

**TOWN OF RHINEBECK  
ZONING BOARD OF APPEALS  
AGENDA  
September 7, 2016 - 7:30 PM**

**I. CALL TO ORDER**

**II. MINUTES**

Approval of Minutes of August 17, 2016 meeting.

**III. NEW BUSINESS**

No new business

**PUBLIC HEARINGS**

**7:35 p.m. Andrew Solomon-Marienruh (M. Sloan) - 367 River Road- Deer Fence - Grid #: 6071-00-760185 – Case #929**

The application for the placement of ten foot high Deer fencing throughout the property located in a HP20 zone, in the LWRP and situated along River Road in Rhinebeck, which is a scenic roadway. The application does *not* meet our Town zoning law as to fencing height, as follows:

1. The fence height does not conform to the fence height limitations of zoning section 125-38, especially paragraph A. “Fences, 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 50 feet of the front lot line or highway right-of-way. Except for agriculture and forestry, fencing which exceeds six feet in height or which consists of a solid fence or wall that does not allow for the passage of views shall be subject to the issuance of a special use permit in accordance with Article VI of this Chapter. “

**Note:** Planning Board approvals are also required for this project.

**V. OLD BUSINESS**

**Andrew Solomon-Marienruh (M. Sloan) - 367 River Road- Accessory Apartments and Other Structures - Grid #: 6071-00-760185 – Case # 911.**

Application for Accessory Apartments, Reflecting Pool, Pool House, Courtyard, Greenhouses, Pergola, Terrace, Walk paths, Temple, and Tennis Court in a property located in a HP20 zone has been reviewed. The application does not meet a number of Town zoning laws including setbacks and area & bulk regulations.

1. Zoning yard setbacks in the HP20 zone requires a 150 foot side yard setback, this proposal included as follows:
  - a) a Reflecting pool w/ 107 ft. setback, V = 43 ft.

- b) a Temple w/ 125 ft. setback, V = 25 ft. and
  - c) an Emergency generator w/ 135 ft. setback, V = 15 ft.
- Variances required for all 3 structures, Reference 125-21*
2. The Code allows a maximum building height of 35 feet, The 44 feet height of the existing principal dwelling exceeds the code requirement of 35 feet max allowed, *Variance required, Reference 125-21.*
  3. No such accessory structure shall project closer to the fronting street than the principal building on the lot. *Variance required for 2 structures, the garage and the generator are situated closer to the road. Variance Required. Reference 125-27 A. (3).*
  4. Accessory structures shall in the aggregate comprise not more floor area than either the principal dwelling on the lot or 1,500 sq. ft., whichever is more restrictive. These eleven accessory structures appear to be equivalent to 40,933 sq. ft. *Variance required for the 39,433 sf. Reference 125-27 A. (4).*
  5. The total number of Accessory Structures as proposed exceeds the allowable; Code allows that no more than three (3) accessory structures shall be permitted on an individual residential lot. This parcel will contain a total of eleven (11) accessory structures, with four existing and seven proposed, including; the garage, tennis ct., house gen & cond., reflect pool, swim pool, pool house, pool house gen + cond., greenhouse, greenhouse gen, pergola, and temple. *Variance required for 8 additional A.S. Reference 125-27 A. (6)*

Note- Planning Board Approvals are also required for this project.

## **VI. CORRESPONDENCE**

Email from Zachary Hall (Sloan Arch) dated August 19, 2016 regarding Solomon Case #929 - Deer Fence Detail and Proposed Inner Gate.

Email from Zachary Hall (Sloan Arch) dated August 29, 2016 regarding Solomon Case #911 - Generator and Proposed Enclosure.

Email from Zachary Hall (Sloan Arch) dated September 1, 2016 regarding Solomon Cases #911 and #929 referencing ownership.

Original letter with documents received 9/6/16 regarding Solomon #911 and 929.

Email from Warren S. Replansky, P.C. dated September 2, 2016 regarding Red Wing Properties LLC Appeal – Closing Statements.

## **VII. ADJOURNMENT**