

## **APPROVED**

### **Town of Red Hook Planning Board Meeting Minutes February 12, 2007**

#### **CALL TO ORDER/ DETERMINATION OF QUORUM**

The meeting was opened at 7:40 p.m. and a quorum determined present for the conduct of business.

Members present — David Wright, Jennifer Fier, Charles Laing, Sam Phelan, and Chair Christine Kane. Paul Telesca and John Hardeman were absent.

#### **BUSINESS SESSION**

Christine Kane confirmed the agenda for the evening but said that Other Business would be moved to the beginning of the evening.

The February 5, 2007 minutes were not yet available for review.

There were no announcements.

#### **OTHER BUSINESS**

##### **Kunzang Palchen Ling**

John McIlravy, on behalf of Kunzang Palchen Ling, submitted a letter saying that the applicants would adhere to the paint colors and window designs as shown on the drawing submitted August 12, 2005 and approved by the Planning Board on September 19, 2005 by repainting the siding on the place of worship currently under construction on Route 9G. He asked, however, that this work be made a condition of the issuance of the Certificate of Occupancy so that workers could finish putting up the siding but wait until the weather improves enough to allow painting. Mr. McIlravy submitted samples of the colored siding.

The Board reviewed the two changes, one for a substitution in roofing material and the other for the addition of an overhang above the rear doors, proposed by the applicants and granted approval by the Board at the February 5, 2007 meeting.

Jennifer Fier said she was concerned that this building, which was planned to contain four apartment-guest rooms and which, as a place of worship, would be tax exempt, would eventually house school-aged children. These children, she said, would add to the school population without contributing any financial support to the district. Mr. McIlravy said that the apartments would be used by Tibetan Buddhist monks, who would have taken a vow of celibacy.

The Board and the applicants agreed that the building was intended for a religious use only and was not to be expanded to any other use. The Board expressly prohibited school-aged children from residing in the building.

Sam Phelan made a motion to allow Kunzang Palchen Ling to continue work on the building, to allow work on painting the siding to be delayed until the weather improves, and to make conformance of the siding and moldings to the approved August 12, 2005 drawing a condition of the issuance of a Certificate of Occupancy. Charles Laing seconded the motion, and all members present voted in favor.

The Board said that Mr. McIlravy would need to submit 3 new sets of plans with sheets incorporating the approved changes.

### **REGULAR SESSION (NEW BUSINESS)**

#### **Chris & Janice Rifenburg - 230 Guski Rd. – Special Permit**

Mark Graminski, P.E. and Chris Rifenburg were present with an application for a Special Permit to establish an accessory apartment above a proposed garage on a 3.0-acre parcel in the RD3 Zoning District.

Mr. Graminski explained that the applicants would like to construct a new detached garage with an accessory apartment above.

Mr. Graminski also said that, as Mr. Rifenburg's engineer, he could attest to the fact that the septic disposal system was adequate, that it had been designed for four bedrooms, that the house contained three bedrooms and that the apartment would contain the fourth bedroom. He said that waste from the apartment would empty into a separate septic tank and the effluent would then flow into a common absorption field.

The Board and applicants discussed the applicant's desire to locate the garage approximately 20-28 feet from the side yard property line. The Board said that the side yard setback for an occupied accessory structure is the same as for a principal building—35 ft. in the RD3 Zoning District. Mr. Rifenburg said that he if moved the location of the proposed garage to meet the setback requirements, the garage would block the view from his deck and would also not act to screen some of the farm equipment on the adjoining lot. The Board said that Mr. Rifenburg could apply for a variance, but it also said that there was ample space on the 3-acre lot to place the garage so that it conformed to the setback regulations.

The Board also expressed concern that apartment above the 30' x 40' garage exceeded the 650 sq. ft. maximum allowed habitable space. It urged the applicant to consult with ZEO Bob Fennell to calculate the habitable space as defined by NYS fire and building codes.

The Board determined the project to be an Unlisted Action under SEQR. Charlie Laing made a motion to establish the Board as lead agency for the SEQR review. David Wright seconded the motion, and all members present voted in favor. Because of the sideyard setback issue, the project will be circulated to the ZBA.

The application was tentatively scheduled for the March 5, 2007 agenda.

#### **Armando D'Onofrio – Kidd Lane & Rte. 9G (Tivoli) – Site Plan**

No one appeared to present this application, so it was deferred to a future agenda.

**Bard College – Campus Rd. (Annandale) – Amended Site Plan**

Darin Dekoskie, P.E. and Chuck Simmons were present with an application for Amended Site Plan to construct an addition for chemistry laboratories to the Center for Science and Computation on an approximately 3-acre project site on a 115-acre parcel in the I (Institutional) Zoning District and the National Historic Landmarks District.

