

APPROVED

Town of Red Hook Planning Board Meeting Minutes August 6, 2007

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:42 p.m. and a quorum determined present for the conduct of business.

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

BUSINESS SESSION

Christine Kane stated that Assistant Clerk to the Planning Board Paula Schoonmaker would be leaving her position, and that Patrick Kelly had been training for the job. John Hardeman made a motion to approve Patrick Kelly for the position, Dave Wright seconded, and all members present voted in favor. Paula Schoonmaker stated that she would be remaining for some time to provide assistance and fill in if necessary. Christine Kane reminded the Board that Betty Mae Van Parys would be continuing in her position as Clerk to the Planning Board.

The minutes of the July 16, 2007 meeting had been sent to the members and reviewed. John Hardeman made a motion to accept the minutes as written. Paul Telesca seconded the motion, and all members present voted in favor.

REGULAR SESSION (OLD BUSINESS)

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road

Steve Tinkelman, architect, and Keith Lore, developer, were present for a discussion of possible revisions for a 51 unit development partially in the Village of Red Hook and partially in the R1 District in the Town of Red Hook.

Paul Fredericks and Evelyn Krueger were present from the Village of Red Hook Planning Board.

Keith Lore stated that the reason for his coming to the Planning Board was to discuss possible architectural changes to the project. He said that, due to market changes, he had been advised to alter the architecture of the project, which would require a change in builders in order to keep the final sale prices down. Mr. Lore also said that at the current time, he had received verbal approval from the DEC and Department of Health, and that the Sewage Transportation Corporation arrangements were incomplete but being worked on.

Steve Tinkelman stated that the Comprehensive Plan and Greenway Compact goals would still be met, and that the landscaping would remain the same. He said there were some architectural changes and minor site plan alterations.

Mr. Tinkelman presented revised site plans and renderings to demonstrate proposed site plan alterations, which he said included slightly narrower units which would allow for greater setbacks from the lot line to allow for maintenance and attached two car garages. Mr. Tinkelman said that their market studies indicated that people want two car garages, attached to their house. He stated that the unit count, architectural code, and materials would remain the same.

Additionally, the garage had been moved back from the road to provide a parking area in front for visitors, which he said was intended to keep guests' cars off of the service road. Previous plans had provided for a single car garage with an adjacent asphalt pad.

Paul Telesca inquired as to where the proposed savings would come from if materials and unit counts were the same, and some garages had actually been enlarged. Steve Tinkelman said the savings came from less unit types, more systemic construction, more standardized unit forms, and simplified structure.

Keith Lore and Steve Tinkelman expressed a preference for the previous designs they had submitted, and said they would like to use those if the market turned around and it became affordable again.

Christine Kane asked what price point was being aimed for. The applicants stated that they had a goal of \$350,000 to \$375,000.

Christine Kane again expressed the board's concerns regarding the extra den, given its potential use as a third bedroom, and the subsequent impact on septic and the school district that could be expected. She felt that providing extra parking for each unit could exacerbate this situation. She also asked the applicants whether the garage bay door could be split in two, and if the corner units would require wrap-around porches.

Mr. Tinkelman answered that they were keeping an option for one car garages, and that wrap-around porches were optional as well but they did see the advantage of having wrap around porches on at least the two end units facing Baxter Road.

Evelyn Krueger, of the Village of Red Hook Planning Board, expressed concern that there were no remaining one-story units to accommodate seniors. Mr. Tinkelman responded that some units had the master bedroom on the first floor to serve that purpose. Christine Kane re-iterated her concern that leaving out a one story option would greatly change the look and feel of the development.

Keith Lore clarified that buyers cannot just purchase the lot, they must build at the time of sale.

Christine Kane asked if the Homeowners' Association was discouraging people from buying units just to rent them out. Steve Tinkelman, Paul Fredericks, and Paul Telesca expressed the opinion that while it was difficult to control, it was unlikely that anyone would try in the current market.

Christine Kane noted that the Village of Red Hook Planning Board is also at conditional final approval, and asked members of both Boards whether they felt the changes were

significant enough to warrant a second public hearing. Members generally agreed that was not necessary.

Christine Kane stated that the approval resolution will be reviewed to see if anything requires amendments. Possible items of concern included the revision dates on site plan resolutions.

