

**APPROVED**  
**Town of Red Hook Planning Board**  
**Meeting Minutes**  
**May 6, 2013**

**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 — Chair Christine Kane, members Charlie Laing, Brian Walker, Sam Phelan, and Betty Carr. Michelle Turck and Sam Harkins (corrected 5/20/13) were absent. Also present after the first project discussion was planner Michele Greig.

**BUSINESS SESSION**

Christine Kane confirmed the agenda as published. The April 15, 2013 draft minutes had been circulated among the members and reviewed. There were two corrections—a misspelling of “room” on page 2 and an error in a SEQR designation (it was actually an Unlisted action) for the Devereux project at the top of page 5. Betty Carr made a motion to adopt the minutes with these corrections. Sam Phelan seconded the motion, and all members present voted in favor.

Christine Kane said there was one announcement—a Dutchess Land Conservancy breakfast and program about Cornell Cooperative Extension was scheduled to be held on Monday, May 13 from 7:30 a.m. to 9 a.m. at the DLC offices near Millbrook.

**PUBLIC HEARINGS**

**Theresa & Douglas Schaff – 71 Starbarrack Rd. – Lot Line Alteration**

Theresa Schaff was present for the public hearing on an application for Lot Line Alteration approval to convey ±4.1 acres from an 11.075-acre parcel to the adjoining 7.535-acre parcel, both under the same ownership, in the RD 3 Zoning District.

Christine Kane read the public hearing notice that appeared April 30, 2013 in the Poughkeepsie Journal and Kingston Daily Freeman.

Ms. Schaff explained the project, saying that the goal of the lot line change was to locate an old Dutch barn on its own lot, separate from the primary residence.

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

The Board then discussed two notes that had been placed on the subdivision plat approved and signed in 2006. Christine Kane said that these notes had not been carried over to the new plat as submitted by the applicants. She said that one note prohibited any further subdivision of Lot 2 and the other note allowed two (2) additional lots on Lot 1, these lots to be as small as allowed by the County Health Department and clustered in the northeast corner of lot 1. She said that this latter note went on to say that both notes were aimed at the preservation of open space. Ms. Schaff said that these notes had been intentionally omitted since she and her ex-husband no longer wanted the two (2) lots on Lot 1 and were not creating a third lot by subdividing Lot 2.

Christine Kane said that regardless of the reasoning, these notes had been part of the approved plat and should have been shown on the applicants' submitted plat.

Charlie Laing asked whether the applicants were willing to relinquish the possibility of creating the two (2) additional lots on the current Lot 1. Ms. Schaff said yes.

The Board reviewed the Planning Board minutes for the 2006 project. Christine Kane said that the notes had been placed on the plat as part of a Farmland Protection Plan to preserve the Soils of Statewide Importance in the middle of Lot 1. She said that the small lots on Lot 1 would be clustered along Vosburgh Road, outside of the better soils. The Board then reviewed the wetlands and soils maps for the parcel. Ms. Schaff confirmed that these constraints had also been included in the 2006 deed as deed restrictions, but she asked that the prohibition on subdivision of Lot 2 be removed, possibly making that lot more attractive to a purchaser.

Charlie Laing said that he thought the number of lots allowed on Lot 1 be changed to one (1).

The Board generally agreed that because of the large amount of wetlands on Lot 2 and because some of good soils would be added to that lot if this lot line alteration were approved, the note prohibiting further subdivision on that lot should be carried over, even though the lot would be enlarged as a result of the lot line alteration. Likewise, the members generally agreed that the note limiting subdivision of Lot 1 to two (2) small lots should be carried over, even though, under the current zoning regulations, only one (1) lot would allowed in the RD 3 Zoning District. Sam Phelan said that more lots might be allowed in that location someday if the regulations were amended.

Since there were no comments from the public, Sam Phelan made a motion to close the public hearing. Betty Carr seconded the motion, and all members present voted in favor.

The Board reviewed a draft resolution granting conditional final subdivision plat approval to the project. After the members added a condition requiring that the "Additional notes" from the 2006 be carried over to the new plat, Sam Phelan made a motion to adopt the resolution as revised. Brian Walker seconded the motion, and all members present voted in favor.

