

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
June 7, 2010

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:35 p.m., and a quorum was determined present for the conduct of business.

Members present — Chair Christine Kane and members Sam Harkins, Kris Munn, Sam Phelan, Wil LaBossier, Charlie Laing, and alternate Brian Walker. Pat Kelly was absent. Planner Michele Greig was also present.

BUSINESS SESSION

Since Christine Kane had not yet arrived, Deputy Chair Charlie Laing led the first part of the meeting.

Charlie Laing welcomed newly appointed alternate Brian Walker.

There were two announcements. First, "Housing the Hudson Valley", a program sponsored by Pattern for Progress was scheduled for June 14th in Poughkeepsie. Second, Charlie Laing said that an application for a term conservation easement had been submitted to the Town by Peter and Sarah Sweeny. He said that the application would be reviewed by the Conservation Advisory Council first, after which it would be referred to the Planning Board. The Board generally agreed that it would need a map and additional information for its review.

The draft minutes from the May 3, 2010 meeting had been circulated to the members and reviewed. Sam Harkins made a motion to approve those minutes. Wil LaBossier seconded the motion, and all members present voted in favor.

REGULAR SESSION – OLD BUSINESS

Bard College/Village Dormitory Expansion –New Village Lane - Amended Site Plan

Chuck Simmons from Bard College was present for the continued review of an application for Amended Site Plan approval to build two (2) dormitories of 6,000 sq. ft. each and one dormitory of 2,500 sq. ft. on a ± 500-acre parcel in the Institutional (I) Zoning District and the National Historic Landmarks District.

Mr. Simmons said that there were a few issues that still needed to be addressed. First, he directed the Board's attention to a letter from Bard archaeologist Christopher Lindner, who stated that except for one small area, the entire project site had been inspected with no archaeologically significant findings. That one excluded area, he said, had slopes that were greater than 15%. He said that because nothing significant had been found in adjacent areas, "no further examination of this steep slope is warranted."

Mr. Simmons then discussed elevations of the proposed buildings saying that the same colors and materials used for earlier dorms would be continued in the new buildings. He added that the smallest dorm would be similar to the one to the south, not to the more historic looking ones to the east on Annandale Road.

Third, he presented photos of the lighting fixtures that would be installed as well as a lighting schedule and cut sheets. He said that sufficient lighting had been installed previously along the pathways and that all lighting would be shielded.

Asked about basements in the buildings, he said that there would only be social rooms on the lower level, no bedrooms.

(At this point, Christine Kane arrived at the meeting. Charlie Laing continued to chair for this project. Christine Kane took over as chair for the second project)

Since the Board had previously wanted to ensure that there was adequate parking, Mr. Simmons submitted figures showing that the two nearby existing parking lots were found to contain between 27 and 30 empty spaces at 6 a.m. during the school week and that the proposed new dorms would need 27 spaces. He said that the pathways encouraged walking and bicycling and that bicycle racks were plentiful all over campus.

Mr. Simmons also said that the students who would live in the new dormitories were currently being housed in temporary trailers or off campus.

Finally, addressing engineering questions, he said that the new dorms would be heated and cooled by existing geothermal systems and that current retention ponds would adequately handle stormwater runoff from the new buildings.

The Board then completed the part 2 EAF, noting a potential large archaeological impact that would be mitigated by keeping possibly sensitive areas fenced off during construction. The Board also completed the part 3 EAF.

The Board reviewed a draft Negative SEQR Declaration and added a sentence stating that there would be no increase in enrollment as a result of these new dormitories. Christine Kane made a motion to adopt the Negative Declaration. Sam Harkins seconded the motion, and all members present voted in favor.

The Board then reviewed a draft resolution approving the amended site plan. The members added a condition that a revised landscape plan must be submitted to clarify some of the notes. Kris Munn made a motion to adopt the resolution with the added condition. Wil LaBossier seconded the motion, and all members present voted in favor.

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

Paul Manza was present for continued discussion of the construction of a 51 unit development partially in the Village of Red Hook and partially in the RD1 Zoning District in the Town of Red Hook. He said that the applicants had explained the project changes to the Red Hook Village Planning Board and that those members saw no problems with moving forward. He said that the Village Planning Board members believed that once they had approved a project, even conditionally, there was no expiration date; however, he added, the Chair was going to check with the Village Attorney to make sure.

The Board and the applicant discussed the development's possible hook up to a future municipal sewer system. Asked how the hook-up fees would be levied, Mr. Manza said that provisions would be written into the Homeowners Association regulations. Also, he said, the fees required to hook up to the municipal sewer would be less than the annual fees for the transportation corporation controlling a community septic system.

Christine Kane reviewed questions posed by the Board after the applicant's last appearance and the answers received from a land use attorney at Keane & Beane. She said that in answer to the question of whether the preliminary subdivision plan approval expires when and if the conditional final approval of that plan expires, the attorney said yes—once conditional final approval expires, all parts of that approval, including sketch and preliminary approval, are rendered void.

