

## **APPROVED**

### **Town of Red Hook Planning Board Meeting Minutes May 21, 2007**

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

The meeting was opened at 7:43 p.m. and a quorum determined present for the conduct of business.

Members present — John Hardeman, Paul Telesca, David Wright and Acting Chair Charles Laing. Christine Kane and Sam Phelan were absent. Planner Michele Greig was also present.

#### **BUSINESS SESSION**

The May 7, 2007 minutes had been sent to the members and reviewed. Technical changes (from “trips per day” to “vehicle trips per peak PM hour”) were made to paragraph 5, page 4, concerning the estimated traffic that would be generated by the construction of Ulster Savings Bank. John Hardeman made a motion to approve the revised May 7, 2007 minutes. Paul Telesca seconded the motion, and all members present voted in favor.

Since there were not enough members present who had also attended the March 19, 2007 meeting, the April 2, 2007 meeting, or the April 16, 2007 meeting, consideration of the minutes from those meetings was tabled.

Red Hook Auto had requested that its public hearing be deferred to June 18, 2007. The hearing had not been noticed.

#### **REGULAR SESSION (OLD BUSINESS)**

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

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

Mr. Dekoskie submitted a letter from the NYS Office of Parks, Recreation and Historic Preservation. The letter outlined the required Phase 3 Data Recovery plan and gave a sign-off to the project. He also said that the Dutchess County Health Department had requested some minor changes to the plan and that those changes had already been made.

The applicants said that the revised plan also included changes to the landscaping and that additional plantings would be installed to shield the propane tank and other mechanicals from view. The plantings would be a mix of rhododendrons and other evergreen varieties. Mr. Simmons said that he had discussed with the College’s landscaper the Planning Board’s request for more plantings between the building and Annandale Road. In response, the landscaper had designed a plan in which plantings

could be installed in five (5) areas without ruining the root structure of already established trees and shrubs.

Acting Chair Charlie Laing then read a letter dated May 18, 2007 from Town Engineer Dan Wheeler. That letter said that Mr. Wheeler's office had reviewed the plans and had no further comments.

Charlie Laing reviewed the full EAF part 1 and, with input from the Board, completed part 2. Asked if an additional discharge permit was necessary, Mr. Dekoskie said no, that the original SPDES discharge permit for the main section of the science center would be extended to include the addition. The Board found that there would be possible significant impacts on archaeology, the designated scenic road and public health because of the chemicals used in the proposed labs but that adequate steps have been planned to mitigate these impacts.

John Hardeman made a motion to adopt a negative SEQR declaration for the project. David Wright seconded the motion and all members present voted in favor.

John Hardeman then made a motion to adopt a resolution granting amended site plan approval to the project with the following conditions: procurement of final Health Department approval, the installation of additional plantings in the five (5) areas described in the letter from the Bard landscaper and implementation of all mitigation measures outlined in the neg dec. Paul Telesca seconded the motion, and all members present voted in favor.

A copy of the negative SEQR declaration and a copy of the approval resolution are attached to, and made part of, these minutes.

#### **Ulster Savings Bank – 7296 South Broadway – Site Plan**

Patrick Roberts and Terry Dodd were present to discuss 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 the Zoning Board of Appeals had granted the requested four variances to the Bank but that the variance for the frontyard building setback from Route 9 had been granted for 40 ft., not the 25 ft. requested. He said that here was one outstanding matter of concern—that the ZBA minutes described the frontyard variance as a 40 ft. frontyard building setback and did not distinguish between the frontyard setback from Route 9 and the frontyard setback from Metzger Road. He said that the ZBA had been concerned only about the distance from the building to Route 9 and had been agreeable to the 25 ft. distance from the building to Metzger Road. However, he said, this distinction had not been made in the minutes.

