

Town of Red Hook ZBA
Amended, Approved Meeting Minutes
July 9, 2025



Preliminaries

Roll Call

Chairperson Karakassis calls the meeting to order at 7:01 pm and asks Clerk Rubin to conduct the roll call. Chris Carney, Ross Gould, George Jahn, and Chairperson Karakassis state they are present. Also present are ZBA Attorney, Janis Gomez Anderson, and Town Board Liaison, Bill Hamel. Chris Klose is absent. Chairperson Karakassis officially welcomes new Board member, Ross Gould to the ZBA.

Approval of June 11, 2025, Draft Minutes

At 7:01 pm Chairperson Karakassis asks for a motion to approve the June 11, 2025, draft ZBA minutes. At 7:02 pm George Jahn so moves, Chris Carney seconds. Chairperson Karakassis, George Jahn, and Chris Carney vote in favor of approving the June 11, 2025, draft ZBA minutes. Ross Gould abstains, since he was not present at the meeting.

Planning Board Minutes and Comments from the Chair

Chairperson Karakassis states the latest Planning Board minutes are not yet available, and further states there is nothing in the minutes prior to the latest Planning Board meeting which would involve the ZBA.

Public Hearing

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 states there is a correction to the SEQR determination, made at the review meeting, on June 11, 2025. Chairperson Karakassis states counsel has advised the Action is an Unlisted Action, instead of a Type II Action. ZBA Attorney, Janis Gomez Anderson recommends the Board conduct an Uncoordinated SEQR Review, examining only the zoning aspects of the project.

At 7:04pm Chairperson Karakassis moves to rescind the Type II Action Determination and reclassify the Action as Unlisted under SEQR. George Jahn seconds and Chris Carney, George Jahn, and Chairperson Karakassis vote in favor of rescinding the Type II Action Determination of June 11, 2025, and reclassifying the Action as Unlisted under SEQR. Ross Gould abstains and states he was not at the June 11, 2025 meeting.

At 7:05pm Chairperson Karakassis asks for a motion for the ZBA to act as Lead Agency for an Uncoordinated SEQR Review. Chris Carney so moves. George Jahn seconds, and Chairperson Karakassis, George Jahn, Ross Gould, and Chris Carney vote in favor of the ZBA acting as Lead Agency for an Uncoordinated SEQR Review.

Chairperson Karakassis states the Board must complete Parts 2 and 3 of the Short Environmental Assessment Form (S-EAF) and notes the applicant has completed Part 1. Chairperson Karakassis states the ZBA Attorney has questions. Ms. Gomez Anderson asks the applicant if he has already gone before the Planning Board, to which Mr. Migliorelli replies he has not. Ms. Gomez Anderson states assuming the applicant gets his variance, he will then go to the Planning Board for a Minor Subdivision. Mr. Migliorelli states he is seeking a Lot Line Adjustment, not a Subdivision. Ms. Gomez Anderson clarifies a Lot Line Adjustment is a type of Minor Subdivision and confirms with the applicant the map he submitted with his application accurately represents his project, even though it is from 2011.

Ms. Gomez Anderson asks the applicant how long he has owned the property, to which Mr. Migliorelli replies he thinks it could be about 25 years. Ms. Gomez Anderson asks if it could be prior to 1993, when the Multifamily Residence Law was enacted. Ms. Gomez Anderson asks the applicant if he had to get a Special Permit for the Multifamily, to which Mr. Migliorelli replies he purchased it as a Multifamily with four apartments. Mr. Migliorelli adds he purchased it in 2003, and further states Virginia Lawson had it as a farmhouse, and changed it to a Multifamily.

Chairperson Karakassis asks the applicant to identify the well, the septic, and something labeled "Apartment" on the map, which is displayed on the smart screen. Mr. Migliorelli does so, and clarifies there is no apartment in that location, and further states it is a garage. Ms. Gomez Anderson states the applicant is in front of the ZBA for an Area Variance for lot size and further states the applicant will have to still go before the Planning Board for the Lot Line Adjustment, and possibly Site Plan Review. Ms. Gomez Anderson recommends the ZBA condition its variance, if granted, on Planning Board approval, so if the Planning Board does not approve the project, the variance will drop.

Chairperson Karakassis asks Mr. Migliorelli to present his proposal for the benefit of the new Board member. Mr. Migliorelli states his proposal will allow him to enhance the agricultural land on the larger parcel, which has 24 greenhouses, which are high hoop tunnels. Mr. Migliorelli states he will grow winter vegetables, and further states the transferred land, from the smaller parcel, will function as support land for this endeavor. Mr. Migliorelli states the land to be transferred is currently wasted, and further states nobody wants to mow that much lawn. Mr. Migliorelli states there is a similar situation on Pitcher Lane, with yards on residential lots, which are too large.

Chairperson Karakassis asks the Board if there are any questions. George Jahn asks the applicant to explain what he means by "support land", to which Mr. Migliorelli replies he would put up a building, for a garage and a washing area for the vegetables.

