

Town of Red Hook ZBA  
Approved Meeting Minutes  
August 13, 2025



## **Preliminaries**

### **Roll Call**

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

### **Approval of July 9, 2025, Draft Minutes**

At 7:01 pm Acting Chair Carney asks for a motion to approve the July 9, 2025, draft ZBA minutes. At 7:01 pm George Jahn so moves and Ross Gould seconds. Ross Gould notes he abstained from the vote on the July 11, 2025, minutes, since he was not present. At 7:02 pm Acting Chair Carney, George Jahn, and Ross Gould, vote in favor of approving the amended July 9, 2025, ZBA minutes.

### **Planning Board Minutes and Comments from the Acting Chair**

Acting Chair Carney states two corrections to the agenda item for ZBA 25-04 Burke. Acting Chair Carney notes the correct height of the proposed garage/studio is 17', instead of the 19' 3" originally stated in the agenda and further notes the required minimum distance between an accessory structure and the principal structure is 12' or height of the accessory structure, whichever is greater. Acting Chair Carney states the applicant is proposing a distance of 13' between the proposed accessory structure and the principal structure, where 17' minimum is required.

### **Review**

ZBA 25-04 Robert Burke, application to construct a 16' x 24' garage/studio, 17' in height, 8.5' from the side lot line, and 13' from the principal dwelling. Section 143-18 (2) of the Town of Red Hook Zoning Law requires a minimum lot line setback of 20' for accessory structures, and Section 143-18(3) of the Town of Red Hook Zoning Law requires a minimum distance between the principal structure and the accessory structure of 12 feet, or height of the accessory structure, whichever is greater, therefore, a minimum distance of 17' is required. The subject parcel is located at 1078 River Road, in the Hamlet of Barrytown, in the Town of Red Hook, in the RD-5 Zoning District, with a Scenic Corridor Overlay.

Acting Chair Carney reads the agenda item and asks the applicant to present his proposal to the Board members present. Mr. Burke states he has lived in the house for 23 years, and further states he is proposing to replace an old shed with a garage/studio, with a guest bedroom, a wall, and a patio. Mr. Burke states he owns a difficult property

on a corner, and further states the neighborhood is stable and that he wants to figure out a plan to make it work for the long term. Mr. Burke states he is proposing a single car garage, with external stairs to the second floor, and further states he has long term plans for his older mother to stay in the spare bedroom above the garage. Acting Chair Carney asks the applicant what is behind the patio, to which Mr. Burke replies there are trees, ferns and plantings extending up a slope.

George Jahn asks the applicant to explain the "existing, non-conforming lot" on his application, to which Mr. Burke replies he and his wife think the house dates to the 1850s. George Jahn asks the applicant if there was a taking to establish the roadway, to which Mr. Burke replies they do not know. Mr. Burke states right now there are workbench tools and boats in the shed, which will go into the new building. George Jahn states the only difference [between the old shed and the new building] is the bulk of the proposed building for the neighbor to the north. Mr. Burke states the neighbor won't have a visual impact due to the trees, and further states the architect wanted the style [of the proposed garage/studio] to match the house with a gable.

Ross Gould asks the applicant if his neighbor has big, open windows on the side of her house, which faces the subject parcel, to which Mr. Burke replies his neighbor's views are towards the mountains [facing west]. Mr. Burke also states his neighbor's closest view to his property is from her mudroom. Ross Gould asks how tall the trees on his property are, to which Mr. Burke replies there is a fence, which he states will probably come down, and further states it is not in good shape.

Acting Chair Carney asks the applicant to state the height of the proposed garage/studio, to which Mr. Burke replies it is 17' to match the gable of the house. Acting ZBA Attorney Polidoro and the ZBA Board members clarify the 17' height is calculated from the average of the finished grade, on the side of the building having the lowest finished grade, to the average height between the eaves and ridge for a gabled roof, and further clarify the height of the proposed structure at the peak of the roof is 19.3'.

George Jahn asks Ms. Polidoro where the formulation for the required distance between buildings comes from, to which Ms. Polidoro replies it comes from the fire code in order to avoid high density among buildings. Town Board Liaison, Bill Hamel, notes this will be part of the new Comprehensive Plan. Ross Gould asks how much electricity and other energy the applicant expects the proposed addition to consume, to which Mr. Burke replies they are updating to a 200 Amp system, and further states at present he cannot run machines and a band saw with the old, electrical system in place. Mr. Burke states guests will not occupy the room above the garage full time.

Acting ZBA Attorney Victoria Polidoro asks Mr. Burke if he has Board of Health approval for his septic system, to which Mr. Burke replies he replaced the tank and field in 2014. Ms. Polidoro asks Mr. Burke how many bedrooms is the system rated for, to which Mr. Burke replies the current second bedroom is going to become an office and bathroom. Ms. Polidoro states Mr. Burke should get Board of Health approval for the septic system

before he sites the [proposed] building, in case he is required to change the site. Ross Gould asks the applicant if there are alternative locations on the property for the proposed garage/studio, to which Mr. Burke replies the sloping landscape and trees make it difficult, and further states he and his wife could have tried to enlarge the house, but it would not be consistent with the neighborhood. Mr. Burke states, for this reason, he and his wife decided to replace the old shed with the proposed garage/studio. Acting Chair Carney states the applicant is challenged by the triangular shape of his lot.

George Jahn states the distance of the current structure to the house, the side yard setback, and 15% lot coverage are all non-conforming, and further notes the applicant is seeking to increase the non-conformity with his proposed garage/studio. Mr. Jahn further states what is missing from the application, and drawings is how much the lot coverage will increase with the proposed structure. Mr. Burke states he is aware of that, and will get the numbers from his architect. Ms. Polidoro confirms the applicant will need to request an additional variance for lot coverage. Mr. Burke requests the public hearing be set for the October ZBA meeting, instead of September.

At 7:27 pm Acting Chair Carney asks for a motion to declare the Action Type II under SEQRA. Ross Gould so moves, George Jahn seconds, and Acting Chair Carney, George Jahn, and Ross Gould vote in favor of declaring the Action Type II under SEQRA.

At 7:28 pm Acting Chair Carney asks for a motion to request an additional \$250.00 deposit to the ZBA 25-04 Burke escrow account. George Jahn so moves, Ross Gould seconds, and Acting Chair Carney, George Jahn, and Ross Gould vote in favor of requesting an additional \$250.00 deposit to the ZBA 25-04 Burke escrow account.

At 7:28 pm Acting Chair Carney asks for a motion to set the public hearing for ZBA 25-04 Burke for Wednesday, October 8, 2025. Ross Gould so moves, George Jahn seconds, and Acting Chair Carney, George Jahn, and Ross Gould vote in favor of setting the public hearing for ZBA 25-04 Burke for Wednesday, October 8, 2025.

Acting Chair Carney asks Mr. Burke if the Board members may make a site visit to the property, to which Mr. Burke replies they may.

At 7:30 pm Acting Chair Carney asks for a motion to adjourn the meeting. Ross Gould so moves, George Jahn seconds, and Acting Chair Carney, George Jahn, and Ross Gould vote in favor of adjourning the meeting.

The next ZBA meeting is at 7:00pm, on Wednesday, October 9, 2025. The submission deadline for which is **noon Tuesday, September 30, 2025**. Please contact Brandon Mullins or Steve Cole in the Building & Zoning Office to apply to the Town of Red Hook ZBA. Building & Zoning Office Hours are M – Th 9:00 – 4:00.