Nevertheless, he said, Optimus Architecture had designed a plan in which the building was moved back 40 ft. from Route 9, the green space along Metzger Road compressed, and the 25 ft. frontyard building setback from Metzger Road maintained. The applicants said that the turning radii into the drive up windows were still sufficient but that they had lost one car space in the stacking lane. They said that they preferred to have an endorsement of this revised sketch plan before going ahead with detailed engineering. Mr. Roberts added that he had received a verbal conceptual driveway approval from the

NYS Department of Transportation and agreed to submit a letter to that effect with additional engineering submissions.

John Hardeman said that he was still concerned about the impact of additional traffic on Metzger Road, which the Board agreed was narrow and not currently designed for heavy two-way traffic. The Board discussed several options, including requiring some upgrading by the applicants or relying on proposed connector roads to take some of the traffic load. Mr. Roberts said that he had spoken to Highway Superintendent Wayne Hildenbrand and that Mr. Hildenbrand had not expressed immediate concerns about Metzger Road. The Board generally agreed that the Town Board had discussed Metzger Road but that it had expressed no immediate plans for upgrading.

The Board asked the applicants to submit a photometric plan with subsequent submissions and also to include with their landscaping plan a procedure for protecting mature trees during construction.

The Board generally endorsed the revised sketch plan with the building set back 40 ft. from Route 9. The project was tentatively scheduled for the June 4, 2007 agenda.

#### **Roger Hoffman – 19 and 25 Old Farm Road – Lot Line Alteration**

Marie Welch, L.S. was present for the discussion of an application for Lot Line Alteration approval to convey 0.187 acres from a 1.187-acre parcel to the adjoining 9.833-acre parcel, all lands owned by Roger Hoffman, partly in the B1 Zoning District, partly in the R1 Zoning District and in the Certified Agricultural District.

Ms. Welch said that the Board had seen this project before as a combined subdivision-lot line alteration proposal but that the subdivision component had been withdrawn. She said that the transfer of the 0.187 acres to the larger Hoffman parcel would give that parcel more frontage and more flexibility for possible subdivision in the future.

Ms. Welch went on to say that the transfer would leave the smaller lot with exactly one (1) acre and that both the well and septic system for the existing house would be within that acre.

Ms. Welch agreed to draw the R1/B1 Zoning District boundary line on the next plat revision.

The Board determined the project to be an Unlisted Action under SEQR. Paul Telesca 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. Since the parcels were in the Certified Agricultural District and were found to contain soils of Statewide importance, the project was referred to the Agricultural and Open Space Advisory Committee for review and comments.

The Board then set a public hearing for June 18, 2007 at 7:35 p.m.

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

##### **David Wyant – 239 Rokeby Road – Special Permit**

David Wyant was present with an application for Special Permit to authorize the establishment of an accessory apartment from a garage attached to an existing house on a 1.6 acre parcel in the RD3 Zoning District.

Mr. Wyant said that the garage had been built in 1956, so the requirement for 3 acres of land was not applicable. He also said that he had been granted a variance by the ZBA in April 2006 allowing him to exceed the 650 sq. ft. maximum habitable space by an additional 103 sq. ft. He said that one of the bays in the new garage and one additional outside parking space would be reserved for the inhabitant of the apartment. He then submitted a letter from Richard Jones, P.E., attesting to the adequacy of the septic system for a total of three (3) bedrooms.

The Board asked Mr. Wyant to submit an additional letter from Mr. Jones verifying that the existing water supply was adequate for the apartment.

The Board reviewed the requirements for a special permit and found that they had been satisfied. The Board then determined the project to be an Unlisted Action under SEQR. David Wright made a motion to establish the Board as the lead agency for the SEQR review. Paul Telesca seconded the motion, and all members present voted in favor.

The Board scheduled a public hearing for 7:45 p.m. June 4, 2007.

**James & Mary Belliveau – 144 Starbarrack Road – Subdivision Plat**

Marie Welch, L.S. was present with an application for Subdivision Plat Approval (Sketch Plan) to create two (2) residential building lots of 5.395 acres and 5.001 acres, with a 0.025-acre quit claim to the adjoining landowner, all from a 10.421-acre parcel in the RD3 Zoning District and the Certified Agricultural District.

