

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
AUGUST 6, 2018**

Chairman Sam Phelan called the meeting to order at 7:30 pm. Kallie Robertson made a motion to adopt the minutes of July 2. Brian Kelly seconded and the motion passed unanimously.

Mr. Phelan informed the Board that the Teviot tree remediation program has been completed to the satisfaction of the Board's landscaping consultant.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Bill Hamel, Kallie Robertson, Lisa Foscolo and Brian Kelly. Kristina Dousharm was absent. Also present was planning consultant Michele Greig.

PUBLIC HEARING

LA Commons – 260 Rockefeller Lane – Special Use Permit, Site Plan

Public Hearing on application to construct a multi-family dwelling on a 5.845 acre parcel in the R 1.5 district.

Applicant Lindsay Schultz and builder Matt Braydich were present. Mr. Phelan read the public hearing notice that was published in the Poughkeepsie Journal.

Mr. Braydich gave an overview of the project.

Bill Dana, Rockefeller Lane, asked if the zoning permits an apartment house. Mr. Phelan said that in the RD1.5 district, one dwelling unit for every 1.5 acres of land owned is permitted.

Chris Zeitz, an adjoining landowner, said that the water table is between 18 inches and 2 feet, and every time it rains there is flooding. He said the town put a trench on Rockefeller Lane that was a slight improvement, but he felt the project would divert water south of the site toward his property. He said he wanted confirmation that he will not have to pay for problems caused by the project.

Mr. Phelan asked where the town did the work. Mr. Zeitz said it was near the Funshine Nursery School.

Mr. Dana said he did not like the design of the proposed house, and said he felt it would devalue his property.

Harvey Leidy of Rockefeller Lane was concerned about traffic. He said he has asked the Supervisor to take steps to lower the speed limit on Rockefeller Lane. Mr. Phelan said that the Planning Board has no authority over speed limits.

Mr. Leidy asked about parking, and agreed with other neighbors that there are flooding issues in the neighborhood. Heidi Leidy asked if there would be a sidewalk installed on Rockefeller Lane. Mr. Phelan said there would be no sidewalks installed on Rockefeller Lane or Route 9.

Mr. Braydich gave an overview of the building elevations and floor plans. He provided samples of the roofing and siding materials proposed. He said the proposed building is a modular unit and construction

would take about two weeks, and would not be excessively noisy. He said the building would be placed on a crawlspace foundation.

Mr. Dana asked how tall the building is. Mr. Bradich said two stories. Mr. Dana asked how many people would live in the apartments. Mr. Braydich said the units are one bedroom units. Mrs. Leidy asked if the den could be another bedroom. Mr. Braydich said that the den does not have a doorway or a closet.

Mr. Leidy said he did not feel that the building blends in with the surrounding neighborhood. Mr. Braydich indicated the proposed landscaping that would soften the impact. Discussion followed about the types of trees to be used for landscaping.

Mr. Zeitz asked if there would be any other buildings on the property. Ms. Schultz said no further development would be allowed.

Mr. Phelan asked if there were any further comments or questions from the public. Mr. Leidy asked if the proposed septic could handle the use. Mr. Phelan said the Dutchess County Department of Health will not issue a permit for it if it cannot.

Bill Hamel made a motion to close the public hearing. Lisa Foscolo seconded and all members voted in favor.

The Board and applicants discussed the elevations further, including the windows and siding. Mr. Phelan commented that hardy plank is more stable than vinyl. Ms. Schultz said that it costs substantially more, but she would consider other types of siding.

Mr. Phelan asked if the proposed leach fields could be flipped so that the expansion area would be on the same side as the existing vegetation along Route 9, allowing it to remain undisturbed. The applicants agreed to discuss it with their engineer.

Kallie Robertson asked why there are no washer and dryer units in the second story apartment. The applicants acknowledged that is an error in the floor plan.

Lisa Foscolo said that she felt some occupants may not mind a bedroom without a door. She asked if Ms. Schultz would be screening potential renters. Ms. Schultz said she will be screening for one or two occupants per unit.

Michele Grieg said that if there is more than an acre of disturbance, a stormwater pollution prevention plan needs to be submitted.

Mr. Phelan noted that the applicants need to take another look at the grade of the driveway. Ms. Grieg suggested that the sidewalk from the parking lot to the house may encourage residents to cut across the lawn. Mr. Phelan said the applicants do not need to widen the sidewalk if they don't want to.

Ms. Grieg and Board members Hamel and Foscolo urged the applicants to consider trees other than white pine for the landscaping.

Mr. Phelan said that when a revised site plan showing changes in the location of the sidewalk, the preservation of the 100 foot corridor along Route 9, any landscape changes and an updated photometric

plan are submitted, the project will be sent to the County Planning Department, who then have 30 days to respond.

OLD BUSINESS

Lindsay Schultz – Old Post Road – Certificate of Appropriateness.

Continued discussion of application to construct a new residence in the Hamlet of Upper Red Hook.

Applicant Lindsay Schultz was present. She distributed revised plans and illustrations of the proposed 1700 sf, 3 bedroom residence in response to Design Review Committee and Board comments. She provided samples of colors and materials. She said a garage is not proposed.

A public hearing was set for Sept. 17.

Jan Robin Groves – 43 McManus Terrace – Lot Line Adjustment

Continued discussion of application for a lot line adjustment recently revised to convey 0.332 acres of land to an adjacent 1.02 acre parcel to the north on MacManus Terrace in the RD3 and R1 zoning district.

Applicant's representative Marie Welch was present. She said that the applicant was granted a variance by the ZBA. She described some changes to the plat.