Chairperson Karakassis states, since there are no further questions, the Board will now review the questions on Part 2 Impact Assessment, of the S-EAF.

1. All Board members agree the proposed action will have no or a small impact regarding a material conflict with an adopted land use plan, or zoning regulations.
2. All Board members agree the proposed action will have no, or small impact regarding a change in the use or intensity of use of land.
3. All Board members agree the proposed action will have no, or small impact regarding an impairment to the character or quality of the existing community.
4. All Board members agree the proposed action will have no, or small impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA).
5. All Board members agree the proposed action will have no, or small impact regarding an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway.
6. All Board members agree the proposed action will have no, or small impact regarding an increase in the use of energy, and a failure to incorporate reasonably available energy conservation or renewable energy opportunities.

Ross Gould asks the applicant to indicate the location of the greenhouses and asks how much energy they will require. Mr. Migliorelli states the greenhouses will go on the larger parcel, adjacent to the land to be transferred, and further states, the high tunnels will have no fans, but instead the sides will roll up, for ventilation. Mr. Migliorelli states they will use little electricity and will be low noise.

7. All Board members agree the proposed action will have no, or small impact regarding a. public/private water supplies b. public/private wastewater treatment facilities.

Mr. Migliorelli states he has installed a well.

8. All Board members agree the proposed action will have no, or small impact regarding an impairment to the character or quality of important historical, archeological, architectural, or aesthetic resources.
9. All Board members agree the proposed action will have no, or small impact regarding an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna).
10. All Board members agree the proposed action will have no, or small impact regarding an increase in the potential for erosion, flooding, or drainage problems.

Mr. Migliorelli states the land is flat, silty loam soil, and is well-drained.

11. All Board members agree the proposed action will have no, or small impact regarding the creation of a hazard to environmental resources or human health.

At 7:20pm Chairperson Karakassis moves to check the second box on Part 3 Determination of Significance, of the S-EAF, which states the proposed action will not result in any significant adverse environmental impacts [See Parts 2 and 3 attached to Variance Resolution 25-01, attached to these minutes]. George Jahn seconds, and Chris Carney, Ross Gould, George Jahn and Chairperson Karakassis vote in favor of checking the second box on Part 3 Determination of Significance, of the S-EAF, which states the proposed action will not result in any significant adverse environmental impacts.

At 7:20pm Chairperson Karakassis moves to open the public hearing. Chris Carney seconds and Chris Carney, Ross Gould, George Jahn, and Chairperson Karakassis vote in favor of opening the public hearing. Chairperson Karakassis invites any members of the public to present their comments or questions.

Katherine Gagin states she is a neighbor of Mr. Migliorelli and indicates the location of her parcel on the map displayed on the smart screen. Ms. Gagin states her concern that the water used for the greenhouses could draw water from her well. Ms. Gagin states she has been informed there are three wells on the Migliorelli parcel. Mr. Migliorelli states he has one well, and further states most of the greenhouses will have a trickle system of hoses running along the rows of vegetables, instead of overhead irrigation. Mr. Migliorelli states this system will use 1/10th to 1/15th the amount of water compared to overhead irrigation. Mr. Migliorelli states his well provides 7-8 gallons per minute of water.

Chairperson Karakassis states the ZBA cannot regulate what the applicant is doing on the larger parcel and further states the ZBA has a very narrow scope. Chairperson Karakassis states the applicant will appear before the Planning Board and there will be a public hearing at which Ms. Gagin can ask questions.

At 7:24pm Chairperson Karakassis asks for a motion to close the public hearing. George Jahn so moves, Ross Gould seconds, and Chris Carney, Ross Gould, George Jahn, and Chairperson Karakassis vote in favor of closing the public hearing.

At 7:25pm Chairperson Karakassis moves to make a Negative Declaration for the Proposed Action [the variance requested] regarding Part 2 Impact Assessment, and Part 3 Determination of Significance of the S-EAF. George Jahn seconds, and Chris Carney, Ross Gould, George Jahn, and Chairperson Karakassis vote in favor of making a Negative Declaration for the Proposed Action [the variance requested] regarding Part 2 Impact Assessment, and Part 3 Determination of Significance of the S-EAF.

At 7:26pm Chairperson Karakassis moves to approve an escrow deposit request of \$250.00 for Appeal 25-01 Migliorelli. Ross Gould seconds and George Jahn, Chris Carney, Ross Gould, and Chairperson Karakassis vote in favor of approving an escrow deposit request of \$250.00 for Appeal 25-01 Migliorelli.

The Board reviews Facts and Findings [see attached Resolution]. Chairperson Karakassis asks the Board if it has any further questions for the applicant. There are none.

At 7:35pm Chairperson Karakassis asks for a motion to make the requested variance conditional on Planning Board approval of the Lot Line Adjustment. George Jahn so moves. Chairperson Karakassis seconds, and George Jahn, Ross Gould, Chris Carney, and Chairperson Karakassis vote in favor of making the requested variance conditional on Planning Board approval of the Lot Line Adjustment.