### **Bard College Blithewood Vista – Blithewood Ave. – Special Permit**

Chuck Simmons and horticulturist Amy Parrella were present for the public hearing on an application for a Special Permit to remove eleven (11) trees and to restore the historic landscaping within 1,000 feet of the Hudson River on a 301.7-acre parcel in the I (Institutional) Zoning District and in the National Historic Landmarks District.

Christine Kane read the public hearing notice that appeared April 30, 2013 in the Poughkeepsie Journal and Kingston Daily Freeman.

Ms. Parrella explained the project, saying that the cutting would mostly involve invasive ailanthus and phragmites, that most of the trees were multi-leader, that the goal of the project was to restore the historic landscape as documented in period drawings, that the stumps would be left in place to control erosion and that native, low-growing colonizing shrubs would be planted to control re-growth of the invasive species.

Christine Kane opened the hearing for public comments. There were none.

Christine Kane said that the Dutchess County Department of Planning and Development had sent a referral response of “of local concern” with no comments. She also said that Warren Temple Smith, president of Hudson River Heritage, had sent a letter in support of the project.

The Board then completed the long EAF parts 2 and 3. After the members had reviewed the Local Waterfront Revitalization Program Consistency form, Charlie Laing made a motion that the Board find the project consistent with the LWRP. Betty Carr seconded the motion, and all members present voted in favor.

Sam Phelan asked what Ms. Parrella had found as she researched the historic landscapes along the river; specifically, he wondered whether she had found that nineteenth century landscape architects such as A. J. Downing had designed broad, sweeping clear-cut vistas or more framed “window”- type viewsapes. Ms. Parrella said that the framed or “peek a boo” views were favored at that time. Christine Kane said that both designs were used, depending on the property. The Board agreed that research and documentation of the historic landscape of a particular property were important in supporting a tree removal or landscape plan along the river. Sam Phelan complemented the applicants on their comprehensive documentation.

Since there were no comments from the public, Betty Carr made a motion to close the public hearing. Charlie Laing seconded the motion, and all members present voted in favor.

After reviewing a draft negative SEQR determination and making small revisions to reflect the documentation of the landscape plan, Charlie Laing made a motion to adopt the SEQR determination as revised. Brian Walker seconded the motion, and all members present voted in favor.

The Board then reviewed a draft resolution granting a Special Permit to the project. Sam Phelan made a motion to adopt that resolution. Charlie Laing seconded the motion, and all members present voted in favor.

**Devereux – 8192 Albany Post Rd. – Amended Site Plan and Amended Special Permit**

John O’Keefe, John Kavanaugh and John Lopez from Devereux as well as Jeff Hogan, P.E. and architect Chris Smailer were present for the public hearing on applications for Amended Site Plan approval and Amended Special Permit to construct a ten-bed Intermediate Care Facility on a 54.4-acre parcel in the I (Institutional) Zoning District.

Christine Kane read the public hearing notice that appeared April 30, 2013 in the Poughkeepsie Journal and Kingston Daily Freeman.

Mr. O’Keefe explained the construction project as part of a larger project begun in 2005. He said that this project would be a residential expansion but that no expansion of the educational facility was needed. Christine Kane then opened the hearing for public comment.

Franciska Hard, 65 Vosburgh Rd., said that she had noticed equipment and noise on the section of land near her adjoining property. Mr. Hogan said that that area was designated as the required expansion area for the septic disposal system in the event that the primary system failed in the future and that his company had been digging test holes there.

Ms. Hard asked whether the current service road would remain unpaved. Mr. Hogan said yes. Ms. Hard went on to say that she worried about increased noise if the playground or ball fields were moved or if more expansion was planned. Mr. Hogan said that the existing vegetation

would remain to muffle the sound. Christine Kane said that the allowed building coverage limit would be reached with this project and that there could be no further building expansion.

Ms. Hard then asked about nearby land that had recently been cleared. Mr. O'Keefe said that that land had been cleared for farming and did not belong to Devereux.

