APPROVED
Town of Red Hook Planning Board
Meeting Minutes
March 19, 2012

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:33 p.m., and a quorum was determined present for the conduct of business.

Members present — Deputy Chair Charlie Laing, members Kris Munn, Brian Walker, and Sam Harkins. Christine Kane, Sam Phelan and Pat Kelly were absent. Also present was planner Michele Greig.

BUSINESS SESSION

Charlie Laing confirmed the agenda as published. There was one announcement. Two short courses sponsored by the Dutchess County Planning Federation-- ZBA Overview and Site Plan Review-- were scheduled for April 24, 2012 at the Farm and Home Center in Millbrook. Charlie Laing said that these courses together were an opportunity for 3 training hours.

The March 5, 2012 draft minutes were not available for review.

PUBLIC HEARING

Pieter Estersohn – 451 Budds Corners Road – Minor Subdivision
Pieter Estersohn and surveyor Bob Zimmerman were present for the continued public hearing on an application for Subdivision Plat approval to subdivide one (1) 3-acre residential lot from a 25.4-acre parcel in the ABD (Agricultural Business) Zoning District.

Charlie Laing said that the part 2 EAF had been completed at the previous meeting. The Board reviewed a draft Negative SEQR Declaration for the project, and Kris Munn made a motion to approve that declaration. Brian Walker seconded the motion, and all members present voted in favor.

Charlie Laing then reopened the public hearing. Bob Zimmerman explained the project, saying that all the structures were outside the agricultural soils. He said that he had obtained Health Department approval for a non-realty subdivision.

Michele Greig explained that the proposed new lot was smaller than 5 acres, so Health Department approval for a realty subdivision was required by Town regulations.

Mr. Estersohn asked about the recreation fee and also about the tax consequences from the placement of the conservation easement. Charlie Laing explained about the recreation fee and then explained the difference in tax consequences between the voluntary offering of a conservation easement and an easement required as part of a subdivision action. Mr. Estersohn said that he had not been aware of this difference and would need additional time to confer with his attorney.

Michele Greig explained the time parameters that must be considered once a SEQR declaration is issued. Kris Munn then made a motion to continue the public hearing to April 2, 2012. Sam Harkins seconded the motion, and all members present voted in favor.

REGULAR SESSION – NEW BUSINESS

Bard College – Woods Road – Site Plan and Special Permit

Pete Setaro, P.E. from Morris Associates, Chuck Simmons and Kristen Hall from Bard College, Robb Champlain and Jim Catella from the Clark Companies, and Don Rudda from Musco Lighting were present with Bard College applications for Site Plan approval and Special Permit to construct a baseball field on a 301.7-acre parcel in the I (Institutional) Zoning District and the National Historic Landmarks District.

Mr. Setaro introduced the project saying that the baseball field would take up about 6 ½ acres of currently wooded land behind the Woods Studio off Woods Avenue on the Bard campus. He said that the field surface would be permeable artificial turf, that a 34 space gravel parking lot would be installed near the field and that an 8 ft. wide sidewalk would run from the parking and bus drop off areas to the field entrance near the batter's box. He said that several existing trails and paths would connect the sidewalk to various parts of the campus.

He said that there would be extensive drainage underneath the field and that the water would drain off to the west where the land sloped down. He said there would also be two stormwater quality treatment areas that would take runoff from the parking areas.

He said that the sidewalk would be at a higher elevation than the field, and the resulting slope down to the field would create lawn seating for spectators. He said that there would be an emergency access through the fence in the outfield, near the access road.

Mr. Setaro went on to say that the applicants' biologist had found a non-jurisdictional wetland in the center of the proposed field. He said that the wetland had no outlet to any other drainage path. He said that the biologist had also conducted a species and habitat review of the subject area and had found no evidence of endangered species. He said that he had just received a letter from the Natural Heritage Program and that he would submit that letter.

Asked about a plan for putting bathrooms in a small nearby existing building, he said that currently that building was used for music practice and that although it had one bathroom, there was no plan for that building to be used in conjunction with this project until another space could be found for the musicians. He said that the plan now was to bring in Porta-potties. He added that water and sewer lines were already installed to serve that building and that the water supply lines would be used for water fountains and a fire hydrant near the field.

Addressing the archaeology, Mr. Setaro said that Bard staff archaeologist Christopher Lindner had completed phase 1 of his review and had been authorized to conduct phase 2. The applicants and the Board agreed that reports should be submitted to the Planning Board, which would in turn submit them to NYS Office of Parks, Recreation and Historic Preservation.

Mr. Champlain then described the artificial turf saying that it would sit on an 8" layer of stone and that a sand and rubber infill would then be added. He said that water would drain quickly through the permeable layer into the stormwater detention area beneath. He said that the organic material (topsoil) would be removed and the area leveled before the artificial turf was laid down. He added that any excess topsoil would be used to construct the seating berm or be added to the college compost pile nearby.

Asked why natural grass could not be used, Mr. Champlain said that the baseball season starts early and that natural grass fields were often not yet useable in the northeast. Ms. Hall added that the NCAA dictated that 25 games be played in a season, so the teams must start early. She said that northeastern teams were opting for the permeable artificial turf. Mr. Champlain added that the artificial turf required no pesticides, fertilizers or mowing and reduced water use. He added that the turf was guaranteed for 8 years but had been found to last as many as 14 years. He said that under normal baseball use, only the sun had a deleterious effect.