Ms. Welch said the parcel was within the Certified Agricultural District but contained no prime or statewide significant soils.

She went on to say that the quit claim was necessary because of a deed overlap. She said that the 0.25-acre sliver of land involved in that quit claim would become the property of Mr. Dondero, owner of the adjoining parcel.

Ms. Welch said that there were no existing houses on the parcel.

She also said that under the proposed plan, a flag lot with 50 ft. of frontage and a lot with approximately 187 feet of frontage would be created. Mr. Belliveau, she said, wished both new lots to share a driveway and would have a driveway maintenance agreement drawn up, although he envisioned at least one of the lots using an existing driveway on an adjoining lot that is also owned by Mr. Belliveau, at least for the foreseeable future.

Ms. Welch agreed to submit a letter of water and septic feasibility for the proposed lots.

Since the parcel had been used as an apple orchard, Ms. Greig recommended that the soil be tested for chemicals found in sprays and soil applications. She said that the Health Department has protocols for such testing and, if necessary, remediation.

The Board generally endorsed the sketch plan. It then determined the project to be an Unlisted Action under SEQR. David Wright made a motion to establish the Board as Lead Agency for the SEQR review. John Hardeman seconded the motion, and all members present voted in favor.

The Planning Board reviewed the submitted Agricultural Data Statement.

Charles Laing then reviewed the EAF part 1 and, with input from the Board, completed part 2. The only item noted was the possible soil contamination.

The Board agreed that the Highway Superintendent should review the proposed driveway access and that the original Charity Myers subdivision should be researched for any notes applicable to this action.

The Board also agreed that a SEQR declaration should contain a paragraph stating that while the parcel is within the Certified Agricultural District, it contains no significant soils and that the surrounding area is residential, not agricultural. Thus there would be no adverse impacts on agriculture from this action.

The Board scheduled a public hearing for 7:55 p.m. June 18, 2007.

**Michael Cobb- Guski Road – Lot Line Alteration**

Marie Welch, L.S., was present with an application for Lot Line Alteration to convey 1.225 acres from the northerly 3.490-acre Lands of Cobb to the southerly 5.425 Lands of Cobb and to convey 0.737 acres from the southerly Lands of Cobb to the northerly Lands of Cobb, all in the RD3 Zoning District.

Ms. Welch explained the exchange of two pieces of land between the two parcels owned by Mr. Cobb. She said that a DEC wetland lay toward the rear of the parcels and that no development was planned there. Finally, she said that the northerly parcel had driveway access from Guski Road and that Lot B had driveway access from Cobb Ridge Road. She said that this action would not affect either access.

The Board reviewed the original Cobb Ridge subdivision of the year 2000 and found no notes prohibiting further subdivision.

The Board then determined the project to be an Unlisted Action under SEQR. John Hardeman made a motion to establish the Board as Lead Agency for the SEQR review. Paul Telesca seconded the motion, and all members present voted in favor.

Charlie Laing reviewed the EAF part 1 and, with input from the Board, completed part 2.

The Board then scheduled a public hearing for 8 p.m. on June 18, 2007.

**ADJOURNMENT**

Since there was no further business to come before the Board, Paul Telesca made a motion to adjourn. David Wright seconded the motion, and all members present voted in favor. The meeting was adjourned at 9:57 p.m.