At the suggestion that a photometric plan be submitted, Mr. Smailer said that all the lighting on the campus had been upgraded to meet the Town's exterior lighting standards and that any new lighting would also comply with shielded light fixtures. He said the new building would have light packs at the rear to light the maintenance facilities and recessed lighting at the doorway.

John and Peggy Pike, 75 Vosburgh Rd., said that they heard noise from the campus because of the way the land was configured.

Christine Kane said that the Dutchess County Department of Planning and Development had sent a referral response of "of local concern" with no comments.

The Board then reviewed a GreenPlan memo that included a discussion of the involved agencies for SEQR, the building and lot coverage and an assessment that there were no significant issues arising from a minor change in the location of the building. She said that the applicants should supply samples of the planned building materials.

The Board also reviewed a report from the Town Engineer. Michele Greig said that the area of disturbance should be verified to make sure that a SWPP was not required. Christine Kane said that many of the comments from the Town Engineer pointed out minor additions to the site plan. Mr. Hogan asked that the additions be limited to the project area and not the entire 54-acre parcel. The Board generally agreed to grant that request.

In response to a question about wetlands, Mr. Hogan said that there were no DEC wetlands on the property. He said that there were some small federal wetlands on the parcel but none in the project area. She said that a note to that effect should be added to the plat. She added that information on the soil types should also be shown. Christine Kane said that the applicants should submit a grading plan and information on parking and stormwater management. Mr. Hogan said that it was possible that refuse from the new building could be added to an existing refuse container near the maintenance building. Christine Kane asked that the applicants address the remaining items on the Engineer's review.

Asked about the water supply, Mr. Hogan said that there was an existing well that had an ample supply. Asked about landscaping, Mr. Smailer that the plan was simply to have a lawn. The Board generally agreed to waive the requirement for a photometric plan but asked that details be submitted about the proposed lighting fixtures, poles and wallpacks. The applicants said that there would be no change to the signage.

Mr. Hogan said that he would discuss the site plan with the Red Hook Fire Chief Rich Hilbrandt.

Ms. Hard asked how many parking spaces were proposed. Mr. Hogan said that sixteen spaces were planned. She said she assumed that the same vegetation would remain to shield car headlights.

The applicants said they could plant a tree to provide shade for the building and parking area.

The Board determined the project to be an Unlisted action under SEQR. Betty Carr made a motion to establish the Board as Lead Agency for the SEQR review. Charlie Laing seconded the motion, and all members present voted in favor.

The Board then completed the EAF part 2.

Asked about traffic, Mr. O'Keefe said that only cars going to and coming from the new building would be on the road spur extending from the center of the campus. Michele Greig said that landscaping of parking lots was only required for larger lots.

Since there was no further public comment, Betty Carr made a motion to close the public hearing. Brian Walker seconded the motion, and all members present voted in favor.

The Board then reviewed a draft negative SEQR determination. Charlie Laing made a motion to adopt that document. Betty Carr seconded the motion, and all members present voted in favor.

The project was tentatively scheduled for the May 20<sup>th</sup> meeting.

### **REGULAR SESSION – OLD BUSINESS**

#### **MC Acres – Middle Rd. - Minor Subdivision Plat**

Mark Graminski, P.E. was present for continued discussion of an application for sketch plan approval for the creation of two (2) residential lots of 8.962 acres and 19.042 acres and one (1) remaining lands lot of 36.623 acres from a total 64.627-acre parcel in the AB Zoning District.

Mr. Graminski recapped the project. He said that the wetlands had been staked and verified and that the general design of the septic systems had been approved by the County Health Department. He said that the common driveway was an improved existing farm road. He said that there was a note on the plat stating that any improvement of the driveway near the wetlands or any wetland disturbance would require an application to the DEC.

Christine Kane referred to a memo from the Town Engineer advising that the applicants might have to comply with the newest SPDES general permit for construction. Mr. Graminski said that in this case, the regulations would only apply to installing green infrastructure in the houses themselves. He said that there were no problems with stormwater management because of the large land area and some nearby ponds.