Mr. Dekoskie said the main sections of the Center for Science and Computation had been constructed and that the College was now proposing an addition to the Center. This addition would contain chemistry laboratories and had been proposed after the College determined that renovating other space on campus would be too costly. He said that the part of addition proposal would mean a new look at the stormwater drainage plan and an expansion of the geothermal heating and cooling system.

Mr. Dekoskie went on to say that Bard archaeologist Christopher Lindner was working with the NYS Office of Parks, Recreation and Historic Preservation on a phase 3 plan to correctly manage the archaeologically significant area on-site.

Mr. Simmons said that the original Center was a 50,000 sq. ft. building comprising a basement and main floor and that the addition would be approximately 17, 500 sq. ft.—about a 35% increase. The addition would be a seamless extension of the Center in height, style, and architecture. It is proposed to contain 31 fume hoods.

Christine Kane reviewed the GreenPlan memo, saying that the EAF should be revised regarding the possibility of blasting, that a Local Waterfront Revitalization Program Consistency form must be submitted, and that the site plan should have a new revision date, not the date from the original Science Center. Once these documents have been submitted, the plan can be referred to the Town Engineer and to Dutchess County Planning.

The Board also discussed what buildings were across Annandale Road from the new addition. Mr. Simmons said that the Bertlesmann Center and a dorm were across the road but that the addition would be largely hidden from view by a ridge.

The Board determined the project to be a Type 1 action under SEQR due to the building's location in the National Historic Landmarks District. Jennifer Fier made a motion to circulate a Notice of Intent to serve as lead agency for the SEQR review. David Wright seconded the motion, and all members voted in favor. NYS DEC was found to be the only involved agency, with Hudson River Heritage and NYS OPRHP determined to be interested agencies.

The Board asked the applicants for an aerial photo of the site, plans for the geothermal expansion, a landscaping plan, a lighting plan, a revised drainage plan, a review to see if any mature trees would be removed for the addition, and a description and drawing of the proposed signage.

If all documents are submitted by the deadline, the project will be scheduled for the March 19, 2007 agenda.

**Ulster Savings Bank – 2796 South Broadway – Site Plan**

Architect Patrick Roberts and Terry Dodd from Ulster Savings Bank were present with an application for Site Plan Approval to establish a 4,235 sq. ft., one-story bank with

associated drive up facilities, site improvements and landscaping, on a 1.604-acre parcel in the B2 Zoning District.

Mr. Dodd said that Ulster Savings was proposing a full-service bank with drive-through and ATM facilities.

Christine Kane said that she and Ms. Greig had attended two pre-sketch conferences with the applicants and that as a result of those meetings, the applicants had moved the building closer to Route 9 to comply with Greenway recommendations and had turned the building so that access would be from Metzger Road, not from Route 9. Mr. Dodd said that the layout of the parcel made provisions for future roads through Hardscrabble Commons and through this lot to Metzger Road.

The Board questioned the number of planned parking spaces, which at 42 was twice the number suggested by Town regulations. Mr. Dodd said that the bank would provide a number of different financial services including insurance, payroll, and tax services. He said that most people who came to the bank tended to stay for some time and that the bank's experience at other locations showed that a large number of spaces were necessary.

Some members of the Board also questioned a drive lane along the Rte. 9 side of the building. Mr. Dodd said that this lane was necessary not only to facilitate traffic flow but also to provide emergency access for police to both doors and to provide a through lane for the armored trucks, which have difficulty turning around in tight spaces.

Christine Kane suggested that the applicants move the handicapped spaces closer to the building and do away with some of the parking spaces along Metzger Road. This change which would provide a large turn around space where the handicapped spaces used to be and would eliminate the need for the through-lane along Route 9. The Board also asked the applicants to think about using green pavers for parking at the far east end of the lot or to think about installing the parking in phases, responding to demand as it evolves.

The applicants said that as designed, the plan would require several variances, since the building had been pulled up closer to Route 9 than the Zoning Code allows.

The Board and the applicants reviewed the plan suggested by Dutchess County Planning for the area, noting the tie-in to proposed connector roads at the rear of the property and the possibility of another commercial building at that end. There was some discussion about pulling the septic fields up closer to the bank.

The Board requested the applicants to locate the proposed circulation and monument signs on the plan, to calculate the square footage of the signs and to describe the proposed lighting of the signs. It also asked for a lighting plan and a landscaping plan, locating any large existing trees on the plan.

The Board discussed whether the SEQR review should be an uncoordinated or coordinated review. The members generally agreed on a coordinated review. Ms. Greig will bring the necessary SEQR documents for bank's next appearance. Involved agencies will include the ZBA, the County Health Department, the Town Highway Department and the NYS DEC.

The Board and the applicants generally agreed on these discussion topics: separating the 5' wide sidewalks from the street by a 5' tree lawn, applying to the Village for central water, bringing the handicapped parking spaces closer to the building, trying to eliminate the drive lane on the Rte. 9 side of the building, considering pervious parking, installing a pedestrian walkway from the sidewalk along Route 9 to the building, submitting a landscaping plan and a lighting plan, and considering various ways to light the signs.