Bill Hamel made a motion to rescind a Lead Agency Resolution adopted by the board on May 28 and adopt a new Lead Agency Resolution. Lisa Foscolo seconded and all members voted in favor.

The Board reviewed the EAF parts 2 and 3. Lisa Foscolo made a motion to adopt them. Brian Kelly seconded and all members voted in favor.

The Board reviewed a draft SEQR Negative Declaration. Brian Kelly made a motion to adopt it. Kallie Roberts seconded and all members voted in favor.

A public hearing was set for September 17.

NEW BUSINESS

Red Hook Terminal & Bottini – Amended Site Plan

Presentation of application for change in use on two parcels with the same owner on South Broadway in the TND-CC Zoning District.

Applicant Bob Juliano was present. He introduced Peter and Mary Franchise, owners of an antique business who are planning to rent the space that is currently used by Bottini as an office. Mr. Juliano said that the Bottini office will move into the building to the south, which is on a separate lot also owned by Bottini, and was until recently a chiropractic office.

Sam Phelan said that the buildings are now located in the Traditional Neighborhood Development District, which has different regulations with regard to parking, which is now required to be to the side and rear of buildings. Mr. Juliano asked if a site plan would be required. Mr. Phelan said it would be.

Mr. Juliano stressed the simplicity of the changes. Mr. Phelan said that the site plan must demonstrate that it complies with the current Zoning. He said it must be a surveyed plat that has everything documented, including parking, sidewalks, signs, lighting and landscaping, which are currently not in compliance with the Zoning.

The Board and applicants discussed changes to the site and requirements for parking, including handicapped parking. The Board agreed to set a special meeting to facilitate the project for the applicants, who are planning to complete their moves by October 1.

OTHER BUSINESS

Pre-application discussion – Don Lewis, Wild Hive Farm Community Grain Project

Don Lewis was present. He described his established business, Wild Hive Farm Community Grain Project, and its various components. He said he is interested in the site commonly known as Leo's Apples on Route 199, and would like relocate his business there, including space to mill and store grain, a commercial bakery, and a small retail / meeting area.

Michele Greig said she would have to research the various uses in the Zoning Law due to the uniqueness of the project, and the zoning districts it is located within. She asked Mr. Lewis to submit a proposal that discusses the uses and a sketch plan.

Discussion – Town Board referral – Local Law D

Supervisor McKeon was present. He said that the Town is poised to authorize drafting of new regulations to help protect water, timber harvesting and mining, and the town is requesting an additional 6 month moratorium.

Brian Kelly made a motion indicating general agreement with the six month continued moratorium. Kallie Robertson seconded and all members voted in favor.

Extension request – Hoffman TND

Lisa Foscolo made a motion to grant a 90 day extension requested by the applicants to satisfy the conditions of approval. Kallie Robertson seconded and all members voted in favor.

Discussion - Letter to Town Board

Lisa Foscolo said she had drafted a letter stating that the Planning Board would like to take a look at the site plan, hold a public hearing, and render an advisory opinion about the Rec Park West project.

Robert McKeon said he personally has no objection the idea, however the original plan was adopted in 2013, and public hearings have been held in the past several years. He said the Town is changing the plan to change one of the fields into an ADA multi use field.

The Board generally agreed to send the letter to the Town Board.

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.

A handwritten signature in cursive script, appearing to read "Kathleen Flood".

Kathleen Flood
Planning Board Clerk

617.6

State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Groves/Locke Lot Line Alteration

Whereas, the Town of Red Hook Planning Board is in receipt of an application for a Lot Line Alteration from Jan Robin Groves, as Trustee, and Charles P. and Anne Marie Locke to convey \pm 0.332 acres of land from the \pm 6.56 acre Goves parcel to the adjacent \pm 1.02 acre Locke parcel located in the RD3 and R1 Zoning Districts at 43 and 27 McManus Terrace, Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated April 26, 2018 and revised June 11, 2018 was submitted at the time of application; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is an Unlisted action; and

Whereas, the Planning Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter including the Town of Red Hook Zoning Board of Appeals and the Dutchess County Department of Health.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

On a motion by Bill Hamel, seconded by Lisa Foscolo, and a vote of 5 for, and 0 against, and 1 absent, this resolution was adopted on August 6, 2018.

Project: GROVES/ LOCKE
 Date: 8-6-18

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:	GROVES/ LOCKE
Date:	8-6-18

**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 Planning Board
Name of Lead Agency

8-6-18
Date

Sam Phelan
Print or Type Name of Responsible Officer in Lead Agency

Chairman
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: August 6, 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 Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Groves/Locke Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative YES
 NO

Description of Action: The applicant proposes to convey ± 0.332 acres of land from the ± 6.56 acre Groves parcel located in the RD3 Zoning District to the adjacent ± 1.02 acre Locke parcel located in the R1 Zoning District.

Location: 27 and 43 McManus Terrace, Town of Red Hook, Dutchess County, New York

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Short Environmental Assessment Form (EAF) for the action dated April 26, 2018 and revised June 11, 2018, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

3. The Groves parcel is located adjacent to lands in a New York State certified Agricultural District (Agricultural District 20). An Agricultural Data Statement was prepared by the applicants and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcel. The Planning Board considered the Agricultural Data Statement in its review of the application. Existing buildings on the Groves parcel are located in excess of 200' from the boundary of the parcel in the NYS Agricultural District. A note has been included on the plat stating that future buildings on the Groves parcel will be located a minimum of 200' from the property boundary pursuant to § 120-20I of the Town Code, and there will be no clear cutting of existing vegetation in this area, which serves as a buffer between the buildings on the Groves lot and the adjacent farm operation. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on agricultural.
4. The Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)