

Approved
Town of Red Hook Planning Board
Meeting Minutes
September 9, 2013

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:30 pm by Chair Christine Kane, and a quorum was determined present for the conduct of business.

Members present — Sam Harkins, Brian Walker, Charlie Laing and Christine Kane. Also present was planning consultant Michele Greig. Michelle Turck, Sam Phelan and Betty Carr were absent.

The minutes from the August 19, 2013 meeting were approved on a motion by Brian Walker, seconded by Sam Harkins and carried unanimously.

Christine Kane announced that the Cornell Cooperative Extension is offering a program Friday, Sept. 13 at Vassar College entitled Local and Regional Options for Energy and Climate Change Resiliency.

NEW BUSINESS

Katherine Gagin – 388 Lasher Road, Tivoli - Special Permit

Presentation of application to operate a residential day care center for 3-6 children in her residence on a 0.4 acre parcel in the RD3 Zoning District.

Katherine Gagin was present to discuss her proposed family daycare. She said that she currently tutors and cares for two children, and to care for three or more, a license from the state is required. She said getting a permit from the town is the first step in applying for the state license. She is applying to care for up to 6 children ages 2 ½ to 6.

Ms. Gagin provided aerial photos and drawings of her property, and indicated that she has ample space for parking and an enclosed recreation area within the setback limits. She said, however, that the only place to put the recreation area is in the front yard, and wondered if she would need a variance, since the town zoning code dictates that the outdoor recreation area be located in the side or rear yard.

Ms. Gagin said she plans to install a 3-foot picket fence around the recreational area, for which she has obtained a permit from the town. Christine Kane asked if that would meet the state's requirement. Ms. Gagin said it would.

Ms. Kane asked if the garage would house daycare. Ms. Gagin said she had not determined that yet, and would probably rely on the state's advice. She said it will be habitable, and she may store playthings there.

Sam Harkins asked how far the fenced recreation area would be from the road. Ms. Gagin said about 58 feet.

Ms. Kane explained to Ms. Gagin that the board requires a complete site plan on one map drawn to scale. She said the site plan should show the entire property, including the buildings, driveway, recreation area, parking spaces and show the flow of traffic. She asked Ms. Gagin if she had an existing survey of her property that she could use for a site plan. Ms. Gagin said she does not. Ms. Kane said a drawing would be acceptable, but it must be to scale.

Ms. Kane asked if there would be any employees. Ms. Gagin said she does not have any, but might add one in the future. Ms. Kane said that 5 parking spaces would be required.

Ms. Kane asked what the hours of operation would be. Ms. Gagin said 8am-6pm. Ms. Kane said that outdoor lighting would be necessary and must be shown on the site plan. Ms. Kane asked if Ms. Gagin planned to install a sign. Ms. Gagin replied no.

Ms. Kane asked what the fence material would be. Ms. Gagin said wood.

The board determined that the proposed project is an unlisted SEQR action undergoing uncoordinated review, and on a motion by Sam Harkins, seconded by Brian Walker and carried unanimously, a resolution was passed establishing the town as the lead agency in SEQR.

The board generally agreed that they need to see a comprehensive site plan before scheduling a public hearing. They suggested the applicant return to the October 7 meeting.

The Red Hook Diner – 7329 South Broadway - Site Plan

Presentation of application to construct additions totaling 335 sq. ft. to existing building, remodel the exterior of the building and roofline, relocate the main entry, install an outdoor patio, and related site improvements.

Robert Turner of Tinkleman Architecture and Terry Keramas of T & C Hospitality Group, Inc. were present to discuss Mr. Keramas' application to modify the former Apple A Day Diner building to re-open as the Red Hook Diner.

Mr. Turner gave a description of the proposed modifications. The additions will be on the back of the building, accessible from the inside, for storage. The entrance will be changed from two doors to one, a patio for outdoor seating in the front that would be accessed from a door on the side of the building would be installed, and the dumpster enclosure would be repaired. The applicant plans to relocate the propane tank to the enclosure.

Mr. Turner said the exterior of the building will be remodeled, especially the roof. In the back, equipment on the roof will be obscured with a fence-like screen. The current windows on the main floor will have decorative dividers added. Decorative dormer windows with frosted glass will be installed on the roof.

Mr. Turner said that the current occupancy will be maintained, and there will be no significant change in water use or the septic system. He said the newly designed single-door entry would result in some changes in landscaping and reduce parking spaces near the entrance.

Ms. Kane asked about lighting for the outdoor dining area. Mr. Keramas said there would be 4 or 5 tables on a patio with a low wall. Fixtures would be attached to columns and under the soffits.

