danger to neighbors or the community.
4. The proposed structure is only slightly more non-conforming on the footprint of the former accessory structure.

The Board votes on the five variance questions as follows:

1. Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis agree the variances requested will not produce an undesirable change to the character of the neighborhood or a detriment to nearby properties.
2. Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis agree the needs of the applicant cannot be achieved by other than an area variance.
3. Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis agree the Variances are substantial.
4. Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis agree the requested variances will not affect the physical or environmental conditions in the neighborhood.
5. Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis agree the hardship for which the variances are sought to rectify is self-created.

At 7:19 pm George Jahn moves to grant the requested variances. Chris Klose seconds and Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis vote in favor of granting the requested variances.

Public Hearing

ZBA 25-02 Michael Lueck application to construct a single-family-dwelling on a pre-existing, undersized lot, with a Front Yard Setback of 48', and a Front Parking Setback of 23'. Section 143-12, District Schedule of Area and Bulk Regulations, Attachment 2, of the Town of Red Hook

Zoning Law requires a minimum 60' Front Yard Setback, and a minimum 35' Front Parking Setback, in the RD3 Zoning District. Additionally, Section 143-48 B(1) requires the minimum Front Yard, and Front Parking Setback requirements be doubled in the Scenic Corridor Overlay (SCO). The subject parcel is located at 489 Route 199, in the RD3 Zoning District and SCO, of the Town of Red Hook.

Chairperson Karakassis reads the agenda item and notes the variance request for the Front Yard Setback for the Single-Family Dwelling is 60% less than the required minimum and further notes the Front Parking Setback is 67% less than the required minimum. Chairperson Karakassis states she used the Dutchess County Parcel Access Measuring Tool to measure the distances between the neighbors' houses, on either side of the subject parcel, and the closest lot line of the subject parcel. Chairperson Karakassis states the distance between the Pavlich house and the nearest Lueck lot line is 121', and the house on the opposite side of the subject parcel is 154' from the nearest lot line of the subject parcel. Chairperson Karakassis states this measuring tool is accurate to within three to four feet, and further states given the foliage, the applicant's statement that if he pushed back the house, he would be on top of his neighbors is inaccurate. Chairperson Karakassis states the ZBA has received two photos from neighbors, Mr. and Mrs. Pavlich, from Google Maps Street View 2023, one facing east, and one facing west.

At 7:27 pm Chairperson Karakassis moves to classify the Actions of the construction of a Single-Family Dwelling, and a request for two Area Variances as Type II under SEQRA. Chris Klose seconds, and Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis vote in favor of classifying the Actions of the construction of a Single-Family Dwelling, and a request for two Area Variances as Type II under SEQRA. Janis Gomez Anderson states it is necessary to include both the Single-Family Dwelling, and the area variance requests.

Chairperson Karakassis asks the applicant if he is planning to sell the property after the house is built, to which Mr. Lueck replies he does not know yet, and states he may keep it, rent it, or sell it. Chairperson Karakassis asks Mr. Lueck if he is committed to his original application, to which Mr. Lueck replies he is.

At 7:29 pm Chairperson Karakassis asks for a motion to open the public hearing. George Jahn so moves, Chris Klose seconds, and Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis vote in favor of opening the public hearing.

Deborah Pavlich of 17 Hapeman Hill Road states she and her husband are at the public hearing, because they thought everything was fine. Mrs. Pavlich states they received the public hearing notice, and saw trees taken down, and further states her husband spoke to Mr. Lueck, and everything seemed fine. Ms. Pavlich states the applicant is requesting quite a variance, and wonders how the road would change. Ms. Pavlich asks where the septic is going, and further states trees have been taken down, and states concern it will affect their property values. Ms. Pavlich also states she and her husband purchased their property because they liked the views of trees and nature. Ms. Pavlich states she had thought all approvals had been granted. Mr. Pavlich states he is concerned about the septic, since it is right along their property line, and asks if it is above or underground. Chairperson Karakassis refers to the applicant's site plan, displayed on the smart screen, and indicates the location of the septic system, which, she states is underground. Mrs. Pavlich asks for the photos of the trees on Hapeman Hill Road, she sent to the ZBA, to be displayed on the screen which the Clerk displays. Chairperson Karakassis states she understands the concern, but notes it is not especially relevant to the variance requests.