At 7:36pm Chairperson Karakassis asks for a motion to grant the requested variance. George Jahn so moves, Ross Gould seconds, and Chris Carney, Ross Gould, George Jahn, and Chairperson Karakassis vote in favor of granting the requested variance.

Janis Gomez Anderson notes the difference in the way Planning Boards and Zoning Boards work, regarding timelines, and further states some Zoning Boards hold a public hearing at the initial meeting. Ms. Gomez Anderson states, to avoid holding a third meeting for this application, it was necessary to conduct the SEQR review at this meeting.

At 7:38 pm Chairperson Karakassis asks for a motion to adjourn the meeting. Ross Gould so moves, Chris Carney seconds, and Chairperson Karakassis, George Jahn, Ross Gould, and Chris Carney vote in favor of adjourning the meeting.

The next ZBA meeting is at 7:00pm, on Wednesday, August 13, 2025. The submission deadline for which is **noon Tuesday, August 5, 2025**. Please contact Steve Cole in the Building & Zoning Office to apply to the Town of Red Hook ZBA. Summer Building & Zoning Office Hours are M – Th 9:00 – 4:00.

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 9th day of July, 2025 on the following matter:

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.

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

Heftm 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:

06/27/2025

Subscribed and sworn to before me this 27 day of June, 2025

Notary Public
State of Wisconsin, County of Brown

Vicky Felty

VICKY FELTY
Notary Public
State of Wisconsin

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Town of Red Hook
Zoning Board of Appeals

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

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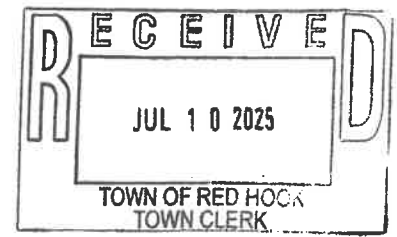
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Town of Red Hook
Zoning Board of Appeals

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



VARIANCE RESOLUTION

Application #: 25-01 Migliorelli Grid Nos.: 134889-6275-00-841107, 134889-6275-00-787007

Introduced by: George Jahn
Seconded by: Ross Gould

Date: July 9, 2025

The Town of Red Hook Zoning Board of Appeals, at meetings duly convened on June 11, 2025, and July 9, 2025, reviewed the facts in Application #25-01 as submitted by Kenneth Migliorelli, owner of the properties identified as Tax Map # 134889-6275-00-841107 and 1348879-6275-00-787007, ("the Properties"), and

WHEREAS, said application requests an area variance from the strict application of § 143-12 The District Schedule of Area and Bulk Regulations, Attachment 2, of Chapter 143 of the Code of the Town of Red Hook (Zoning) to allow a Lot Line Adjustment which would increase the nonconformity of a pre-existing, non-conforming lot of 2.011 acres, reducing the lot size to 1.138 acres in the Residential 3 Acre Zoning District (RD3), and adding that to acreage to an adjacent 28 acre parcel, under a conservation easement, in the Agricultural Business District (ABD) of the Town, and

WHEREAS, the proposal requires the following variances:

404 Lasher Road (134889-6275-00-841107-0000)					
Variance Requested	Code Section	Required	Requested	Difference	Difference (percentage)
Lot Size	§143-12, Att. 2	3 acres	1.138 acres	1.862 acres	62%

WHEREAS, the application was determined to be an unlisted action under the State Environmental Quality Review Act and the Board voted to act as lead agency in an uncoordinated review, and adopted a Negative Declaration on July 9, 2025, and

WHEREAS, the Board held a Public Hearing on July 9, 2025, notice of which was duly published in the Poughkeepsie Journal on June 27, 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. If granted, the area variance will permit the applicant to use the transferred property to support the agricultural activity on the larger parcel.
2. Based on the map provided, the remaining, nonconforming parcel has well and septic located on that parcel to support the existing multi-family dwelling.
3. There will be no negative aesthetic effect on the neighborhood.

NOW THEREFORE BE IT RESOLVED by the Zoning Board of Appeals, that Application #25-01 a request for a variance from § 143-12 The District Schedule of Area and Bulk Regulations, Attachment 2, of Chapter 143 of the Code of the Town of Red Hook (Zoning) to allow a Lot Line Adjustment which would increase the nonconformity pre-existing, non-conforming lot of 2.011 acres, reducing the lot size to 1.138 acres in the Residential 3 Acre Zoning District (RD3), and adding to acreage to an adjacent 28 acre parcel, under a conservation easement, in the Agricultural Business District (ABD) of the Town, be GRANT 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 numerically substantial but not substantial in effect.
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.

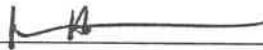
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BE IT FURTHER RESOLVED, the grant of the Requested Variance shall be subject to the following condition(s):

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
3. Applicant must obtain approval from the Planning Board for a minor subdivision/lot line adjustment.

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

Adopted: July 9, 2025

Zoning Board Chairperson: 

Secretary: 

Project:

ZBA Application #25-01

Date:

July 9, 2025

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Red Hook ZBA

July 9, 2025

Name of Lead Agency

Date

Kathleen Karakassis

ZBA Chair

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)