Keith Lore said that, regarding phasing, his intention was to fund the initial road construction by selling lots. However, given that ten lots were normally required for filing under §120-9(G) of Town Code, he was hoping the Planning Board could waive it to seven for the first phase of the project. He said that construction of the road would need to be bonded, and that these seven lots would not fall into the Homeowners' Association.

John Hardeman and Paul Telesca felt the risk was minimal, as the Town would get the road either way. However, Paul Telesca thought it might be the Town Board which would have to issue the waiver in this instance.

Evelyn Krueger stated that they were there to represent the Village of Red Hook Planning Board but did not constitute a quorum, but she and Paul Fredericks had no objections at the time.

Christine Kane requested that the applicants submit a letter with written intentions of their phasing plan, as well as final floor plans and renderings. In the meantime, she would investigate whether the approval resolution could be amended to include both architectural options.

At this time, upon request from present applicants, the agenda was altered by the Chair, with the Cutler Lot Line Alteration preceding the Voski Partners Subdivision and Carol Guidi Concept Plan.

REGULAR SESSION (NEW BUSINESS)

Bruce Cutler – 34 Vosburgh Road – Lot Line Alteration

Marie Welch, L.S., was in attendance to present an application for five Lot Line Alterations to convey a total of 28.592 acres to various adjoining lands, with a remaining lands lot of 12.037 acres, from an existing partial of 40.629 acres, in the RD3 Zoning District of the Town of Red Hook.

Marie Welch stated that this was from one of the old Central Hudson parcels, with frontage on Vosburgh Road, and that several neighbors would acquire sections adjoining their own parcels, while Dr. Cutler would add 15 acres to his present lot, and retain an additional 12.037 acre parcel with frontage on Vosburgh Road.

Marie Welch also stated that the Agricultural Data Statement had been filed.

Christine Kane reviewed the EAF and stated that sections 10, 11, and 12 were left blank. These were amended by Marie Welch.

Paul Telesca moved to adopt a resolution establishing the Town of Red Hook as lead agency. No involved agencies were identified. Dave Wright seconded the motion, and all present voted in favor.

A public hearing was tentatively scheduled for August 20th.

Carol Guidi – 6 North Drive – Concept Plan

Mark Graminski, P.E., and Carol Guidi were present to discuss a possible subdivision in the RD1.5 Zoning District of the Town of Red Hook.

Carol Guidi stated that she owned a relatively large lot, with substantial unused, wooded land behind her house. She said that the recent reassessment of her open land had raised her taxes above what she felt she could pay, and that therefore it was her intention to subdivide the land.

Mr. Graminski stated that Carol Guidi owns Lot 8 of the Linden Acres Section 7 Subdivision, and that approval did not exclude further subdivision.

Board members reviewed a map of the area and established that there was not sufficient frontage with which to create a flag lot. Christine Kane suggested it may be possible to purchase frontage from neighbors. Mr. Graminski and Ms. Guidi felt this was unlikely but said they would take it under consideration.

Mark Graminski stated that, given the low frontage, he thought it might be necessary to establish an Open Development Area (ODA). He summarized the nature of ODAs for the Board, stating that it is a means of establishing legal access for a private road, and that frontage for a lot could then be allowed off of either the public or the private roads. He said that this must be done by the Town Board, and in other towns he works in, this is typically done at the Planning Board's recommendation.

Christine Kane said that historically, Red Hook has not utilized ODAs. She warned the applicant that typically, new processes involving the Town Board take time, due to additional procedural steps.

Betty Mae Van Parys recommended that Mr. Graminski check the original subdivision approval to ensure that there were no deed restrictions. She also stated that the original Linden Acres plan had only the present number of lots due to Department of Health concerns regarding septic and topography.

Christine Kane noted that site constraints, such as wetlands and steep slopes, and streams, could be difficult to work around. Additionally, she was concerned as to whether or not the Fire Department could adequately service a house at the end of a long driveway on steep slopes.

The members of the Planning Board generally agreed that this would be a difficult subdivision to make feasible.

Mark Graminski asked what the procedure would be for an ODA, as it was included in the subdivision regulations.

Christine Kane said that to her knowledge, it had never been used.

Mr. Graminski and Ms. Guidi thanked the Board for their time and said they would take the night's discussion under consideration.