Michele Grieg asked if all the current fixtures are shielded. Mr. Turner said they were. Ms. Grieg reviewed the lighting requirements.

Mr. Turner asked if the town would require a new photometric plan. Sam Harkins said he thought Dunkin' Donuts had provided one. The board generally agreed that the applicants should review any existing photometric plans to be sure they do not exceed allowable guidelines.

Christine Kane said that there is approval for another building on the site. She suggested the applicants designate which parking spaces would be for the Red Hook Diner customers to avoid any misunderstandings in the future. Mr. Keramas said he was leasing the entire area, and that all the parking spaces could be utilized by the restaurant. Ms. Kane said that if a third building is built there, there will be a roadway through the existing parking lot, eliminating some of the spaces. Ms. Greig added that only 20 parking spaces are required, not 33.

Mr. Turner distributed pictures of the proposed new sign, and said that a small sign would also be attached to the building.

Regarding the dumpster enclosure, Ms. Kane asked what kind of gate would be used. Mr. Turner said that they had anticipated using a chain link fence for the dumpster enclosure, but are now aware that chain link is not permitted, and will consider a gate with a steel frame anchored to metal posts and finished with vinyl imitation wood.

Ms. Greig asked about lot coverage. Mr. Turner said he would calculate building coverage and note it on the plat.

The board discussed parking, landscape and patio location issues that would need to be addressed upon the applicant's return.

Ms. Kane also asked the applicants to bring in building material samples and color schemes, and cut sheets for lighting. The applicants plan to return to the board October 7.

Anderson Commons – Fisk Street - Major Subdivision – sketch plan, site plan and special permit

Andrew Learn from Morris Associates was present to discuss Anderson Commons major subdivision. He reviewed that the project had received approval in 2008, but it expired, and a new applicant is now seeking approval for the same project. He described the project as a 45 lot traditional neighborhood that straddles the border between the village and town known as parcel C, and 7 executive lots, two additional lots, one residential and one commercial/residential, in the town.

Mr. Learn said that since 2008 the town zoning code has changed, resulting in some changes in density and open space. He said 50% open space is now required, and they need to increase the open space. To do this, he said, the applicant is proposing to add part of lot C and the areas where two infiltration basins and three in ground sewage disposal systems will be located, bringing the open space to 51%.

Charlie Laing observed that the lot lines were different in the originally approved project. Michele Greig said that some land was subsequently subdivided off before this application came before the board. Mr. Laing specified that all designated open space must be under a conservation easement. He said that he felt that the areas containing infiltration basins and sewage systems are not really open space, because they need to be operated and maintained, and are not compatible with the spirit of a conservation easement. All board members agreed with Mr. Laing.

Sam Harkins suggested taking some acreage off the eastern portion of some of the executive lots and add it to the open space, which is contiguous to the executive lots. The board determined that lots 49, 50, 51 and 52 could contribute acreage to the open space. Mr. Learn said that he would discuss that alternative with the developer.

Mr. Learn said that originally, the construction plan was to build the executive lot residences first. However, based on the current housing market, the applicant would now like to build the traditional neighborhood first. He said the road that will be constructed from Fisk Street to Glen Ridge Road will become a town road. He said the applicant wants to pave the traditional neighborhood portion of the road, construct a gate and turnaround designed to restrict access, and leave the remainder of the road grated and covered with item four until they are ready to construct the executive residences.

Mr. Laing said that approval would be needed from emergency services. Christine Kane said that in the event that there was a long delay in starting construction of the executive residences, there should be an agreement that the road be completed. Mr. Learn asked if a bond could be posted. The board generally agreed that would be acceptable. Michele Greig added that the road cannot be dedicated to the town until it is completely finished.

The board discussed the details of the infiltration area that would be part of the open space with Mr. Learn, and explored ways to improve the area, since it would be part of the open space. They also discussed mail delivery for the traditional neighborhood.

Ms. Grieg asked if there were any proposed changes to the architecture of the homes. Mr. Learn said there were not.

In referring to her Sept. 5 Greenplan memo, Ms. Grieg emphasized that the conditions from the previous approval were not included in her memo, but still must be satisfied.

Ms. Kane asked if the board wanted to approve the sketch plan. Sam Harkin made a motion that the sketch plan be approved on the conditions that the three square infiltration areas on property C be removed from the conservation easement, that sufficient land from the eastern portion of the executive lots be added to the conservation easement, and that a bond be issued for the road. Charlie Laing seconded, and the motion was unanimously passed.

ADJOURNMENT

Since there was no other business to come before the board, the meeting was adjourned on a motion by Charlie Laing, seconded by Sam Harkin, and carried unanimously.

Respectfully submitted

Kathleen Flood
Clerk to the Board