Respectfully submitted,

Paula Schoonmaker  
Assistant Clerk

**Attachments**

Resolution granting Bard College Site Plan Approval for the Bard Center for Science and Computation addition

Negative SEQR declaration for the Bard College Center for Science and Computation addition

## **Resolution Granting Amended Site Plan Approval**

**Name of Project:** Addition to Bard College Center for Science and Computation

**Name of Applicant:** Bard College

**Date:** May 21, 2007

**Whereas,** the Town of Red Hook Planning Board received an application for Amended Site Plan approval from Bard College to construct a three-story  $\pm$  19,500 square foot building addition to the Bard College Center for Science and Computation and associated site development and improvements including installation of a geothermal wellfield, reconfiguration of existing utilities, construction of a  $\pm$  5,000 square foot single-story maintenance garage to replace an existing garage to be demolished, and landscaping on an approximately 6.0 to 8.0 acre project site within the 550 acre Bard College Educational Campus (Tax Map Parcel No. 134889-6173-00-633970-00) in the Town's Institutional (I) District in the Town of Red Hook, Dutchess County, New York; and

**Whereas,** the Planning Board reviewed the application for Amended Site Plan approval dated May 2, 2007, and a Site Plan (Sheets C1.0.2, C1.1.2, C1.2.2, C1.3.2, C1.4.2, C1.5.2, and L120.2) dated April 6, 2007 and issued May 9, 2007; and

**Whereas,** the proposed action substantially conforms with the depiction within the Bard College Master Plan Update dated February 2005 for which an amended Special Use Permit was issued by the Planning Board in February 2005, and therefore a new application for a special use permit is not required and only site plan review and approval by the Planning Board in accordance with the requirements of Article VII of the Zoning Law is required; and

**Whereas,** the Planning Board has reviewed the site plan application against the requirements of Article VII of the Zoning Law and has found the proposal complies with all applicable sections of the Zoning Law; and

**Whereas,** the Planning Board has reviewed the Town's Local Waterfront Revitalization Program (LWRP) plan in accordance with Section V.C.1 of the LWRP and has determined that the proposed action is consistent with the coastal policies; and

**Whereas,** the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department in its letter dated April 2, 2007 determined the project was a matter of local concern; and

**Whereas,** the Planning Board declared its intent to be Lead Agency for the proposed action and duly circulated to all Involved Agencies on February 12, 2007, reviewed a Full Environmental Assessment Form (EAF) dated February 8, 2007 and revised May 1, 2007 and adopted a Negative Declaration for the proposed action on May 21, 2007; and

**Whereas,** the Planning Board held a Public Hearing on the Amended Site Plan application on April 16, 2007 at which time all interested persons were given the opportunity to speak; and

**Whereas,** the Planning Board now wishes to grant Amended Site Plan Approval to Bard College to construct a three-story  $\pm$  19,500 square foot building addition to the Bard College Center for Science and Computation and associated site development and improvements.

**NOW, THEREFORE, be it resolved as follows:**

1. That the Planning Board hereby grants Amended Site Plan Approval to Bard College to construct a three-story  $\pm$  19,500 square foot building addition to the Bard College Center for Science and Computation and associated site development and improvements in accordance with the plans and specifications heretofore submitted upon the following conditions:
  - A. That the applicant obtains the permits and approvals listed in Part 1 of the EAF.
  - B. That the applicant implement the environmental mitigation measures contained in the Negative Declaration.
  - C. That the applicant addresses the comments of the Dutchess County Department of Health (DOH) review letter dated May 21, 2007 to the satisfaction of the DOH.
  - D. That the applicant reimburses the Town for any outstanding fees due and owing for the review of this application.

On a motion by John Hardeman, seconded by Paul Telesca, and a vote of 4 for, and 0 against, and 0 abstention, this resolution was adopted on May 21, 2007.

Resolution Certified, Filed with the Town Clerk and Mailed to the Applicant

\_\_\_\_\_  
Paula Schoonmaker, Ass't Clerk to the Board

\_\_\_\_\_  
Date

**617.7**

**State Environmental Quality Review (SEQR)**

**Negative Declaration**

Notice of Determination of Non-Significance

**Date of Adoption:** May 21, 2007

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:** Addition to Bard College Center for Science and Computation

**SEQR Status:** Type I   
Unlisted

**Conditioned Negative Declaration:**  YES  
 NO

**Description of Action:** The proposed action is the construction of a three-story addition to the Bard College Center for Science and Computational Studies, totaling ± 19,500 square feet in size, and associated site development and improvements including installation of a geothermal wellfield, reconfiguration of existing utilities, construction of a ± 5,000 square foot single-story maintenance garage to replace an existing garage to be demolished, and landscaping on an approximately 6 to 8 acre project site within the 550 acre Bard College Educational Campus (Tax Map Parcel No. 134889-6173-00-633970-00) in the Town's Institutional (I) District. The project will be served by the Bard College sewer plant and central water supply system.