The Board then reviewed a GreenPlan memo. Mr. Graminski said that the applicant had been in touch with Winnakee Land Trust and that the conservation easement documents were on track. He said he would contact the Highway Superintendent, submit a common use and maintenance agreement, and submit a drainage plan.

The Board determined the project to be an Unlisted action under SEQR. Charlie Laing made a motion to establish the Board as Lead Agency for the SEQR review. Brian Walker seconded the motion, and all members present voted in favor.

The Board then endorsed the sketch plan by general consensus and scheduled a public hearing for May 20, 2013.

#### **Todd & Maribeth Catlin – 38 North Drive – Minor subdivision Plat**

Mark Graminski, P. E. and Todd Catlin were present for continued discussion of an application for sketch plan approval to create three (3) residential building lots of 2.72 acres, 4.19 acres and 4.34 acres from an 11.26-acre lot in the R1.5 Zoning District.

Mr. Graminski said that he had revised plans, a revised SWPP and a letter responding to the comments from the Town Engineer. He said he also had a draft driveway common use and maintenance agreement as well as a letter from the Town Highway department. He said he had met with the fire chief and with the Town Water department and that neither had problems with the plan.

He went on to say that he had added details to the stormwater management plan in response to comments from the Town Engineer and that he had added details to the common driveway.

He said that he believed he could assure the Town Engineer that there would be no increase in the off-site stormwater run-off. He said he would also draft a document similar to a driveway agreement that would provide an enforcement document for the stormwater management plan. The Board said that document would be referred to the Town Attorney along with the driveway agreement.

Mr. Graminski said that he would submit his plan to the Health Department as soon as SEQR was concluded and a public hearing held.

The Board referred the revised documents to the Town Engineer and asked that details of the trees to be removed be submitted once the stormwater management plan was approved.

Asked about the impact of possible accessory buildings on the stormwater management plan, Mr. Graminski said the SWPP was based on principle buildings only and that people wishing to construct accessory structures would have to come back to the Planning Board for a review of the stormwater management and drainage plan.

The Board then scheduled a public hearing for May 20, 2013.

### **Hoffman Residential Development – 19, 25 and 45 Old Farm Rd. – Preliminary Plat and Site Plan**

Rod Morrison, P.E., Richard Rang and architect Henry Thomas were present for continued discussion of applications for preliminary subdivision plat and site plan approval to create 96 residential units on 50.64 acres in the TND-R (Traditional Neighborhood Development-Residential) Zoning District.

Mr. Thomas said that the plans had been revised to adjust the way the lanes behind the interior homes emptied onto the road, to add an exit from the lanes to the road near the community center, to slightly shift a section of homes near the open space to provide larger back yards and to eliminate the sidewalk on the outer side of the perimeter road. He said that the applicants believed that two sidewalks in such a small area would be redundant and that the sidewalk on the inner side would not encounter the large number of driveways. Mr. Rang added that the sidewalks were not actually leading anywhere and that the large number of driveways made walking on the outer side more dangerous. The applicants said that the sidewalk on Old Farm Road could be finished for the length of the development.

Mr. Thomas said that the elimination of that sidewalk would not have any impact on the landscaping. He also said that a waiver would be needed. Brian Walker said that sidewalks on

both sides could be a traffic control mechanism. Mr. Morrison said that there would be designated crossings for people to cross the street to the sidewalk and to the community center.

The Board and the applicants also discussed trees and bikeways. The applicants said that the roads would be too narrow to install a separate bike lane.

The Board and the applicants then discussed the corner lots and corner buildings. Mr. Rang said that the corner buildings were designed to actually front on both intersecting roads.

Mr. Morrison said that he had met with the Town Highway department and had discussed Town roads and the road configuration. He also said that the Fire chief was satisfied with the plan.

Asked about the possibility of pervious pavement, Mr. Morrison said that the Town did not have the equipment to maintain it.

Mr. Thomas said that the lighting had been increased along the sidewalks. He said that bollard lighting was proposed for use along the walkways in the open spaces. Mr. Rang added that eliminating one sidewalk also eliminated the need to install duplicate lighting on that side of the street. He said they were in conversations with Central Hudson about who would provide and maintain the sidewalk lighting.

