

Approved
Town of Red Hook Planning Board
Meeting Minutes
November 4, 2013

CALL TO ORDER/ DETERMINATION OF QUORUM

Chair Christine Kane opened the meeting and confirmed the agenda at 7:30 pm. A quorum was determined present for the conduct of business.

Members present — Sam Phelan, Brian Walker, Charlie Laing, Betty Carr and Christine Kane.

BUSINESS SESSION

Christine Kane announced a program entitled Green Infrastructure: Building Natural Drainage Systems will be offered at the Dutchess County Farm and Home Center Nov. 14, 6:30-8:30 pm.

The minutes from the Oct. 21, 2013 meeting were approved on a motion by Betty Carr, seconded by Sam Phelan, and carried unanimously

PUBLIC HEARING

The Red Hook Diner – 7329 South Broadway – Amended Site Plan

Christine Kane read the public hearing notice published in the Poughkeepsie Journal and the Kingston Freeman.

Applicant Terry Karamas was accompanied by Robert Turner of Tinkelman Architecture who described the proposed renovations. He detailed changes to the main entrance, roof, and related site improvements. He exhibited building samples that will be used and described the color scheme.

The board generally agreed that E.F.I.S. acrylic textured exterior finish was acceptable within the scope of approved building materials. Ms. Kane asked what the applicant planned to do with the exhaust fans on the roof. Mr. Turner said they would be painted either gray or brown, depending on which looks better with the new roof. The board generally agreed they were comfortable giving the applicant that leeway.

Ms. Kane said that the project had been referred to the Dutchess County Department of Planning and Development. The response was that the project is a matter of local concern.

Three parking spaces in the front to the building were eliminated to comply with new zoning codes. The applicant proposed to stripe the pavement in the no parking area, install cement wheel stops and erect no parking signs. Mr. Turner explained the wheel stops are a concrete form 6 feet long and 6-8 inches high anchored by rebar.

Brian Walker questioned whether so many parking deterrents were necessary. He said he felt that the blocks and the striping seemed adequate. The board generally agreed that the signs could be removed. Mr. Walker suggested installing bicycle racks in the no parking area. Mr. Keramas agreed that a bike rack was a good idea and agreed to install one.

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

Charlie Laing made a motion that the board accept a resolution to re-classify the project as a Type II SEQR action since the parking spaces were eliminated. Betty Carr seconded the motion and it was carried unanimously.

Mr. Laing then made a motion to grant approval with the conditions listed in the approval document. Sam Phelan seconded, and all members present voted in favor.

REGULAR SESSION – OLD BUSINESS

Plimpton & Hills Corporation – 7311 South Broadway – Site Plan

Mark Graminski was present for continued discussion on an application for the re-development of the former NAPA building on 1.38-acres in the TND-CC (Traditional Neighborhood District–Commercial Center) into a retail/service business for plumbing, heating and HVAC products for commercial and residential application.

The board reviewed with Mr. Graminski comments from the town planning consultant dated Oct. 31, 2013 regarding parking and density. Mr. Graminski acknowledged that some changes need to be made to the parking in order to comply with zoning regulations.

Mr. Graminski said that he and the applicant had met with the town building inspector to discuss the renovation of the building. He said that most of the changes to the building will be on the front façade using brick and stucco and re-glazing of the windows. The board requested that samples of building materials and colors as well as lighting cut sheets and clarification to the window changes be made available at the next meeting.

Mr. Graminski said that the site is currently being excavated to remove 2 gas tanks buried under the parking lot.

The board unanimously passed a resolution establishing itself as lead agency in an unlisted SEQR action undergoing uncoordinated review on a motion by Charlie Laing and seconded by Betty Carr.

The board requested planning staff to refer the project to the Dutchess County Department of Planning and Development, and set a public hearing for November 18.

REGULAR SESSION – NEW BUSINESS

Red Wing Properties Inc. – Turkey Hill Road – Lot Line Adjustment

Applicant Paul Doherty and Land Surveyor Robert Ihlenburg presented an application to adjust the lot line between two lots presently 17.6 acres in the Agricultural Business District (ABD) and .9 acres in the RD3 District to create one 10-acre parcel in the ABD and one 7.6-acre parcel in the RD3. The objective, Mr. Ihlenburg said, is to get two parcels in closer conformance to R3 zoning.

The board and applicants reviewed a memo from the town planning consultant dated Oct. 31, 2013. In addition to requesting that the EAF part 1 be more accurately and completely filled out, dated and

signed, it also suggested that the proposed action is inconsistent with the town's zoning law and comprehensive plan because it reduces an existing parcel in the AB District (the larger parcel), which contains open fields and important agricultural soils. The memo referenced section 143-39.1A of the town zoning law, which states the purpose of the ABD is to "conserve a critical mass of important farmlands in order to facilitate active and economically viable agricultural use of the lands now and in the future" and "to prevent fragmentation of the town's existing agricultural lands by nonagricultural development".

Christine Kane explained that the applicant may have to consider alternatives that would preserve the land in the ABD and allow the lands to continue to be available for farming. She noted that regardless of whether land in the AB District is currently being farmed, it matters that it remain available for future agricultural use and important farmland soils be preserved.

Mr. Doherty asked if the town would like to buy the land at its assessed value and keep it for farming. Ms. Kane replied that there are programs for purchase development rights that he could look into. She encouraged the applicant to review the ABD zoning regulations regarding use and intent.