At 7:36 pm Chairperson Karakassis moves to close the public hearing. Chris Klose seconds, and Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis vote in favor of closing the public hearing.

Chairperson Karakassis notes Mrs. Lueck was interested to know if I had visited the rear of the subject parcel, to see the downward slope, and further states the pile of dirt could be used to re-grade the land. Mr. Lueck states it is all rock. Chairperson Karakassis states she could not see the neighbors' homes from the rear of the subject parcel. Mrs. Lueck states the septic is in the ground, and is Board of Health Approved, and further states the variance they are seeking is to spare the neighbors. Mr. Lueck states they could not meet the rear setbacks if they moved the house farther back. Mrs. Lueck states the proposed location is 110' from the road. George Jahn asks if the applicants have sufficient frontage, to which Janis Gomez Anderson replies the applicant is good on the frontage question. Mr. Lueck states New York State has approved and permitted the driveway. Chairperson Karakassis states Dutchess County Planning and Development has declared this application an exempt action, and the ZBA is not bound by their comment.

Chairperson Karakassis states Mrs. Pavlich wrote a letter stating her concerns that the project could drastically impact the Scenic Corridor and neighboring properties. Chairperson Karakassis further states the Town Created the Scenic Corridor Overlay to protect and preserve the rural character along these routes, and further states she does not favor granting the variance for scenic and aesthetic reasons, and further notes if you drive along the route, there are small clusters of homes, some houses are too close to the road, some are historic, some are not. George Jahn states Mr. and Mrs. Pavlich have stated their concern regarding additional requests for variances, and detrimental effects. Chairperson Karakassis states variance requests are typically a person wanting to do something on their own house, and further notes the applicants purchased the property on March 7, 2025, without a clear definition of what they would do with the property.

Chris Klose states scenic highways are very important to Red Hook, and further notes he has seen the Town go from farms and dirt roads, and further notes Route 199 is one of the last scenic highways, and finally states who we are now is based on who we were 250 years ago. Chris Carney states the applicants would need setback variances at any location on the subject parcel. George Jahn states by accident this became an unbuildable lot, and further states there should be some way of resolving an unbuildable lot without setting such a bad precedent. Chairperson Karakassis states the Board has to be very careful. Chris Klose and George Jahn state they have concerns about the proposed structure and the precedent. Mr. Lueck states there was an old building on the lot, historically, and states they are proposing a house 112' from the road, and farther back than every other house. Mr. Lueck further states moving the house back will harm the neighbors, and notes the Town needs more housing. Mr. Lueck states the lot is pre-existing, and there are no others, so there will be no future variances. Mr. and Mrs. Lueck state they are requesting a house 112' back from the road, instead of 120'. Mr. Lueck states he does not care what other people think.(?).

Chairperson Karakassis states the Board will review the draft resolution for Appeal 25-02 Lueck, and states the facts as follows:

The applicant does not wish to build in any location on the lot other than what was requested.

1. The construction of the dwelling at the proposed location would alter the view within the scenic corridor which was created to preserve the overall rural character and irreplaceable scenic vistas.
2. There is concern that granting the variance will establish a negative precedent.

3. The front yard variance would be a 60% variance and the front parking variance would be a 67% variance.

Chairperson Karakassis states the Board will vote on the questions in the positive.

1. Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney agree the variance requested will produce an undesirable change to the character of the neighborhood or a detriment to nearby properties.
2. Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney agree the needs of the applicant cannot be achieved by other than an area variance.

The applicant and his wife leave the meeting, stating they could take down all of the trees and install a parking lot.

3. Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney agree the variance is substantial.
4. Chairperson Karakassis, Chris Klose, and Chris Carney agree the requested variance will affect the physical and environmental conditions in the neighborhood, since it is the Scenic Corridor, and they will take down more trees. George Jahn abstains.
5. Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney agree the hardship for which the variance is sought to rectify was self-created.

At 8:00 pm Chairperson Karakassis asks for a motion to deny the requested variances for ZBA 25-02 Lueck. Chris Klose so moves, George Jahn seconds, and Chris Carney, Chris Klose, George Jahn, and Chairperson Karakassis vote in favor of denying the requested variances for ZBA 25-02 Lueck.

