

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
February 26, 2018**

Chairman Sam Phelan called the meeting to order at 7:30 pm and confirmed the agenda as published.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Bill Hamel, Lisa Foscolo, and Brian Kelly. Sam Harkins and Kallie Robertson were absent. Also present were engineering consultant Kimberly Puchar, planning consultant Michele Grieg and attorney Jennifer Gray.

Brian Kelly made a motion to accept the minutes of January 30 with an amendment to clarify comments about local law A. Bill Hamel seconded and all members voted in favor.

OLD BUSINESS

Bard Master Plan – Special Permit – SEQR

Bard College representatives Pete Setaro, Charles Simmons, CFO James Brudvig and Jeff Smith, Director of Transportation were present.

Mr. Phelan said that correspondence had been received since the last meeting, including a letter from Tivoli Mayor Joel Griffith. He also said that he and Board member Bill Hamel met with the applicant's representatives Feb. 22 for a general discussion reviewing materials from prior meetings. He said notes of the meeting are available.

Pete Setaro said that the college has decided it would be in its best interest to move the proposed gymnasium expansion from mid-term projects to long term projects going forward. Mr. Phelan asked if it was just the gym that was being moved, or did that include all the other projects related to the gym as well. Mr. Setaro said only one related project in near term, redoing an existing playing field, would remain where it is. All other projects related to the proposed gym expansion would be moved back to long term with the gym.

Mr. Phelan asked if the work on the playing field had started. Mr. Setaro said it has. Mr. Phelan asked if it had been approved by the Planning Board. Charles Simmons said that it is rehabilitation of an existing playing field. He said the existing turf is being removed and replaced by synthetic turf, which is maintenance, which does not require Planning Board approval. Mr. Phelan asked if there were any changes to parking or access in the area. Mr. Simmons said no.

Michele Grieg said that if the surface of the playing field was being changed from natural grass to a synthetic surface she did not agree that that is considered maintenance. Mr. Simmons said the grass field is worn out and replacing the surface was necessary, and he considers that maintenance. Jennifer Gray asked if there were any permits required by the Building Department. Mr. Simmons replied no. Mr. Phelan said he felt that it was stretch of the definition of maintenance when an entire surface is being replaced including the subsurface. He said the courtesy of running it past the Building Department would be appreciated.

Mr. Setaro said that he had reviewed the parts 2 and 3 of the EAF that the Board had reviewed Feb. 5, and distributed comments that he had written in response to the Planning Board's determination of large impacts on Aesthetic Resources, Historic and Archeological Resources, Community Character and Traffic.

Regarding Aesthetic Resources, he said 393,098 sq. ft. of new buildings have been constructed on the campus over the last 20 years, and in his opinion, adding another 295,000 square feet (excluding the gym), will not affect the setting and view sheds of the established college campus. He continued that the proposed new buildings in the Master Plan are set back from Annandale Road farther than the ones that have already been approved. Finally, he objected to the proposed new parking lot off Annandale Road as being a large impact because there is currently a large gravel parking lot that will be reduced in size and screened.

Regarding Historic and Archeological Resources, he said that an Environmental Report prepared for the Kline Commons and Rose Science expansions have received NYS no impact approvals, and that all proposed buildings will have to be reviewed and approved by the State.

Regarding Community Character, he said that Bard is an existing college campus, and each project is designed in a style that fits a campus setting, and all building designs must be reviewed by NYS Historical.

Regarding Traffic, he argued that it has been generally agreed that levels of service will not be impacted on the roads, and that the Town should engage in discussions with the County and Bard to resolve the problems he perceived are caused by delivery vehicles in Barrytown, additional traffic generated by events, and pedestrian circulation.

Mr. Phelan asked Joel Griffith, Mayor of Tivoli, for his comments. Mr. Griffith acknowledged the benefits of having Bard College in the town. However, he said that over the last 20 years tension and disagreement has led to an often stormy relationship between Bard and Tivoli. He said Tivoli has tried in the past to work directly with Bard to solve problems, but since the college is located in the Town, and therefore not in Tivoli's jurisdiction, they are often unsuccessful.

Mr. Griffith said that in the late 1990s, Bard's undergraduate enrollment nearly doubled. He said that the college admitted more students than they could house, creating a large population living off campus. He said Tivoli has gone from one in twenty Tivoli residents being an undergraduate to one in four, and that has had a massive impact on the community of Tivoli. Specifically, he said, noise, garbage, graffiti, vandalism and attendant police costs, which account to 5-10 percent of property tax revenue, trying to keep speeding during the day and late night noise in the village under control.