Mr. Champlain went on to say that there would be 2 dugouts, 2 sets of bleachers and a press box.

Mr. Rudda then discussed the lighting, saying that the poles, fixtures and lighting levels would be the same as those installed at the soccer field. He said that the 2 infield poles would be 80 ft. high and the 4 outfield poles would be 70 feet high. He added that the elevation of the baseball field was about 2 feet below the soccer field and the surrounding land, so the tops of all the poles would be about even.

Mr. Rudda said that all the fixtures would be shielded and that 90-100 feet from the field, the light would be down to ½ footcandle. The Board talked about visiting the area while the soccer field lights were turned on to confirm the light containment.

The Board classified the project as a Type 1 action under SEQR, with the NYS DEC as an involved agency and the NYSOPRHP and Hudson River Heritage as interested agencies in the coordinated review.

Kris Munn made a motion to adopt a resolution establishing the Board's intent to serve as lead agency for the SEQR review. Sam Harkins seconded the motion, and all members present voted in favor.

The Board generally agreed to ask an independent third party expert to check the wetland. Michele Greig said that she would contact Karol Knapp. Mr. Setaro suggested that the Board's biologist meet the applicant's biologist Mike Nowicki on the site.

Michele Greig agreed that the wooded area appeared to be second growth forest. The Board and the applicants also agreed that the biologists should look for shagbark hickory trees and any indication of the presence of Indiana bats. Mr. Setaro said that Mr. Nowicki had found no roost trees in the area.

Michele Greig asked for the relevant lighting tables compiled by the Illuminating Engineering Society of North America. Mr. Rudda agreed to forward that information. She also suggested that the heights of the surrounding trees should be measured to

assess visibility from other areas on the campus, from Annandale Road and from communities across the Hudson River.

The Board and the applicants then discussed whether this project had been included in the Master Plan update of 2005. They generally agreed that another special permit would be needed to include the project, which would mean some additional language in the Master Plan text and the addition of the project area to the map. Michele Greig said that this action could be undertaken concurrently with the Board's review of the site plan and the other special permit.

The Board then referred the project to the Town Engineer with a request that comments be received by the April 2 meeting. The Board also referred the project to the Dutchess County Department of Planning and Development under GML 239m.

The Board members also agreed to visit the site individually and to coordinate with Mr. Simmons for a night visit when the soccer lights were on.

OTHER BUSINESS

Scenic Hudson – impact of new zoning regulations on conservation easements
Cari Watkins-Bates was present for Scenic Hudson to discuss the impacts of the new zoning regulations on agricultural land and conservation easements in the new Agricultural Business zoning district. She and the Board members talked about what the farmstead configuration could look like if three residences were planned for a parcel and specifically whether all three residences would have to be clustered, since this determination could have an impact on an easement map. They also discussed whether existing structures not located in the farmstead complex could be used for a farm business. Finally, they talked about the options for subdivision in the AB district under the new regulations and how the allowable number of dwelling units could be ascertained.

ADJOURNMENT

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

Respectfully submitted,

Paula Schoonmaker

Attachment

Negative SEQR Declaration for the Estersohn minor subdivision

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: March 19, 2012

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: Estersohn Subdivision

SEQR Status: Type I ☐
Unlisted ☑

Conditioned Negative Declaration: ☐ YES
☑ NO

Description of Action: The applicant proposes to subdivide a ± 2.38 acre residential building lot from a ± 24.08 acre parcel (Tax Map Parcel No. 6273-00-366974) in the Agricultural Business (AB) Zoning District. The proposed lot is being created under the limited development option of the AB District in the Town's Zoning Law. The remaining ± 21.7 acres, which include a single-family dwelling and an accessory dwelling, will be placed under a permanent conservation easement.

Location: Dutchess County Route 79 (Budds Corners Road), Town of Red Hook, Dutchess County, New York

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 Short Environmental Assessment Form (EAF) for the action dated July 7, 2011, 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 NYS certified agricultural district (Agricultural District 20) and the Town's Agricultural Business (AB) Zoning District. An Agricultural Data Statement 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 considered comments on the Agricultural Data Statement in its review of the application. The proposed action will create one (1) ± 2 acre residential building lot and will permanently protect the remaining ± 22 acres of farmland with a conservation easement. The Planning Board reviewed file materials, including maps identifying the location of prime and statewide important agricultural soils on the property, and conducted a site visit and concluded that the proposed new residential building lot will be located in an area that does not contain agricultural soils and is consistent with the siting requirements of the AB District. The action is consistent with the goals of the Town's Comprehensive Plan and Zoning Law to protect agricultural soils in the Agricultural Business District while minimizing residential development and resulting land use conflicts. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on agricultural resources.

4. The action will create a need for recreational land and facilities due to the generation of approximately three (3) new residents of the Town including one (1) new school-age child. School-age children place a particularly high demand on the Town's existing recreational facilities. When considering the cumulative demands of all recently approved and pending subdivision applications on Town recreational facilities, there may be a need to expand such facilities in the near future as a result of this and other subdivisions. Furthermore, the Planning Board has examined the feasibility of locating a park on the subject parcel and has determined that the site is not suitable. Therefore, the applicant will make a recreational fee payment, in an amount established by the Town Board, sufficient to allow for expansion of the Town's recreational facilities. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on community resources.

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)