Asked about the water supply, Mr. Rang said that the Village was currently collecting data to see how much water it had and how much was currently being used. As a result, he said, water for Phase 1, approximately 24 homes, would come from the Rokeby wells. He said that the optimum plan for all would be to connect the Rokeby system to the Village system so that each supply could augment the other and then connect both to the development distribution system. Mr. Rang said that the simplest management solution would be for the County to form a County zone of assessment since the County already owned the Rokeby system. Mr. Morrison said that the Health Department would initially sign a Phase 1 plat with 24 homes. Michele Greig reminded the applicants that they would need to include three (3) housing unit types in that phase.

The applicants said that they had discovered that the post office would not deliver mail house to house. They said that they felt that installing a mailbox in front of every house would clutter the look of the street and so were still discussing different options.

Mr. Morrison said that there would be a community septic system. He said that in anticipation of an eventual central sewer system, each home would not have an individual septic tank; rather, the waste would be piped to a collection point. He said that he had talked to the Dutchess County Water and Wastewater Authority and that the agency had agreed either to serve as the back-up owner of the system if a transportation system was formed or to own the system from the beginning. Mr. Rang said that the discussion about whether the DCWWA would own the lot that contained the system was continuing. Michele Greig said that if the DCWWA did own the lot, it would have to be subdivided off. She said that the applicants could then get an easement for the lot, and Charlie Laing said that a reverter clause could be included in the deed in case a central sewer system made the development's system unnecessary.

Christine Kane noted that SEQR circulation responses had been received from Red Hook Village, from the Red Hook Town Board and from NYS DEC. She said that a letter from the Red Hook Central School District stated that school officials anticipated no impact on the school

system from the development. Michele Greig asked that the applicants submit the information and calculations used to assess the impact on the schools.

The applicants and the Board members talked about the newly submitted responses to habitat and traffic study reviews. Michele said that these responses should go back to the independent consultants for another review. She said that nothing had yet been heard from the NYS Office of Parks, Recreation and Historic Preservation regarding the archaeology report. Finally, she said that when the plans were further developed, they should be referred to the Town Tree Committee for comment.

The Board then tentatively scheduled the project for the May 20<sup>th</sup> agenda.

### **ADJOURNMENT**

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

Respectfully submitted,

Paula Schoonmaker

### **Attachments**

Resolution granting Lot Line Alteration/Subdivision Plat approval to Douglas and Theresa Schaff  
Negative SEQR determination for the Bard College Blithewood Vista Tree Removal project  
Resolution granting Special Permit to Bard College for the tree removal project

**Resolution Granting Final Subdivision Plat Approval to Theresa & Douglas  
Schaff Lot Line Alteration**

**Name of Project:** Schaff Lot Line Alteration #2

**Name of Applicants:** Theresa & Douglas Schaff

**Date:** May 6, 2013

**Whereas,** the applicants have submitted an application for Final Subdivision Plat approval dated February 21, 2013 to the Town of Red Hook Planning Board for a proposed lot line alteration to convey  $\pm$  4.1 acres of land from a  $\pm$  11.075-acre parcel (Tax Map Parcel No. 6374-00-373165) to the  $\pm$  7.535-acre adjoining parcel (Tax Map Parcel No. 6374-00-431171), both located at 71 Starbarrack Road and both owned by the applicants, in the RD3 Zoning District in the Town of Red Hook, Dutchess County, New York; and

**Whereas,** the applicants have submitted a Final Subdivision Plat prepared by Decker Surveying dated April 4, 2013; and

**Whereas,** the parcel is located within 500 feet of a New York State certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated February 21, 2013, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcels; and

**Whereas,** on March 4, 2013, the Planning Board declared itself Lead Agency for the purpose of conducting an uncoordinated review of an Unlisted action pursuant to SEQR; and

**Whereas,** on April 15, 2013, the Planning Board, in consideration of the Short Environmental Assessment Form dated February 21, 2013 and 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 May 6, 2013, the Planning Board scheduled a Public Hearing on the Subdivision Plat application, at which time all interested persons were given the opportunity to speak; and