**Meadowbrook Estates – Norton Rd. & Baxter Rd. – conceptual Site Plan**

Neil Alexander, an attorney with Cuddy & Feder, and engineer Rodney Morrison were present for a discussion of a concept plan for a 110-unit townhouse development on a 21.8-acre parcel (CSI Developers Holdings, LLC) with frontage on Baxter Rd., partly in the Village of Red Hook, and a 20.1-acre parcel (Carelland, LLC) with frontage on Norton Rd. The land lying within the Town is all in the R1 Zoning District.

Mr. Alexander said that the applicants understood that this was the very beginning of the process. He said that they also understood that the project would receive a Positive SEQR Declaration and that they would be responsible for amassing and submitting a Draft Environmental Impact Statement. He said that the applicant team was ready to begin the SEQR process immediately and to come back after the 30-day circulation period had elapsed ready to take the next step. He said that now was not the time to haggle over the submitted design.

Christine Kane said that, on the contrary, the Planning Board in fact did find it advantageous to discuss development designs at the earliest possible stage. She said that the Board considered this meeting a pre-sketch conference since no application had been submitted and no escrow account had been established. She also said that the SEQR review could not begin without a complete application package and without a review by the Board's professional planner at a minimum.

Christine Kane referred to a previous concept plan submitted as Meadowbrook Estates but comprised of only one of the parcels included in this plan. She said that the Board had found that plan too 'car-centric' and that this plan seemed to retain that element. She suggested that the applicants study the Traditional Neighborhood Design of the neighboring Anderson Commons and try to bring that philosophy and those design elements to this plan.

The Board also suggested that the applicants confer with the Dutchess County Department of Planning and Development, since that office had been instrumental in creating the plan for Anderson Commons.

Noting that frontage for the Baxter Road parcel was in the Village, Christine Kane said that the applicants should check to see whether the Village had declared a moratorium on building roads.

There was some further discussion about what could be done at this meeting. Mr. Alexander again said that the SEQR review should begin. Members of the Board said that a complete application package must be submitted. Mr. Alexander said that the applicants could 'drop a DEIS on [the Board] tomorrow and [it] would have to respond within 30 days.' Christine Kane said that it was not helpful to circulate a plan that was so far from what the Town would like to see in that area. She said that by discussing the

large design issues at the beginning, the Planning Board works with the applicants to achieve the best project for the community.

Christine Kane then reviewed the General Standards for a Special Permit as found in the Zoning regulations. She asked the applicants to think about how their project could address these standards.

Jennifer Fier suggested that the applicants look at the Warwick Grove development in Warwick, NY. Christine Kane agreed, saying that there was no mix of housing styles in the applicants' plan.

Mr. Alexander said that his clients were especially interested in arriving at a density calculation. He added that they needed to do more market research before they would be able to answer many of the Board's questions. For instance, he said, they have not worked out the drainage and other details. Mr. Morrison agreed that arriving at the permitted density was a prime objective.

Citing a distinct difference in neighborhoods, the Board generally agreed that it would like to see much of the density moved from the Norton Road parcel, where the surrounding area is more rural or suburban, to the Baxter Road parcel, where Village-type density would be more appropriate. The Board questioned the applicants about the legal connection between the two parcels, which had been combined for this one project.

Mr. Morrison said that his reading of the Zoning regulations had led him to believe that each parcel had to be developed separately. Christine Kane indicated that the Board would prefer to view both parcels as one development since that would allow more creative design concepts to be employed.

The Board then discussed the condition of Baxter Road and whether it could handle the traffic exiting from Anderson Commons and also from this proposed development.

The Board reminded the applicants that all development must be kept at least 100' from wetlands.

Ms. Greig suggested that the applicants and the Board hold an informational public meeting early in this process so that they can use public input in their considerations.

Mr. Morrison asked for an answer on how to figure the permitted density. Christine Kane said that the applicants must file an application and set up an escrow account so that Ms. Greig and other advisors may review the project and ascertain the answer to that question and others.

Sam Phelan said that he foresaw the need to seriously look at the condition of Baxter Road. He also would like to emphasize the need for mixed housing types, including more affordable housing or housing for renters.

#### **Armando D'Onofrio – Kidd Lane & Rte. 9G (Tivoli) – Site Plan**

Christine Kane made a final call to see if anyone was present for the D'Onofrio application. There was not.

**ADJOURNMENT**

Since there was no more business to come before the Board, Jennifer Fier made a motion to adjourn. David Wright seconded the motion, and all members present voted in favor. The meeting was adjourned at 9:55 p.m.

Respectfully submitted

Paula Schoonmaker  
Assistant clerk to the Board