Mrs. Pavlich states she would like to have it entered into the record that Mr. Lueck threatened her as he was leaving. [Clerk notes Mr. Lueck spoke to Mrs. Pavlich too quietly for his statement to be captured on the recording.].

At 8:02 pm Chairperson Karakassis moves to adjourn the meeting. Chris Klose seconds, and Chairperson Karakassis, George Jahn, Chris Klose, and Chris Carney vote in favor of adjourning the meeting.

The next ZBA meeting is at 7:00pm, on Wednesday, July 9, 2025. The submission deadline for which is **noon Tuesday, July 1, 2025**. Please contact Brandon Mullins in the Building & Zoning Office to apply to the Town of Red Hook ZBA.

**TOWN OF RED HOOK
Zoning Board of Appeals**



VARIANCE RESOLUTION

Application #: 25-03 Shapiro-Santiago-KDA Grid #: 134889-6172-00-372667

Introduced by: George Jahn
Seconded by: Chris Klose

Date: June 11, 2025

The Town of Red Hook Zoning Board of Appeals, at meetings duly convened on May 14, , 2025, and June 11, 2025, reviewed the facts in Application #25-03 as submitted by Dawn Santiago, of Kristina Dousharm Architecture, PLLC (KDA) on behalf of Jonathan R. Shapiro, owner of the property identified as Tax Map # 134889-6172-00-372667 ("the Property"), and

WHEREAS, said application requests a variance from the strict application of § 143-18 (A)(2) and § 143-18 (A)(3) of Chapter 143 of the Code of the Town of Red Hook (Zoning) to allow the demolition of a Non-conforming Structure, and the construction of a 26' x 32' Accessory Structure, 16.5' in height, approximately 4.5' from the Side Property Line, and approximately 12.5' from the Primary Structure, in the Limited Development Zoning District of the Town, and

WHEREAS, the proposal requires the following variances:

Variance Requested	Code Section	Required	Requested	Difference	Difference (percentage)
1. Accessory structure: Side yard setback	143-18 (A)(2)	20 feet	4.5 feet	15.5 feet	77%
2. Accessory structure: Distance from principal building	143-18 (A)(3)	16.5 feet (greater of 12 feet or height of accessory building)	12.5 feet	4 feet	24%

WHEREAS, the application was determined to be a Type II action under the State Environmental Quality Review Act, Section 6NYCRR Part 617(c)(9), (16), and (17), and

WHEREAS, the Board held a Public Hearing on June 11, 2025, notice of which was duly published in the Poughkeepsie Journal on May 23, 2025, and posted as required by law, and

WHEREAS, at said Public Hearing all who wished to be heard were heard and their testimony recorded, and

WHEREAS, all testimony has been carefully considered and the following pertinent facts noted:

1. With relation to the fire issue and proximity and property fronts on River Road and surrounded by 9-acre lot, there are no houses in close proximity to the property.
2. All property fire codes will be adhered to, no increase in fire danger to the neighbors or community.
3. As proposed, accessory building 3/garage studio is on the same footprint as an existing nonconforming structure and is only slightly more nonconforming.

NOW THEREFORE BE IT RESOLVED by the Zoning Board of Appeals, that Application #25-03 a request for a variance from § 143-18 (A)(2) and § 143-18 (A)(3) of Chapter 143 of the Code of the Town of Red Hook (Zoning) to allow the demolition of a Non-conforming Structure, and the construction of a 26' x 32' Accessory Structure, 16.5' in height, approximately 4.5' from the Side Property Line, and approximately 12.5' from the Primary Structure, in the Limited Development Zoning District of the Town, be **granted** on the following grounds:

1. The variance requested **will not** produce an undesirable change to the character of the neighborhood or a detriment to nearby properties.
2. The needs of the applicant **cannot** be achieved by other than an area variance.
3. The variance **is** substantial.
4. The requested variance **will not** affect the physical or environmental conditions in the neighborhood.
5. The hardship for which the variance is sought to rectify **was** self-created.

BE IT FURTHER RESOLVED, the variance granted is the minimum variance necessary and adequate and at the same time preserves and protects the character of the neighborhood and the health, safety and welfare of the community.