The board took note that part of the larger lot is in the town of Milan. The board determined that a site visit would be helpful and agreed to meet the applicants at the site at 9:15 am Saturday, Nov. 9. They asked Mr. Ihlenburg to update the surveys to show contours and soils.

OTHER BUSINESS

Resident Ken Migliorelli was present to discuss the recently approved Brookmeadow subdivision. He said that he learned that a vegetative buffer of trees and shrubs will be installed between his family's farmland and the subdivided 4-acre lot. The board affirmed that the buffer was a condition of approval because a house would be built on the subdivided lot. Mr. Migliorelli replied that he currently has an agreement with the owner of the subdivided lot, Hilda MacDonald, to grow hay and vegetables on the lot. He said that Ms. MacDonald has no immediate plans to construct a residence on the lot, and that a vegetative buffer would only impede his work. Board members explained that it was their understanding that a house would be built on the lot, since it was shown on the plans, and they were unaware that it was being farmed.

Ms. Kane asked Mr. Migliorelli to obtain a statement in writing from Ms. MacDonald regarding her agreement with him. The board agreed to research changing the approval document to accommodate continued farming activity, but require a vegetative buffer if and when a home is constructed on the lot.

ADJOURNMENT

Since there was no other business to come before the board, Charlie Laing made a motion to adjourn. Betty Carr seconded, and all members voted in favor.

Respectfully submitted,

Kathleen Flood
Planning Board Secretary

617.6
State Environmental Quality Review (SEQR)
Resolution
Classifying the Proposed Project as a Type II Action

Name of Action: Red Hook Diner

Whereas, the applicant proposes to renovate an existing \pm 2,930 sq. ft. restaurant and to construct a \pm 335 square foot addition to the restaurant located at 7329 Broadway in the TND Commercial Center Sub district in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated August 30, 2013 has been prepared for the proposed action, and

Whereas, previously the project included three (3) non-conforming parking spaces and therefore, on October 7, 2013, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board determined that the proposed project was an Unlisted Action under SEQR; and

Whereas, subsequently the applicant revised the project to bring all parking into conformance with the Zoning Law; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the revised project as a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(7) and, therefore, SEQR does not apply.

Now Therefore Be It Resolved that the Planning Board hereby rescinds its earlier classification of the proposed project as an Unlisted action and hereby classifies the proposed project as a Type II action and declares that no further review under SEQR is required.

On a motion by Charlie Laing, seconded by Betty Carr, and a vote of 5 for, and 0

against, and 1 absent, this resolution was adopted on

November 4, 2013.

Resolution Granting Site Plan Approval to Red Hook Diner

Name of Project: Red Hook Diner

Name of Applicant: Terry Keramas—T&C Hospitality Group Inc.

Date: November 4, 2013

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Terry Keramas—T&C Hospitality Group Inc. dated August 30, 2013 to renovate an existing \pm 2,930 sq. ft. restaurant and to construct a \pm 335 sq. ft. addition to the restaurant on a \pm 2.989 acre parcel (Tax Map Parcel No. 134889-6272-00-242393-0000) located at 7329 South Broadway in the TND Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Site Plan prepared by Tinkelman Architecture PLLC (Sheets PZ-01, PZ-02 and PZ-03) dated August 30, 2013 and revised September 27, 2013, October 11, 2013 and October 25, 2013; and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of Article VII of the Zoning Law 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 November 4, 2013 the project was a matter of local concern and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on November 4, 2013 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(7) and, therefore, SEQQR does not apply; and

Whereas, the Planning Board held a Public Hearing on the Site Plan application on November 4, 2013, at which time all interested persons were given the opportunity to speak; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Site Plan approval to Terry Keramas—T&C Hospitality Group to renovate an existing \pm 2,930 sq. ft. restaurant and to construct a \pm 335 sq. ft. addition to the restaurant in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Planning Board Chairwoman:
 - A. Revise Sheet PZ-03 of the Site Plan to delete Detail 6 (Stockade Fence).
 - B. Include a bicycle rack in the striped, paved area that was formerly three (3) parking spaces. .
 - C. Delete the no-parking sign for the aforementioned paved area..
 - D. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required P.E. and L.S. stamps and signatures.
 - E. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chairwoman endorsement. One (1) set shall be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Inspector. The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

2. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO):
 - A. All proposed improvements shall have been completed in accordance with the approved Site Plan.
3. The following are general conditions which shall be fulfilled throughout the construction and operation of the project:
 - A. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant shall be considered conditions of this Site Plan Approval.
 - B. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

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 Charlie Laing, seconded by Sam Phelan, and a vote of _5_ for, _0_ against, and _1_ absent, this resolution was adopted on November 4, 2013.

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

Kathleen Flood, Planning Board Secretary

Date

617.6

State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Plimpton and Hills Corporation

Whereas, the Town of Red Hook Planning Board is considering action on a proposed Site Plan application by Plimpton and Hills Corporation for a \pm 1.38 acre parcel of land located at 7311 South Broadway, Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated October 25, 2013 was submitted at the time of application; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is an Unlisted action; and

Whereas, the Planning Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Planning Board has determined that there are no other involved and/or federal agencies on this matter.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

On a motion by Charlie Laing, seconded by Betty Carr, and a vote of 5 for, and 0 against, and 1 absent, this resolution was adopted on

November 4, 2013 .