

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
July 19, 2010

CALL TO ORDER/ DETERMINATION OF QUORUM

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

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

Christine Kane and Kris Munn did not arrive until near the end of the discussion of the first project, so Sam Harkins served as chair and Brian Walker served as a voting member until that time.

BUSINESS SESSION

Sam Harkins made two announcements. First, the Association of Towns announced their summer Planning and Zoning sessions to be given at various locations around the state. Second, Scenic Hudson had sent the Board a copy of its new publication, *Revitalizing Hudson Riverfronts: Illustrated Conservation and Development Strategies for Creating Healthy, Prosperous Communities*.

Review of the draft minutes from the July 6, 2010 meeting was deferred until later in the evening.

PUBLIC HEARINGS

Emily Hartzog – 72 Station Hill Road, Barrytown – Certificate of Appropriateness

Art Wilson was present for the public hearing on an application for a Certificate of Appropriateness to remove a closed-in porch, small open porch and cellar entrance from an existing residence and to construct a screened-in porch on the same footprint, on a ± 0.58-acre parcel in the H (Hamlet) District.

Sam Harkins read the public hearing notice that appeared July 13, 2010 in the Kingston Daily Freeman. Mr. Wilson explained the project, after which Sam Harkins opened the hearing for public comment. There was none.

Responding to questions from the Board, Mr. Wilson confirmed that the colors, building materials and roofing surface for the new porch would be the same as those used on the existing house. He said that there would be a short outside stairway access to the porch as well as an inside access.

The Board then reviewed comments submitted by the Hamlet/Design Review Committee. The Committee suggested that Mr. Wilson and the applicant think about the scale and historical accuracy of the support posts and consider options other than the

proposed 6x6 posts. Overall, the Committee recommended that a Certificate of Appropriateness be issued for the project.

Since there was no comment from the public, Pat Kelly made a motion to close the public hearing. Wil LaBossier seconded the motion, and all members present voted in favor.

Christine Kane, who had arrived during the discussion, then made a motion to grant the Certificate of Appropriateness. Pat Kelly seconded the motion, and all members present voted in favor.

At this point, Christine Kane took over as chair.

BUSINESS SESSION Continued

The draft minutes from the July 6, 2010 meeting had been circulated and reviewed. Pat Kelly made a motion to approve the minutes as written. Brian Walker seconded the motion, and all members present voted in favor.

PUBLIC HEARINGS Continued

Robert Greig/Matthew & Katherine Nucci – 222 Pitcher Lane – Lot Line Alteration

Robert Zimmerman, L.S. was present for the public hearing on an application to convey a total of 0.15 acres from the ± 93.4-acre Lands of Robert Greig to the ± 0.61-acre Lands of Matthew and Katherine Nucci, in the RD 3 Zoning District and the Certified Agricultural District.

Christine Kane read the public hearing notice that appeared July 13, 2010 in the Kingston Daily Freeman. Mr. Zimmerman explained the project, saying that the Nuccis and Mr. Greig had always assumed that the land in question was part of the Nucci parcel and that it had not been part of Mr. Greig's farming operation.

Christine Kane then opened the hearing for public comment. There was none.

The Board then reviewed an email from the Agricultural and Open Space Committee that said that the Committee had no comment on the project.

After the Board completed the EAF part 2, Kris Munn made a motion to adopt a Negative SEQR Declaration for the project. Pat Kelly seconded the motion, and all members present voted in favor.

Since there was no comment from the public, Wil LaBossier made a motion to close the public hearing. Sam Harkins seconded the motion, and all members present voted in favor.

The Board then reviewed a draft approval resolution for the project. The members added conditions requiring the addition to the plat of the Ag and Markets notice and of a note giving acreage figures for the Greig parcel before and after the land conveyance. Sam Harkins then made a motion to adopt the amended resolution. Pat Kelly seconded the motion, and all members present voted in favor.

OTHER BUSINESS

Christine Kane urged the members to carefully read the proposed Centers and Greenspaces Plan and to write down questions and comments in preparation for the Planning Board's formal review of the plan.