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

**NOW, THEREFORE, be it resolved** that the Planning Board hereby grants approval to Theresa and Douglas Schaff to convey  $\pm$  4.1 acres of land from a  $\pm$  11.075-acre parcel to the  $\pm$  7.535-acre adjoining parcel, both located at 71 Starbarrack Road in accordance with the plans and specifications heretofore submitted upon the following conditions:

- a The applicant shall verify that the corners of the lot line alteration areas have been marked by monuments or steel rods, as approved by the Town Engineer.
- b The plat shall be revised to show: two (2) lines for the owners' signatures in the Owner Signature block, standard wording for the Planning Board signature block, the deletion of the empty Area Map and the addition of the required NYS Agricultural and Markets notation.
- c The plat shall be revised to include a note that the  $\pm$  4.1 acres of land from the  $\pm$  11.075 lot will be merged with the adjacent  $\pm$  7.535 lot (to obviate the creation of a third lot).
- d The two "Additional notes" from the subdivision plat signed by the Planning Board Chair on July 18, 2006 shall be carried forward and added to this plat.
- e Submission of an acceptable draft of a consolidation deed intended for recording in the Dutchess County Clerk's Office.
- f Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
- g 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 P.E. and L.S. stamps and signatures.

In taking this action, the Planning Board has determined that no new residential building lots or dwelling units 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 Sam Phelan, seconded by Brian Walker, and a vote of 6 for, 0 against, and 2 absent, this resolution was adopted on May 6, 2013.

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

\_\_\_\_\_  
Paula Schoonmaker, Secretary to the Board

\_\_\_\_\_  
Date

617.7

State Environmental Quality Review (SEQR)  
Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: May 6, 2013

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 Blithewood Vista Tree Removal

SEQR Status: Type I   
Unlisted

Conditioned Negative Declaration:  YES  
 NO

Description of Action: The proposed action is an application by Bard College for a Special Permit from the Town of Red Hook Planning Board to remove eleven (11) trees within 1,000 feet of the Hudson River on the Blithewood property to restore a designed landscape and historic viewshed, and to permit the annual removal of invasive species (*Alianthus altissima* and *Phragmites australis*). All stumps will remain in place to prevent erosion and slumping of native soils. The property is a part of the ± 550 acre Bard College Educational Campus in the Town’s Institutional (I) Zoning District, Historic Landmarks Overlay (HL-O) District, and Scenic Corridor Overlay (SC-O) District.

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 March 19, 2013, 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 property is located within the Hudson River National Historic Landmark District, which is listed on the State and National Registers of Historic Places. The site is Blithewood Mansion, set in a landscape designed in the American Romantic Landscape Style by Andrew Jackson Downing, one of the foremost landscape architects of the 19<sup>th</sup> century. Over the years, this designed landscape has become overgrown and in need of restoration. As noted in the description of the Blithewood landscape in the Estates District Scenic Area of Statewide Significance (SASS), the *“the grounds once afforded the mansion site more sweeping views of the Hudson River than are now available.”* The SASS goes on to state that the *“view compositions of the designed landscape are overgrown at Blithewood and the extensive views they once offered are now more limited or no longer visible.”* The original framed views of the Hudson River, which were part of the original design for this property by A. J. Downing, will be restored by this action.

A watercolor by A. J. Davis of a view from the Blithewood lawn ca. 1835, and a view of the Blithewood house and lawn included in A. J. Downing’s *Treatise on the Theory and Practice of Landscape Gardening* dated 1849, both submitted by the applicant, show the originally designed landscape, with the historic framed vista to the Hudson River. The proposed removal of the eleven (11) recent growth trees will contribute towards restoration of the original designed landscape, as required by the community standards in the Town of Red Hook HL-O District, which states that within this Overlay District, *“formal and informal landscaping shall be restored whenever feasible.”* The proposed restoration of the historic landscape is supported by Hudson River Heritage, the steward of the Hudson River National Historic Landmark District, which states in correspondence dated April 23, 2013 that *“the historic vistas both to and from the Blithewood estate, encompassing the Hudson River and Catskill Mountains, as envisioned and depicted by both Alexander J. Davis and Andrew J. Downing, inevitably demand periodic maintenance such as that now proposed by Bard College.”* Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on historic resources.

