

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
February 7, 2011

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:32 p.m., and a quorum was determined present for the conduct of business.

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

BUSINESS SESSION

Charlie Laing confirmed the agenda as published. The January 24, 2011 draft minutes had been circulated among the members and reviewed. Kris Munn made a motion to adopt those minutes. Pat Kelly seconded the motion, and all members present voted in favor. There were no announcements.

PUBLIC HEARING

Stewarts Shop – 7243 South Broadway – Amended Site Plan

Tom Lewis was present for the public hearing on an application for Amended Site Plan approval to replace gas storage tanks, lighting, a free standing sign, landscaping, drainage and other site modifications, on a + 1.44-acre lot in the B1 Zoning District.

Charlie Laing read the public hearing notice that appeared February 1, 2011 in the Kingston Daily Freeman.

Mr. Lewis explained the project. He also submitted correspondence from the NYS Department of Environmental Conservation regarding the replacement of the underground storage tanks and said that the new sign material would be wood with plastic slides for interchangeable gas price numbers.

Mr. Lewis submitted new cut sheets for lighting that he said would meet the Town's lighting regulations except at the eastern South Broadway property line, where the illumination would exceed the maximum allowed 0.25 foot candles. Michele Greig said that part of the problem was the location of the sign, which was only 5 feet from the front property line. She said that the lights on the sign were contributing to the excess lighting at the property line. Mr. Lewis and the Board agreed that the sign could not be moved without taking away one of the gas pump lanes and clogging the access to the gas pumps. Michele Greig said that the sign location, although non-conforming, was grandfathered.

Mr. Lewis also said that the light on the pole near the entrance needed to be brighter than the regulations allowed in order for that entrance to be safe. He said that Stewarts would apply to

the ZBA for variances for both lighting situations. Michele Greig said that the average lighting across the parking lot was actually low and could be brought up.

Charlie Laing then opened the hearing for public comment.

David Weiss, owner of a restaurant on the adjoining property to the north, said that he was glad that Stewarts planned to replace the gasoline storage tanks so that the aquifer would be protected. He was, however, concerned that the store's bright lights would affect his seasonal outdoor dining area along the shared property line. Michele Greig said that the lighting would actually be lower after the upgrade.

Mr. Weiss went on to say that making official parking spaces along the shared boundary would also impact his outdoor dining area. The Board said that people park along that line already and that striping the spaces would not change the parking situation. The Board and the applicant did find, however, that the proposed plan brought the parking within 5 ft. of the property line. Mr. Lewis agreed to move the parking back to at least 10 ft. from the line to conform with setback requirements and to eliminate the space closest to the entrance and near the dining area. Mr. Weiss said that there was some vegetation along the property line and that he had installed a fence. The Board suggested that more vegetation might provide a buffer.

Mr. Weiss then spoke about a public address system that annoyed his outdoor diners. Michele Greig said that the volume from that speaker should be part of the site plan review and that the speaker should be labeled on the plan. Mr. Lewis agreed.

Mr. Weiss asked about a picnic table that encroached on his property and that was used by employees as a break area during the day but was used by people loitering in the Stewarts parking lot at night. Mr. Lewis said that he would investigate.

Asked about the timing of the construction, Mr. Lewis said that Stewarts hoped to begin construction in May or June. The Board estimated that replacing the storage tanks would take about one week.

The Board then reviewed a referral response from the Dutchess County Office of Planning and Development. The memo suggested that a defined pedestrian access path be created from the sidewalk to the store. The Board members agreed that creating such a path along the Stewarts southern entrance/exit would allow walkers to reach the store entrance without crossing lanes of traffic. Mr. Lewis said that he would bring in proposed materials for the path.

Since there were no further comments, Sam Harkins made a motion to close the public hearing. Kris Munn seconded the motion, and all members present voted in favor.

The Board then completed the EAF part 2 and reviewed a Negative SEQR Declaration. Kris Munn made a motion to adopt that declaration. Sam Harkins seconded the motion, and all members present voted in favor.

The Board asked Mr. Lewis to apply to the ZBA for the lighting variances and then to come back to the Planning Board.

REGULAR SESSION – OLD BUSINESS

New Beginnings Assembly of God – 8059 Albany Post Road – Lot Line Alteration and Site Plan Approval

George Schmitt, P.E., and Pastor Philip Behr were present for continued discussion of an application for a Lot Line Alteration to convey 0.43 acres from an adjoining parcel, also owned by the applicant; and discussion of an application for Site Plan approval to remove three sheds, to construct an addition to an existing church and to add an open pavilion, on a + 3.21-acre parcel in the B1 Zoning District.

Mr. Schmitt recapped the plans for the classroom addition, open pavilion and lot line alteration. He said that the applicants had added the planting of several paper birches and crimson maples to the new landscaping plan. Charlie Laing said that in its referral response, the Dutchess County Office of Planning and Development had encouraged such additional vegetation.

Mr. Schmitt said that the applicants did not have lighting fixture cut sheets yet.

The Board then reviewed the applicants' responses to issues raised by the Town Engineer. Mr. Schmitt said that because less than one acre would be disturbed during construction, no Storm Water Prevention Plan was needed. He said that no roof drains were proposed. He also said that because the parcel was relatively flat, no topographic lines should be necessary for the map.

Mr. Schmitt said that he would now approach the Dutchess County Health Department about approval. He said he had added a sheet to the plan set showing a proposed new septic system, which would be installed if necessary. However, he said, the capacity of the existing septic system might be sufficient for the proposed increased size of the building. He added that he would need a waiver from the DEC to site the new septic system in a wetland buffer. Finally, he explained that the utility line to be re-located was a sewer line.

The Board referred the applicants' response letter back to the Town Engineer. The members also asked the applicants to submit lighting details and lighting fixture cut sheets.

The Board then scheduled a public hearing for 7:35 p.m. on March 7, 2011.

OTHER BUSINESS

Revised Centers and Greenspaces amendments and Local Waterfront Revitalization Program

Michele Greig reviewed the recent revisions to the proposed Centers and Greenspaces Zoning amendments. She reminded the Board that on June 14, 2010 it had found the previous version of the proposed amendments consistent with the Local Waterfront Revitalization Program.

Sam Harkins said that he disagreed with the prohibition of establishing a riding academy or an equine boarding facility as of right in a zoning district other than the Agricultural Business District. He said that a person should be able to establish these businesses in the RD3 District without applying for a special permit. Michele Greig said that the current zoning regulations did not allow these businesses in the RD3 District without a special permit either. She said that someone who wished to establish these businesses in a district other than the ABD could either

apply to the Town Board to have his/her parcel included in the ABD or apply to the Planning Board for a special use permit.

Sam Harkins also said that he was concerned that the new regulations provided for business growth south of the Village, which he said would take away from the concentration of businesses in the Village. Michele Greig said that there were already businesses south of the Village and that the only way to stop business growth there completely would be to remove the B1 and B2 districts. She said that the new regulations would prohibit big box stores and strip malls that would certainly draw shoppers away from the Village businesses and that were allowed under current zoning.

The Board then discussed whether the revised Centers and Greenspaces amendments were still consistent with the Local Waterfront Revitalization Program. Kris Munn made a motion to confirm that they were. Pat Kelly seconded the motion, and all members present voted in favor.

ADJOURNMENT

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

Respectfully submitted,

Paula Schoonmaker