[Intentionally left blank]

BE IT FURTHER RESOLVED, the grant of the Requested Variance shall be subject to the following condition(s):

1. Payment of all fees and escrow; and
2. Application for and receipt of any other approvals required by the Town of Red Hook Code and New York State Building Code including but not limited to any and all building permits and certificates of occupancy; and

Member	Aye	Nay	Abstain	Absent
Kate Karakassis, Chair	X			
Chris Carney	X			
George Jahn	X			
Chris Klose	X			

Adopted: 6/11/2025

Zoning Board Chairperson:



Secretary:



NOTICE OF PUBLIC HEARING

ZONING BOARD OF APPEALS

TOWN OF RED HOOK

NOTICE IS HEREBY GIVEN that pursuant to Section 143-136C of the Zoning Law of the Town of Red Hook, New York, a public hearing will be held by the Zoning Board of Appeals of the Town of Red Hook, Dutchess County, New York at the Town Hall, 7340 South Broadway, Red Hook, New York, meeting to commence at 7:00 pm, on the 11th day of June, 2025 on the following matter:

ZBA 25-03 Jonathan Shapiro, represented by Dawn Santiago, of Kristina Dousharm Architecture, PLLC, application to demolish a Non-Conforming Structure, and to construct a 26' x 32' Accessory Structure, with a height of 16.5', approximately 4.5' from the Side Property Line, and approximately 12.5' from the Primary Structure Section 143-18 A, (2) of the Town of Red Hook Zoning Law, requires a minimum setback of 20' from any lot line, for an Accessory Structure. Section 143-18 A, (3) of the Town of Red Hook Zoning Law requires that no structure shall be located less than 12' from the principal building, or a minimum distance equal to the height of the Accessory Structure, whichever dimension shall be greater. The subject parcel is located at 987 River Road, in the Town of Red Hook, in the Limited Development Zoning District.

All interested persons will be given an opportunity to be heard in person or by directing comments in writing to the Zoning Board of Appeals, 7340 South Broadway, Red Hook, New York 12571. All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Zoning Board Clerk in advance at the above address or by phone 845-758-4624 so that arrangements can be made.

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess

mariah verhagen being duly sworn, deposes and says she is the Principal Clerk of **The Poughkeepsie Journal**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper and published in the County of Dutchess and the State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

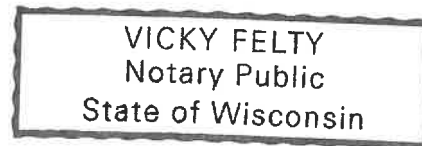
05/23/2025

mariah verhagen

Subscribed and sworn to before me this 23 day of May, 2025

Vicky Felty

Notary Public
State of Wisconsin, County of Brown



9/29/25

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF APPEALS TOWN
OF RED HOOK**

NOTICE IS HEREBY GIVEN that pursuant to Section 143-136C of the Zoning Law of the Town of Red Hook, New York, a public hearing will be held by the Zoning Board of Appeals of the Town of Red Hook, Dutchess County, New York at the Town Hall, 7340 South Broadway, Red Hook, New York, meeting to commence at 7:00 pm, on the 11th day of June, 2025 on the following matter:

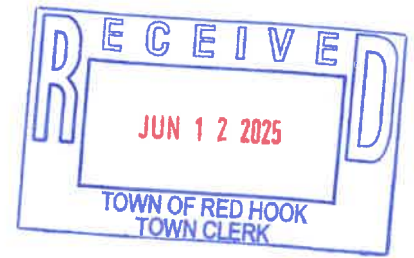
ZBA 25-03 Jonathan Shapiro, represented by Dawn Santiago, of Kristina Dousharm Architecture, PLLC, application to demolish a Non-Conforming Structure, and to construct a 26' x 32' Accessory Structure, with a height of 16.5', approximately 4.5' from the Side Property Line, and approximately 12.5' from the Primary Structure. Section 143-18 A, (2) of the Town of Red Hook Zoning Law, requires a minimum setback of 20' from any lot line, for an Accessory Structure. Section 143-18 A, (3) of the Town of Red Hook Zoning Law requires that no structure shall be located less than 12' from the principal building, or a minimum distance equal to the height of the Accessory Structure, whichever dimension shall be greater. The subject parcel is located at 987 River Road, in the Town of Red Hook, in the Limited Development Zoning District.

All interested persons will be given an opportunity to be heard in person or by directing comments in writing to the Zoning Board of Appeals, 7340 South Broadway, Red Hook, New York 12571. All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Zoning Board Clerk in advance at the above address or by phone 845-758-4624 so that arrangements can be made.