Mr. Griffith said the college shuttle, combined with the college's lack of housing, further enables students without cars to rent off campus, and, although it provides safe transportation it has also been widely acknowledged to function as a 'drunk bus'. He said that Tivoli has toughened the local laws, but resents being a police state. He said most businesses close at 1 am, and there is no reason for students to be on the streets after that time, but the late night shuttle service enables students to be on the streets until 2 am. He said the shuttle bus should not run after 12 am.

Mr. Griffith said the community is deeply concerned about the possibility of the student body increasing and the college not increasing on-campus housing. He said he felt that the college is not meeting the

students' needs for socializing and housing on campus. He said that the volunteer Tivoli Fire and Rescue company, paid for mostly by the community, covers the north part of the college campus, and proposed increases in campus buildings there will directly impact the Tivoli taxpayers.

Mr. Griffith concluded by urging the Planning Board to make a positive declaration under SEQR.

Mr. Simmons asked to reply to Mr. Griffith's remarks about the shuttle bus. He clarified that students are not transported into Tivoli by the busses after midnight. They can only return to campus. James Brudvig added that the shuttle was started in response to instances of rape that occurred in Tivoli woods. He said it provides safe passage to students, and that students are not the only people who drink in Tivoli establishments, as evidenced by the tragedy four years ago when two students were killed by a resident drunk driver.

The Board reviewed a revised EAF part 2. Moderate to large impacts were identified in the sections of Land, Plants and Animals, Aesthetic Resources and Historic and Archeological Resources, Transportation, Energy, Community Plans and Community Character. No further revisions were made by the Board.

Mr. Setaro asked how development on the college campus could have a moderate to large impact on secondary development in the community. Mr. Phelan said that opens a discussion about the credibility of college statements that there will be no change in staffing or enrollment. He said that additional businesses may be established and more housing be needed as a result of a larger college population. Mr. Brudvig said an increase in the graduate program could be absorbed in the summer because there is plenty of housing available. Undergraduate enrollment could go up or down, he said, and questioned whether the Planning Board could dictate enrollment to the college. Mr. Phelan responded that the Planning Board is not dictating enrollment, but trying to come up with credible forecasts as to what may occur. Mr. Brudvig said some maintenance staff would be added. Mr. Phelan asked if curriculum was being expanded. Mr. Brudvig replied no. Mr. Phelan said that the Board must consider that there may be a change in enrollment due to larger facilities, increased curriculum, and the finances associated with the maintenance of all the new buildings. Lisa Foscolo agreed, saying that if, as Mr. Brudvig said, enrollment *may* increase, there *may* be an impact.

The Board moved on to review revised part 3 of the EAF. Michele Grieg said that it is impermissible to segment a project- specifically the proposed gym expansion – because the cumulative impact of all projects must be taken together. She said the gym needs to be part of the evaluation even though it is being moved to the long term projects. She said a tremendous amount of detail has already been given for the proposed gym and related improvements, and therefore it must be included in the determination. After some debate, Mr. Phelan concluded that it looked as if the college was pulling the project not because they are changing their vision, but because its impact is large enough that it could be a factor in triggering a positive declaration, which would mean an Environmental Impact Statement would need to be prepared.

As the Board progressed through part 3, discussion included explanations to clarify and justify the SEQR process to the applicants. Ms. Grieg and Ms. Gray answered questions from Board members and applicants. The Board generally agreed that the proposed gym should be included in the assessment. At the conclusion of the review of part 3, Mr. Phelan said that the groundwork had been laid for a Positive Declaration. The applicants expressed disappointment at the decision. Mr. Setaro advocated for an expanded part 3 instead. Ms. Foscolo said that although she realized that preparing a Generic Environmental Impact Statement (GEIS) is costly, it would ultimately be beneficial. Mr. Phelan said the

expanded part 3 could take longer and result in a positive declaration anyway. Ms. Grieg said that a GEIS allows for public comment, and given the amount of interest there has been it's an important consideration.

The Board reviewed a draft Positive Declaration. Bill Hamel recommended a change in wording from 10 year horizon to multi-year horizon under the 'Land' portion of the Positive Declaration. The Board agreed to make the change.

Brian Kelly made a motion to adopt a Positive SEQR Declaration. Lisa Foscolo seconded and all members voted in favor.

ADJOURNMENT

There being no further business before the Board, Bill Hamel made a motion to adjourn. Brian Kelly seconded and all members voted in favor.