She said in answer to the question of whether reapplication of an expired plan must start with the sketch plan, the attorney said that she could find no provision in local or state law that would answer that question. However, the attorney said that given the purpose of the sketch plan, the submission of a new sketch plan for the reapplication of an expired project would be unnecessary.

Finally, she said that in answer to the question of whether the Planning Board must collect all application fees should the applicant decide to submit new applications, the attorney said that the subdivision application fees could not be waived but that the Planning Board could, at its discretion and upon written request of the applicant, waive all or part of the amended site plan and special permit application fees.

Mr. Manza asked whether the recreation fees could be reduced. Christine Kane said that the Planning Board had no jurisdiction over the recreation fees. Mr. Manza asked whether the open space portion of the parcel could be considered recreation land, thus obviating the need for recreation fees. Christine Kane explained that any such recreation land must be open to the public and must fit in the Town's recreation plan. She suggested that the applicant meet with the Town's Recreation Commission if he wanted to discuss this option further. She said that if the open space were found to fit into the Town's recreation plan, the number of lots charged a recreation fee could be reduced or eliminated.

Mr. Manza presented new renderings of the rear access roads showing some of the homes with attached garages and some with detached garages pushed back to within a few feet of the road. He said that all garages would be limited to one bay and that the side parking space would be eliminated from the lots with attached garages since a second parking space would be created by the driveway. The Board members generally agreed that they liked the variety.

Asked about the solar thermal panels, Mr. Manza said that because of the lots' differing orientation to the sun, such panels would work in only about half the locations. He said if a prospective lot owner wished such a system, he or she would have to choose one of the lots where a system was feasible.

The Board and the applicant agreed that a mix of housing styles would carry over to any new plan.

The Board and the applicants then discussed the possible elimination of the loop road in front of the multifamily buildings and questioned whether access by emergency services would be

reduced and parking spaces lost. Mr. Manza said that if the front loop road were retained, it would be surfaced with permeable pavement.

Finally, Mr. Manza said that the 7 large “executive” lots would remain as they were in the original plan but that he would like that part of the project to be considered a “floating phase”, not phase one. He said that in the new plan submission, there would be five or six phases plus the floating phase.

The Board encouraged Mr. Manza to confirm with the Village Planning Board how a SEQR review would be handled if the applicants were to submit new applications and how the Village Planning Board saw the modified project moving forward at the Village level. He was also encouraged to contact the Trails Committee and the Recreation Commission if he wished to discuss the recreation land option.

OTHER BUSINESS

St. Paul’s Lutheran Church – lead agency circulation

The Board reviewed documents sent by the Red Hook Village Planning Board regarding the proposed subdivision of a Village parcel owned by St. Paul’s Lutheran Church. Michele Greig said that the Town Planning Board was only an interested agency, not an involved agency, in this matter and thus its consent to the Village Planning Board’s serving as lead agency in the SEQR review was not required.

Centers and Greenspaces Rezoning Plan

The Board reviewed a letter from the Town Board asking that the Planning Board determine whether the proposed Centers and Greenspaces Rezoning Plan was consistent with the Local Waterfront Revitalization Program. The Planning Board was also asked to submit comments... The Board members generally agreed to hold a special meeting on June 14, 2010 at 7:30 p.m. to review the rezoning plan and to determine whether it was consistent with the LWRP.

ADJOURNMENT

Since there was no further business to come before the Board, Wil LaBossier made a motion to adjourn. Sam Harkins seconded the motion, and all members present voted in favor.

Respectfully submitted,

Paula Schoonmaker

Attachments

Negative SEQR Declaration for the Bard College Village Dormitory Expansion Phase IV
Site Plan Approval granted to Bard College for the Village Dorm Expansion Phase IV

617.7

State Environmental Quality Review (SEQR)
Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: June 7, 2010

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: Bard College Village Dormitory Expansion—Phase IV

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
 NO

Description of Action: The applicant proposes to construct three (3) dormitory buildings, one ± 2,500 square feet in size and two ± 6,000 square feet in size, with a total of 86 beds, and associated site improvements including new walkways, lighting, utility connections, and landscaping. The project will connect to the Bard College sewer plant and water will be supplied through the Bard College central water system. No new parking is proposed. Access for emergency and maintenance vehicles will be from an existing on-site driveway.