ADJOURNMENT

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

Respectfully submitted,

Paula Schoonmaker

Attachments

Certificate of Appropriateness granted to Emily Hartzog
Negative SEQR Declaration for the Greig/Nucci Lot Line Alteration
Resolution granting Subdivision/Lot Line Alteration approval to Robert Greig and
Matthew & Katherine Nucci

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: July 19, 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: Robert Greig/ Matthew & Katherine Nucci Lot Line Alteration

SEQR Status: Type I []
Unlisted [x]

Conditioned Negative Declaration: [] YES
[x] NO

Description of Action: The applicant proposes to convey a total of 0.15-acres of an approximately 93.4-acre Lands of Robert Greig to the approximately 0.61-acre adjoining Lands of Matthew and Katherine Nucci.

Location: 222 Pitcher Lane, 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 June 7, 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. The project site is located within a certified agricultural district and is subject to the Town of Red Hook's Important Farmlands Law. An Agricultural Data

Statement dated June 10, 2010 was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcel. The Planning Board also forwarded the application to the Town of Red Hook Agricultural and Open Space Advisory Committee for its review. The Planning Board considered comments on the Agricultural Data Statement and a review response from the Agricultural and Open Space Advisory Committee. The Board determined that since the acreage to be conveyed is small in size and has not been considered part of the agricultural operation, there will therefore be no significant adverse environmental impacts on agricultural resources as a result of this action.

For Further Information:

Contact Person: Betty Mae Van Parys, 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)
Robert Greig, Matthew Nucci & Katherine Nucci (applicants)

**Resolution Granting Subdivision Plat/Lot Line Alteration Approval to
Robert Greig and Matthew & Katherine Nucci**

Name of Project: Robert Greig/ Matthew & Katherine Nucci Lot Line Alteration

Names of Applicants: Robert Greig and Matthew Nucci

Date: July 19, 2010

Whereas, the applicants have submitted an application for Lot Line Alteration approval dated June 10, 2010 to the Town of Red Hook Planning Board to convey approximately 0.15 acres from the approximately 93.4-acre Lands of Robert Greig to the adjoining approximately 0.61-acre Lands of Matthew and Katherine Nucci ; and

Whereas, the subject parcel is located at 222 Pitcher Lane in the RD3 Zoning District in the Town of Red Hook, Dutchess County, New York, and;

Whereas, the applicant submitted a Subdivision plat prepared by Robert Zimmerman, L.S., dated May 28, 2010; and

Whereas, on July 6, 2010 the Town of Red Hook Planning Board declared itself lead agency for the purpose of conducting an uncoordinated review of an Unlisted Action pursuant to SEQR; and

Whereas, the larger parcel is located within a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated June 10, 2010, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcels; and

Whereas, the application is subject to the Town's Important Farmlands requirements as enumerated in of § 143-47(4) of the Town's Zoning Law and the Planning Board duly forwarded the application to the Town's Agricultural and Open Space Advisory Committee for its review; and

Whereas, the Planning Board considered the comments on the Agricultural Data Statement and reviewed responses from the Agricultural and Open Space Advisory Committee; and

Whereas, on July 19, 2010, the Town of Red Hook Planning Board considered a Short Environmental Assessment Form (EAF) Part 1 and prepared a Part 2; and

Whereas, on July 19, 2010 of the Town of Red Hook Planning Board considered the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), determined that the proposed action will not cause any potentially significant adverse impacts on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, on July 19, 2010, the Planning Board conducted a public hearing at which time all interested persons were given the opportunity to speak;

Now therefore be it resolved, that the Planning Board approves the Application for Subdivision Plat/Lot Line Alteration Approval and authorizes the Chair to stamp and sign the Subdivision Plat upon the Applicant's satisfaction of each of the below conditions and requirements within the next one hundred eighty (180) calendar days:

1. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.
2. Addition of Agriculture and Markets notice to subdivision plat.
3. Addition of note to plat giving acreage figures for Greig parcel before and after land conveyance.
4. Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town's Land Subdivision Regulations, including all required stamps and signatures.
5. Verification by the applicant that the corners of the tract have been marked by monuments or steel rods, as approved by the Town Engineer.
6. Stamping of the Subdivision Plat as a 'non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
7. Submission of an acceptable draft of a consolidation deed intended for recording in the Dutchess County Clerk's Office immediately upon filing of the Subdivision Plat whereby the subdivided portions of the 'Land of Robert Greig' would be merged with the adjacent 'Land of Nucci'.

In taking this action, the Planning Board has determined that no new residential building lots or dwelling unit sites 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 Wil LaBossier, seconded by Sam Harkins, and a vote of 5 for, 0 against, and 2 absent, this resolution was adopted on July 19, 2010.

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

Paula Schoonmaker, Assistant Clerk to the Board Date