11327825

**TOWN OF RED HOOK
Zoning Board of Appeals**

VARIANCE RESOLUTION



Application #: 25-02 Lueck AV

Grid #: 134889-6373-00-637486

Introduced by: Chris Close

Date: June 11, 2025

Seconded by: George Jahn

The Town of Red Hook Zoning Board of Appeals, at meetings duly convened on May 14, 2025, and June 11, 2025, reviewed the facts in Application #25-02 as submitted Michael Lueck, owner of the property identified as Tax Map # 134889-6373-00-637486 ("the Property"), and

WHEREAS, said application requests a variance from the strict application of § 143-12 and § 143-48 of Chapter 143 of the Code of the Town of Red Hook (Zoning) to allow the construction of a Single-Family Dwelling, with a Front Yard Setback of 48' and a Front Parking Setback of 23' in the RD3 District, and the Scenic Corridor Overlay (SC-O) of the Town,

WHEREAS, the proposal requires the following variances:

<i>Variance Requested</i>	<i>Code Section</i>	<i>Required</i>	<i>Requested</i>	<i>Difference</i>	<i>Difference (percentage)</i>
<i>Single-Family Dwelling Front Yard Setback</i>					
1. Front Yard Setback	§ 143-12 and § 143-48	120 feet	48 feet	72 Feet	60% less than required
<i>Front Parking Setback</i>					
2. Front Parking Setback	§ 143-12 and §143-48	70 Feet	23 Feet	47 Feet	67% less than required

WHEREAS, the application was determined to be a **Type II** action under the State Environmental Quality Review Act, Section 6NYCRR Part 617(c)(9), (16), and (17), and

WHEREAS, the Board held a Public Hearing on June 11, 2025, notice of which was duly published in the Poughkeepsie Journal on May 23, 2025, and posted as required by law, and

WHEREAS, at said Public Hearing all who wished to be heard were heard and their testimony recorded, and

WHEREAS, all testimony has been carefully considered and the following pertinent facts noted:

1. The applicant does not wish to build in any location on the lot other than that was requested.
2. The construction of the dwelling at the proposed location would alter the view within the scenic corridor which was created to preserve the overall rural character and irreplaceable scenic vistas.
3. There is a concern that granting the variance will establish a negative precedent.
4. The front yard variance would be a 60% variance and the front parking variance would be a 67% percent variance.

NOW THEREFORE BE IT RESOLVED by the Zoning Board of Appeals, that Application #25-02 a request for a variance from § 143-12 and § 143-48 of Chapter 143 of the Code of the Town of Red Hook (Zoning) to allow construction of a Single-Family Dwelling 48 feet from the Front Lot Line, and a Front Parking Space 23 feet from the Front Lot Line **denied** on the following grounds:

1. The variance requested **will** produce an undesirable change to the character of the neighborhood or a detriment to nearby properties.
2. The needs of the applicant **cannot** be achieved by other than an area variance.
3. The requested variance **is** substantial
4. The requested variance **will** affect the physical or environmental conditions in the neighborhood.
5. The hardship for which the variance is sought to rectify **was** self-created.

BE IT FURTHER RESOLVED, the variance granted is the minimum variance necessary and adequate and at the same time preserves and protects the character of the neighborhood and the health, safety and welfare of the community.

[Intentionally left blank]

BE IT FURTHER RESOLVED, the grant of the Requested Variance shall be subject to the following condition(s):

1. Payment of all fees and escrow; and
2. Application for and receipt of any other approvals required by the Town of Red Hook Code and New York State Building Code including but not limited to any and all building permits and certificates of occupancy; and

Member	Aye	Nay	Abstain	Absent
Kate Karakassis, Chair	X			
Chris Carney	X			
George Jahn	X			
Chris Klose	X			

Adopted: June 11, 2025

Zoning Board Chairperson: 

Secretary: 



Outlook

Public Hearing ZBA25-02 Michael Lueck

From Deborah Pavlich <deb pavlich@gmail.com>

Date Tue 6/10/2025 9:17 PM

To Anne Rubin <ARubin@RedhookNY.gov>

Dear Ms. Karakassis, Mr. Carney, Mr. Klose, Mr. Jahn, Mr. Bonavita-Goldman, and Ms. Rubin and Mr. Hamel,

My husband and I plan to attend tomorrow's meeting, however, I thought it best to also send our concerns regarding the variances requested for the parcel located at 489 Route 199.