**Location:** Annandale Road (CR 103), Town of Red Hook, Dutchess County NY

**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 Environmental Assessment Form (EAF) for the action dated May 1, 2007, 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 project site is located in the Hudson River National Historic Landmark District, which is on the State and National Registers of Historic Places, and within an area that has been identified as sensitive for archaeological resources. The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) reviewed the proposed project and, in correspondence dated April 6, 2007, stated that it did not believe the facility would have a significant adverse impact on above grade historic resources. The project will impact a portion of one archaeological site (Sands Site, Bard 27) that has been deemed eligible for nomination to the National and State Registers of Historic Preservation. A Revised Data Recovery Plan was prepared for the area to be impacted and an End of Field letter was submitted to OPRHP for the work conducted in association with that plan. Based on the information provided in the End of Field letter, OPRHP determined, in correspondence dated May 21, 2007, that it appears that the all of the field investigation outlined in the Revised Data Recovery Plan has been completed and OPRHP has no objections to construction being allowed to proceed. A final Phase III report will be submitted by May 15, 2008. The Planning Board has determined that these measures will mitigate impacts on archaeological resources to the greatest extent practicable and no additional mitigation measures are warranted.
4. The applicant's consulting archaeologist Christopher Lindner PhD confirmed in correspondence dated April 25, 2007 that construction of the maintenance garage will occur in an area that previously received clearance for disturbance in Dr. Lindner's May 28, 2003 study, project #03PR01195, "Archaeology of the Sands Road Storage Buildings," which was found acceptable by OPRHP. No significant adverse impacts to archaeological resources are anticipated to occur as a result of construction of the proposed maintenance garage, and therefore no mitigation is warranted.
5. The project site is located on Annandale Road (CR 103), which has been designated a Scenic Road by the NYS Department of Environmental Conservation and is identified as a Scenic Road in the Town of Red Hook's adopted Open Space Plan. No significant vegetation located between the proposed building and Annandale Road will be removed, and no exterior building lighting is proposed. To minimize views of the project from Annandale Road, landscaping (including evergreen Rhododendrons and White spruce) will be planted adjacent to the building, as shown on the Landscape Plan (Sheet L120.2 dated April 6, 2007 and revised May 9, 2007). The understory of the wooded area immediately west of the proposed building was recently cleared; self-sown seedlings in this area will be permitted to grow, and additional evergreens will be planted in areas where there are breaks in the overhead canopy (these plantings are in addition to those shown on the Landscaping Plan). The Planning Board has determined that no significant adverse impacts on scenic resources will occur as a result of the action.

6. All laboratory waste will be handled in accordance with Dutchess County Department of Health requirements, and therefore no significant adverse impacts on water resources and on public health are anticipated as a result of the action and no additional mitigation is warranted. The project site is located within the Town's Local Waterfront Revitalization Area. In accordance with Section V.C.1 of the Town's Local Waterfront Revitalization Program (LWRP), the Planning Board has reviewed the LWRP policies and has determined that the proposed action is consistent with the coastal policies. **For Further Information:**

Contact Person: Paula Schoonmaker, Planning Board Deputy 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)

Marirose Blum Bump, Town Supervisor

Town of Red Hook Town Board

Dutchess County Department of Health

Dutchess County Department of Public Works

NYS Department of Environmental Conservation

NYS Office of Parks, Recreation, and Historic Preservation

NYS DEC Environmental Notice Bulletin  
enb@gw.dec.state.ny.us