REGULAR SESSION (OLD BUSINESS) – Continued
Voski Partners, LLC – Kidd Lane (Tivoli) – Subdivision Plat

Mark Graminski, P.E., was present for discussion of an application for Subdivision Plat (sketch plan) approval to create two (2) residential building lots of 9.464 acres and 9.150 acres from an 18.614-acre parcel, partially in the Village of Tivoli and partially in the RD3 Zoning District of the Town of Red Hook.

Mr. Graminski stated that the erosion and sediment control were of concern to the Village of Tivoli, and that they had requested a note on the plan stating the proximity to their wastewater treatment facility. He also stated that a no further subdivision note would be added, and that he would investigate voluntarily putting entire parcel under conservation easement, with building envelopes, through Winnakee Land Trust.

Christine Kane said that she and Sam Phelan had done a site visit the previous Saturday. They went to each of the building sites and septic placements and saw no immediate problems. She also said that this would be a Type 1 action because it is in the National Historic Landmarks District. A letter had been received from Hudson River Heritage saying there was no particular concern for this project.

Mr. Graminski noted that the building site for Lot 2 was going to be adjusted.

There was a general consensus from Board members on sketch plan endorsement.

Mr. Graminski stated that applications for both sketch plan and preliminary approval had been submitted.

Christine Kane requested that the R2A zoning label be corrected, a no further subdivision note be placed on the plat, that the new location of Lot 2 be shown and that building envelopes be added.

A public hearing was tentatively scheduled for August 20th, 2007.

OTHER BUSINESS

Linden West Extension

Christine Kane stated that the Town had asked Tim Ross to look at moving the one of the lots in the Linden West subdivision so as to be located along Linden Avenue. The Parks and Recreation Committee had also submitted a map with their preferred field placement. Given these factors, a request had been submitted for a 90-day extension, so as to finalize approval items for the project.

Dave Wright moved to grant the extension. John Hardeman seconded the motion, and all present voted in favor.

Winnakee Land Trust

Christine Kane stated that a letter had been received from Winnakee Land Trust regarding a proposed subdivision on Yantz Road, on property owned by the Sieverdings. The letter stated that the owners felt themselves unable to pay the required \$6000 in fees the Trust needed for maintenance and legal protection.

Christine Kane felt this illustrated the costs incurred when the Town holds easements, and that the Town needs mechanisms for monitoring these easements and establishing baseline documentation. She expressed concern that applicants would continue to approach the Town to hold easements to avoid reasonable development costs such as land trust would fees .

John Hardeman felt that the community incurred sufficient benefit from the easements that it would be acceptable to distribute these costs throughout the tax base.

Christine Kane noted that the Town can be sued for not enforcing easements it holds.

Planning Board Applicants

Christine Kane noted that four applicants had applied to fill the open seat on the Planning Board. She suggested that the Planning Board conduct interviews and file a recommendation to the Town Board, which ultimately makes the decision. Dave Wright and Sam Phelan also expressed interest, and it was agreed that they would make arrangements to meet applicants the morning of Saturday, August 11.

Baker Subdivision

Christine Kane noted that the Baker Subdivision (formerly Krakowsky) was before the Zoning Board of Appeals to request a 25' flag lot variance. She stated that under normal procedure, the Planning Board should see it first for subdivision approval.

It was agreed that Christine Kane would draft a letter stating that the Planning Board did not support the variance and Board members recommended that it include the following points: (1) that it was a self-imposed hardship, as the lot was bought in this condition; (2) that only the Planning Board has authority to approve flag lots; and (3) that it was a 50% variance, and therefore quite significant.

It was agreed that a copy of the full subdivision map would be transmitted with the letter in case the ZBA had not seen it.

Labor Day

In observance of the Labor Day holiday, members of the Board generally agreed to cancel the regularly scheduled meeting on Sept. 3rd.

Ulster Savings Bank

Dave Wright asked for further consideration of traffic flow. Christine Kane stated that the Highway Supervisor's comments regarding the Metzger Road intersection should be in by the end of the week.

ADJOURNMENT

Since there was no further business to come before the Board, David Wright made a motion to adjourn. Paul Telesca seconded the motion, and all present voted in favor. The meeting was adjourned at approximately 10:20 PM.

Respectfully submitted,

Patrick Kelly
Assistant Clerk to the Planning Board