4. The project site is located within an area that has been identified as sensitive for prehistoric activity by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The proposed tree removal will leave stumps in place, and therefore, no ground disturbance that might impact archaeological sites will result from the proposed action. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on cultural resources.
5. The property is located on a designated scenic corridor. The project site is located deep within the property, and intervening vegetation, topography, and structures screen views of the site from Annandale Road. Moreover, the proposed action will restore a designed landscape, a beneficial impact on aesthetic resources. Based on the foregoing, the proposed action will not result in any significant adverse impacts to aesthetic resources.

6. No shagbark hickories or dead trees with exfoliating bark that might serve as habitat for Indiana bat will be removed as part of this action, and therefore the proposed action will not result in any significant adverse impacts to threatened or endangered species.
7. 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 Office of Parks, Recreation, and Historic Preservation

Hudson River Heritage

NYS DEC Environmental Notice Bulletin  
[enb@gw.dec.state.ny.us](mailto:enb@gw.dec.state.ny.us)

## **Resolution Granting Special Permit Approval to Bard College Blithewood Vista Tree Removal**

**Name of Project:** Bard College Blithewood Vista Tree Removal

**Name of Applicant:** Bard College

**Date:** May 6, 2013

**Whereas,** the Town of Red Hook Planning Board has received an application for Special Permit approval from Bard College dated March 19, 2013 to remove eleven (11) trees within 1,000 feet of the Hudson River, and to permit the annual removal of invasive species (*Alianthus altissima* and *Pbragmites australis*) in order to restore a designed landscape and historic viewshed on the Blithewood property, which is part of the ± 550 acre Bard College Educational Campus (Tax Map Parcel No. 134889-6173-00-400720-0000) in the Institutional (I) Zoning District, Historic Landmarks Overlay (HL-O) District, and Scenic Corridor Overlay (SC-O) District, in the Town of Red Hook, Dutchess County, New York; and

**Whereas,** the Planning Board has reviewed the application for Special Permit against the general standards for a special use permit found in § 143-51 of the Town of Red Hook Zoning Law and with the specific standards for development within 1,000 feet of the high water mark of the Hudson River found in § 143-30 and for development within the Historic Landmarks Overlay District found in § 143-46 and has found the proposal complies with all applicable sections of the Zoning Law; 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 April 22, 2013 that the project was a matter of local concern; 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,** on April 15, 2013, the Planning Board was designated the lead agency for the purpose of conducting a review of a Type 1 action pursuant to SEQR; and

**Whereas,** on May 6, 2013, 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 6, 2013 the Planning Board conducted a duly noticed public hearing on the Special Permit 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 hereby grants Special Permit approval to Bard College to remove eleven (11) trees within 1,000 feet of the Hudson River, and to permit the annual removal of invasive species (*Alianthus altissima* and *Phragmites australis*) in accordance with the applications materials and specifications heretofore submitted upon the following conditions:

- A. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.
- B. This permit authorizes the removal of eleven (11) trees as shown on the Bard College Blithewood Vista Tree Removal Project aerial map dated 2013 included in the Special Permit application for the project. No additional tree removal within 1,000 feet of the Hudson River on the subject property is authorized by this permit. All tree stumps shall remain in place.
- C. This permit authorizes the removal, on an annual basis, of *Alianthus altissima* and *Phragmites australis* in the area designated on the aforementioned aerial map.
- D. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant and contained in the Full EAF and the negative declaration adopted by the Planning Board on May 6, 2013 shall be considered conditions of this Special Permit Approval.

In taking this action, the Planning Board has determined that no new residential building lots or dwelling units 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 Sam Phelan, seconded by Charlie Laing, and a vote of 5 for, 0 against, and 2 absent, this resolution was adopted on May 6, 2013.

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

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Paula Schoonmaker, Secretary to the Board

\_\_\_\_\_  
Date