The front yard set back request of 48 feet is quite substantial and far from close to the required 120 feet. Since many trees have already been cut down in preparation for construction, the impact to the view, landscape, and overall rural character of the neighborhood is significant. That section of Rte 199 has been changed so much already that we are very concerned the addition of a building and septic system will further drastically and detrimentally change the vista and impact nearby properties.

We thought that the zoning requirements would protect that portion of the scenic corridor. That was one of the reasons we chose to live here. We also feel the value of nearby properties will be negatively impacted.

With that being said, we are worried that additional requests for variances will be made in the future regarding building distances from property lines along the back and sides of the property.

Since this is an undersized lot where will the septic system be located?
Where will the leech fields go and will the system affect our property or well water.

Thank you in advance for reviewing our concerns and we look forward to the meeting tomorrow evening.

Deborah and Fred Pavlich

Received

JUN 11 2025

Town of Red Hook
Zoning Board of Appeals

NOTICE OF PUBLIC HEARING

ZONING BOARD OF APPEALS

TOWN OF RED HOOK

NOTICE IS HEREBY GIVEN that pursuant to Section 143-136C of the Zoning Law of the Town of Red Hook, New York, a public hearing will be held by the Zoning Board of Appeals of the Town of Red Hook, Dutchess County, New York at the Town Hall, 7340 South Broadway, Red Hook, New York, meeting to commence at 7:00 pm, on the 11th day of June, 2025 on the following matter:

ZBA 25-02 Michael Lueck application to construct a single-family-dwelling on a pre-existing, undersized lot, with a Front Yard Setback of 48', and a Front Parking Setback of 23'. Section 143-12, District Schedule of Area and Bulk Regulations, Attachment 2 and Section 143-48B (1), of the Town of Red Hook Zoning Law require a minimum 120' Front Yard Setback, and a minimum 70' Front Parking Setback, for property located in the RD3 Zoning District which is also located within the Scenic Corridor Overlay (SCO). The subject parcel is located at 489 Route 199, in the RD3 Zoning District and SCO, of the Town of Red Hook.

All interested persons will be given an opportunity to be heard in person or by directing comments in writing to the Zoning Board of Appeals, 7340 South Broadway, Red Hook, New York 12571. All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Zoning Board Clerk in advance at the above address or by phone 845-758-4624 so that arrangements can be made.

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess

Mariah Verhagen being duly sworn, deposes and says she is the Principal Clerk of **The Poughkeepsie Journal**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper and published in the County of Dutchess and the State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

05/23/2025

Mariah Verhagen

Subscribed and sworn to before me this 23 day of May, 2025

Vicky Felty

Notary Public
State of Wisconsin, County of Brown

VICKY FELTY
Notary Public
State of Wisconsin

9/19/25 ef

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF APPEALS TOWN
OF RED HOOK**

NOTICE IS HEREBY GIVEN that pursuant to Section 143-136C of the Zoning Law of the Town of Red Hook, New York, a public hearing will be held by the Zoning Board of Appeals of the Town of Red Hook, Dutchess County, New York at the Town Hall, 7340 South Broadway, Red Hook, New York, meeting to commence at 7:00 pm, on the 11th day of June, 2025 on the following matter:

ZBA 25-02 Michael Lueck application to construct a single-family dwelling on a pre-existing, undersized lot, with a Front Yard Setback of 48', and a Front Parking Setback of 23'. Section 143-12, District Schedule of Area and Bulk Regulations, Attachment 2 and Section 143-48B (1), of the Town of Red Hook Zoning Law require a minimum 120' Front Yard Setback, and a minimum 70' Front Parking Setback, for property located in the RD3 Zoning District which is also located within the Scenic Corridor Overlay (SCO). The subject parcel is located at 489 Route 199, in the RD3 Zoning District and SCO, of the Town of Red Hook.

All interested persons will be given an opportunity to be heard in person or by directing comments in writing to the Zoning Board of Appeals, 7340 South Broadway, Red Hook, New York 12571. All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Zoning Board Clerk in advance at the above address or by phone 845-758-4624 so that arrangements can be made.

11327792