Location: Annandale Road, 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 February 8, 2010, 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. A SPDES (State Pollutant Discharge Elimination System) General Permit for Construction Activity (GP-02-01) will be obtained in accordance with the federal Phase II stormwater regulations administered by the NYSDEC. In conformance with the regulations, the applicant will file a Notice of Intent (NOI) to the NYSDEC at least five days prior to the start of construction activity. The NOI affirms that a Stormwater Pollution Prevention Plan has been prepared and will be implemented. Based on the foregoing, the proposed action will not result in any significant adverse impacts on surface water quality.
4. The project site is located in the National Historic Landmark District, which is on the State and National Registers of Historic Places. The proposed buildings are consistent with existing dormitory buildings in the vicinity, the style and materials of which were previously reviewed by the Planning Board for consistency with traditional building types and materials. Traditional materials, such as stucco and wood clapboard siding, and materials that closely imitate traditional materials, such as simulated slate roofing, will be used. The buildings will be painted earth tone colors that reflect an historic palette. Existing vegetation and proposed landscaping will soften the appearance of the buildings, and existing slopes and buildings will partially screen the proposed buildings from Annandale Road. All lighting will be fully shielded. Based on the foregoing, the proposed action will not result in any significant adverse impacts on historic resources.
5. The project site is located within an area that has been identified as sensitive for archaeological resources. The applicant's archaeologist Christopher Lindner, PhD has confirmed that there is only one area of the site has not been previously tested for cultural remains. However, the slope in this area exceeds 15% and testing has shown that the adjacent level area was devoid of sites. Therefore, according to the applicant's archaeologist, no further examination of the steep slope is warranted. No disturbance will occur closer than 30 feet to known archaeological sites in this part of the campus. The identified archaeological sites in the vicinity of the area of disturbance will be fenced during construction to prevent disturbance to the sites. Based on the foregoing, the proposed action will not result in any significant adverse impacts on cultural resources.
6. The proposed action will not result in an increase in overall enrollment at the College and the proposed dormitories will replace existing housing both on and off campus. Therefore there will be no significant adverse impacts on community services.
7. The New York State Department of Environmental Conservation (NYS DEC) Natural Heritage Program has indicated that there are no known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats on or in the immediate vicinity of the site. The project is located near the Tivoli Bay Wildlife Management Area and a designated Significant Coastal Fish and Wildlife Habitat. Species in these areas are associated with aquatic habitat and it is

unlikely that they would be found on the project site. The Town Engineer has reviewed the proposed erosion and sedimentation control measures and has determined that the proposed measures will prevent stormwater runoff from having an adverse affect on the above-mentioned sensitive habitat areas. Based on the foregoing, the proposed action will not result in any significant adverse impacts on endangered and threatened species.

8. 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)

Bard College (applicant)

Sue T. Crane, Town Supervisor

Town of Red Hook Town Board

NYS Department of Environmental Conservation

NYS Office of Parks, Recreation, and Historic Preservation

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

Resolution Granting Site Plan Approval to Bard College Village Dormitory Expansion – Phase IV

Name of Project: Bard College Village Dormitory Expansion – Phase IV

Name of Applicant: Bard College

Date: June 7, 2010

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Bard College to construct three (3) dormitory buildings, one \pm 2,500 square feet in size and two \pm 6,000 square feet in size, with a total of 86 beds, and associated site improvements including new walkways, lighting, utility connections, and landscaping, on a \pm 1.36 acre project site within the 550 acre Bard College Educational Campus (Tax Map Parcel No. 134889-6173-00-633970-00) in the Institutional (I) District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Site Plan (Sheets 1-5) prepared by Morris Associates, PS, LLC dated November 30, 2009 and revised February 9, 2010 and April 23, 2010, Elevations prepared by Ashokan Architecture & Planning PLLC (Sheet A301 dated November 23, 2009 and Sheet A304 dated December 14, 2009), and a Lighting Fixture Schedule and Plans prepared by Novus Engineering (Sheets E1.0, E3.1, E3.3, E3.4, and E3.6 dated January 22, 2010); 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 determined in its review dated February 19, 2010 that the project was a matter of local concern; and

Whereas, on March 15, 2010, the Planning Board, after duly circulating the project application and Full Environmental Assessment Form (EAF) to all Involved Agencies, was

designated the lead agency for the purpose of conducting a coordinated review of a Type 1 action pursuant to SEQR; and

Whereas, on June 7, 2010, the Planning Board, in consideration of the Full EAF and the ‘criteria for determining significance’ set forth in 6 NYCRR Part 617.7(c) determined that the proposed project will not cause any potential significant adverse impacts on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, on May 3, 2010, the Planning Board conducted a public hearing on the Site Plan application at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board had deliberated on the application and all the matters before it.

Now therefore be it resolved, that the Planning Board grants Site Plan approval to Bard College to construct the Village Dormitory Expansion Phase IV in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. That the applicant obtains the permits and approvals listed in the EAF.
2. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.
3. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town’s Zoning Law, including all required stamps and signatures.
4. Revise landscape plan to clarify the notation regarding restoring the under canopy.
5. That the applicant will post a cash security with the Town in the amount to be determined by the Town Engineer, as approved by the Planning Board Chairwoman, for engineering inspections of the improvements.
6. That a Certificate of Occupancy (CO) will not be issued unless all proposed improvements have been completed in accordance with the approved Site Plan. In the event that a CO is requested prior to completion of all proposed landscaping, a cash bond will be posted to ensure completion of the landscaping in accordance with the approved Site Plan.

In taking this action, the Planning Board has determined that no new residential building lots or dwelling unit sites for permanent residency will be created, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

On a motion by Kris Munn, seconded by Wil LaBossier, and a vote of 6 for, 0 against, and 1 absent, this resolution was adopted on June 7, 2010.

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

Paula Schoonmaker, Deputy Clerk to the Board

Date