Respectfully submitted,



Kathleen Flood
Clerk for the Board

617.7 and 617.12

State Environmental Quality Review (SEQR)

Positive Declaration

Notice of Intent to Prepare a Draft Generic Environmental Impact Statement (DGEIS)
Determination of Significance

Date: February 26, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Town of Red Hook, as Lead Agency, has determined that the proposed action described below may have a significant adverse impact on the environment and that a Draft Generic Environmental Impact Statement will be prepared.

Name of Action: Bard College Campus Master Plan

SEQR Status: Type I
Unlisted

Description of Action: The applicant has proposed a Campus Master Plan for the 1,000 acre Bard College Campus. The Campus Master Plan describes proposed future projects within a 10-year planning horizon. The Plan includes five (5) near-term projects: a 22,660 sq. ft. addition to Kline Commons; construction of a new 3-story 33,810 sq. ft. Digital Science building; installation of a new artificial turf soccer/lacrosse field and a new grass practice field; three microhydropower facilities; and a 906 sq. ft. Media Lab. The Plan also includes eight (8) mid-term projects: construction of a new 75,000 sq. ft. 200 bed dormitory and replacement of an existing 212 beds with new 46,442 sq. ft. replacement building; construction of a 25,000 sq. ft. live arts building; relocation of an existing student performance space and construction of a 3,000 sq. ft. addition; construction of a 28,500 sq. ft. expansion to the library; construction of a 12,000 sq. ft. expansion to the Center for Curatorial Studies; construction of a 3-story 38,000 sq. ft. MFA studio building; construction of a 97,000 sq. ft. expansion to an existing gymnasium with a new 400-meter track, new tennis courts, two new grass practice fields, a throwing area, and a softball field; various improvements to infrastructure. Long-term ideas are included in the plan but these are not sufficiently defined at this time to be included in the special permit application and are therefore not included in this SEQR review. The proposed action does not involve any land disturbance or development. Any subsequent proposed land disturbance or development would require a separate site-specific review under SEQR.

Location: Annandale Road, Town of Red Hook, Dutchess County New York

Reasons Supporting This Determination:

Land. The proposed project includes the construction of approximately 382,000 sq. ft. of new

buildings that will continue for more than one year over a multi-year, approximately 10 to 15 year planning horizon, and may result in long-term impacts on noise, air quality, and traffic resulting from construction activities. The Planning Board finds that **there may be a significant adverse environmental impact on land and issues a positive declaration.**

Aesthetic Resources. The proposed action is located in the Mid-Hudson Historic Shorelands Scenic District, the Estates District Scenic Area of Statewide Significance, the Hudson River National Historic Landmark District, the Hudson River Valley Heritage Area, and a coastal zone area. The proposed action may have an impact on these aesthetic resources resulting from the construction of approximately 382,000 sq. ft. of additional buildings, including a 97,000 sq. ft. addition to a gymnasium, removal of approximately 4 acres of forest, paving of approximately 2.7 acres of land, and construction of parking immediately adjacent to Annandale Road, a State and locally designated scenic road. In considering the impact of the proposed project on aesthetic resources, the Planning Board finds that **there may be a significant adverse environmental impact on aesthetic resources and issues a positive declaration.**

Historic Resources. The project site is located in the Hudson River National Historic Landmark District, which is on the National Register of Historic Places. The proposed action may have an impact on the National Historic Landmark District from construction of approximately 382,000 sq. ft. of additional buildings, including a 97,000 sq. ft. addition to an existing 36,000 sq. ft. gymnasium. In considering the impact of the proposed project on historic resources, the Planning Board finds that **there may be a significant adverse environmental impact on historic resources and issues a positive declaration.**

Traffic. The proposed action may result in an increase in traffic volumes on and in the vicinity of the project site resulting from construction of approximately 382,000 sq. ft. of additional buildings, including a 97,000 sq. ft. addition to an existing 36,000 sq. ft. gymnasium, and from paving for approximately 400 new parking spaces. In considering the impact of the proposed project on traffic, the Planning Board finds that **there may be a significant adverse environmental impact on traffic and issues a positive declaration.**

Energy. The proposed action may result in an increase in the use of energy resulting from construction of approximately 382,000 sq. ft. of new building requiring heating, cooling, and lighting when completed. The Planning Board finds that **there may be a significant adverse environmental impact on energy and issues a positive declaration.**

Community Plans. The proposed action may have an impact on community plans resulting from the need for 13 area variances, including variances for building height, building coverage, and building and parking setbacks. The proposed action may induce secondary development impacts to neighboring municipalities if enrollment increases are not accompanied by sufficient increases in on-campus housing. In considering the impact of the proposed project on community plans, the Planning Board finds that **there may be a significant adverse environmental impact on community plans and issues a positive declaration.**

Community Character. The proposed action may result in a demand for additional community services such as police and fire, and may result in buildings that are of such size and height that they are inconsistent with the predominant architectural scale and character. In considering the impact of the proposed project on community character, the Planning Board finds that **there may be a**

significant adverse environmental impact on community character and issues a positive declaration.

Plants and Animals. The proposed action may result in an impact to plants and animals due to the clearing of approximately 4 acres of forest for installation of playing fields, and paving of approximately 2.7 acres of land for parking. In considering the impact of the proposed project on plants and animals, the Planning Board finds that **there may be a significant adverse environmental impact on plants and animals and issues a positive declaration.**

Public Scoping of the Draft GEIS will occur as follows:

The Planning Board will conduct scoping to outline areas of potential environmental impacts that will be addressed in the Draft Generic Environmental Impact Statement. The applicant is directed to prepare a draft scoping document pursuant to 6 NYCRR 617.8. At such time as it is prepared and submitted to the Planning Board for review, the draft scoping document will be made available to the public for their input and a public scoping session will be scheduled. The draft scoping document will be sent to all Involved and Interested Agencies (see list below). Additionally, a "Notice of Scoping" will be published in the official Town newspaper, will be sent to all Involved and Interested Agencies, and will be available on the Internet for viewing or downloading at www.redhook.org. The Draft Scoping Document will also be available for public review at www.redhook.org and at the Town of Red Hook Town Hall. A Public Scoping Session will be scheduled. Following the public comment period, the Planning Board will prepare and disseminate a Final Scoping Document.

For Further Information:

Contact Person: Kathleen Flood, Clerk to the Planning Board
Address: Town Board of the Town of Red Hook
7340 South Broadway
Red Hook, NY 12571
Telephone: 845.758.4600

A Copy of this Notice Sent to and Filed With:

Environmental Notice Bulletin: enb@gw.dec.state.ny.us

Supervisor Robert McKeon

Town of Red Hook Town Board

Town of Red Hook Planning Board

Town of Red Hook Zoning Board of Appeals

Village of Tivoli Board of Trustees

New York State Office of Parks, Recreation, and Historic Preservation

Hudson River Heritage

Bard College (applicant)

Anyone who has requested a copy

617.7

State Environmental Quality Review Act (SEQR)

**Resolution Adopting A SEQR Determination of Significance for
Bard College Campus Master Plan**

Whereas, the Planning Board of the Town of Red Hook has received an application from Bard College for a Special Permit for a proposed Campus Master Plan for the 1,000 acre Bard College Campus; and

Whereas, on July 17, 2017, the Planning Board classified the proposed project as a Type I action under SEQR and adopted a resolution declaring itself lead agency as no other involved agency was identified at the time; and

Whereas, the Zoning Enforcement Officer subsequently determined that the application required a variance from the Zoning Board of Appeals, and on December 18, 2017 the Planning Board rescinded the previously adopted Lead Agency Resolution; and

Whereas, the Planning Board thereafter declared its intent to serve as lead agency in the review of the project and no other involved agency objected after notice thereof; and

Whereas, the Board has reviewed the information contained in the EAF and the criteria for determining significance set forth in 6 NYCRR 617.7; and

Whereas, pursuant to 6 NYCRR 617.10, a generic environmental impact statement may be used to assess the environmental impacts of a Campus Master Plan.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action as 30 days has passed since the Planning Board's circulation of its notice of intent to declare itself lead agency and no involved agency has objected.

Be it Further Resolved, that after taking a "hard look" at the EAF and all associated materials prepared and submitted in connection with the proposed action, the Planning Board of the Town of Red Hook hereby adopts the Positive Declaration annexed hereto, determining that the proposed action may result in one or more significant adverse environmental impacts and that a Draft Generic Environmental Impact Statement will be prepared.

Be It Further Resolved, that the Planning Board hereby authorizes the Planning Board Clerk to file the Positive Declaration in accordance with 6 NYCRR 617.12(b) and to publish notice of the significance determination in the Environmental Notice Bulletin.

On a motion by Brian Kelly, seconded by Bill Hamel, and a vote of 4 for, and 0 against, and 2 absent, this resolution was adopted on February 26, 2018.