

**APPROVED**  
**Town of Red Hook Planning Board**  
**Meeting Minutes**  
**July 7, 2014**

**CALL TO ORDER / DETERMINATION OF QUORUM**

Christine Kane called the meeting to order at 7:35p.m. and confirmed the agenda as published. A quorum was determined present for the conduct of business.

Members present: Sarah Gilbert, Sam Phelan, Brian Walker, Charlie Laing and Christine Kane. Also present was Planning Consultant Michele Greig.

Charlie Laing made a motion to adopt the minutes of June 2. Sam Phelan seconded and all members voted in favor.

Ms. Kane reviewed a letter dated June 2, 2014 from the Attorney for the Preserve at Lakeskill applicant providing an extension for deliberations and decisions until September 15, 2014. She said the applicant is tentatively scheduled to return before the board July 21. Charlie Laing asked if they were making progress. Ms. Kane said that they are preparing responses for the Town Attorney.

**PUBLIC HEARING**

**Montgomery Place/Historic Hudson Valley - Special Permit - Maintenance of Scenic Vistas**

Public Hearing on application by Montgomery Place to re-establish wide angle viewpoints and related improvements.

Ray Armater, Executive Director of Montgomery Place was present. Christine Kane read the public hearing announcement published in the Poughkeepsie Journal and the Daily Freeman.

Mr. Armater described the project, which is funded by a grant from the Hudson River Foundation. He said four scenic vistas will be restored to the 1920's era by trimming and removing trees and invasive species. He said the invasive Ailanthus will be cut over the summer to prevent the drift of seeds, and the rest of the work will be performed in November to avoid interfering with Indiana Bat habitats and American Bald Eagle activities.

Ms. Kane asked if there were any questions or comments from the public. There were none.

Ms. Kane said the board had circulated to the NYS DEC for lead agency but there has been no response within the 30 day timeframe provided. She said she and several other board members had visited the site in June.

The board reviewed a draft Local Waterfront Revitalization Program Consistency Determination and on a motion by Sarah Gilbert, seconded by Brian Walker, unanimously adopted the document with two changes.

The board then reviewed the Full Environmental Assessment Form parts 2 and 3. Charlie Laing made a motion to adopt a Negative Declaration. Sarah Gilbert seconded it was adopted unanimously.

There being no further comment from the public, Brian Walker made a motion to close the public hearing. Charlie Laing seconded and all members voted in favor.

The board considered a draft Resolution to approve the project. One revision was made to the document inserting specific dates when tree cutting work would be performed. Sarah Gilbert made a motion to adopt the resolution as revised. Charlie Laing seconded and all members voted in favor.

### **OLD BUSINESS**

#### **Teviot LLC / 245 Woods Road – Special Permit**

Review of mitigation plan provided by Hudson & Pacific Designs regarding application for Special Permit to remove trees within 1000 feet of the Hudson River on a 19.22 acre parcel and a 62.91 acre parcel in the WC (Water Conservation) Zoning District and the National Historic Landmarks District.

Attorney Jon Adams was present to represent the applicant. Stephen Yarabeck of Hudson & Pacific Designs, the landscape architecture firm who prepared the mitigation report at the behest of the Planning Board, was also present.

Mr. Yarabeck gave an overview of his report. He said the criteria he used to inform his recommendations was the Mid-Hudson Historic Shorelands Scenic District Guide Management Plan. He said he toured the property with the property manager, and determined that approximately 75 trees had been removed from within the tidal buffer zone.

Mr. Yarabek said a critical area is a 350 foot, DEC monitored protection zone surrounding a White Pine tree that is a known Bald Eagle nesting site. He said the Eagles were not disturbed by the cutting, however re-planting trees could cause a disturbance if machinery is used, as would be required to install larger trees. He recommended hand planting 75 trees, including evergreen trees 6-8' tall, and/or 2.5 – 3" caliper native or ornamental trees. He noted that the smaller trees would have a better chance of survival. He also recommended restoring shrubbery groupings and some habitat value to help heal the landscape.

Charlie Laing asked if there was a proposed species list for replacement. Mr. Yarabeck said he would submit one. Sam Phelan asked how the new trees would be arranged. Mr. Yarabeck said they should frame views of the river and replace the buffer the applicant opened up.

Ms. Kane asked if evergreens could be planted within the Bald Eagle protection zone. Mr. Yarabeck said yes, but no machinery should be used in the planting, hence the recommendation for smaller trees.

Brian Walker asked if there would be a management plan. Mr. Yarabeck said a management plan should be established, and he would submit recommendations.

Mr. Adams asked if the board would approve the applicant's consultant working directly with Mr. Yarabeck. The board generally agreed that would be appropriate.

Michele Greig noted that the SEQR process has not yet been initiated because the Board is still awaiting the revisions she recommended to the Part 1 EAF as per her memo of July 14, 2012. She said once the revisions were received the board could proceed with the SEQR process.

The project is tentatively scheduled to return August 18.

**Zengen / Windmill Lodge – 7314 South Broadway – Site Plan**

Continued pre-application conference regarding construction of a building for “short and long term” tenancy with a first floor apartment for the owner on a 2.95 acre parcel located in the TND Commercial Center Subdistrict.

Mike Brown was present to represent Rosemarie Zengen for the continued conference. He said that Sarah Gilbert and Sam Phelan had visited the site. He said that at this point, the applicant would like to build a single family residence rather than an inn or lodge, as originally proposed.

The board said that the applicant would need to apply to the Zoning Board of Appeals (ZBA) for an area variance to reduce the frontage requirement on Metzger Road from 95 to 25 feet. Another alternative would be to subdivide to create a flag lot, and apply to the ZBA for an area variance to reduce the frontage needed from 50 feet to 25

Mr. Phelan remarked that the lot is very large and deep, and the ordinance that applies to the road frontage gets strained when applied to the property. He said it is clearly residential in the back.

Michele Greig suggested that an area variance is easier to obtain than a use variance.

Mr. Brown said he would make an application to the ZBA.

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

Presentation of revised Sketch Plat/Plan for preliminary subdivision plat and site plan approval to create 102 residential units on 52.05 acres in the TND-R (Traditional Neighborhood Development- Residential) Zoning District.

Richard Rang, and Giovanni Paladino of Kirchhoff Properties, and Michael Watkins of Michael Watkins Architecture were present to discuss the project.

Mr. Rang said the original plan was for 96 units, including single family homes, cottage homes, townhouses, and duplex units with green space in the center and on the north end and south ends. The new plan, he said, is similar but improved.

Mr. Watkins described the new plan, which has 102 units and a bit more community green space. He said that the primary civic green was moved to the center of the village and opens up to Old Farm Road. More open space was added around the project, as well as several smaller greens. The street types were modified to two-way with parking on one side. However, he recommended changing it to “yield movement streets”, which allow parking on both sides intermittently, which he said has been shown to naturally slow traffic. He discussed in detail the design of the streets, the mix of homes and the thought process behind the project. He concluded that he felt that the new plan more closely emulates the surrounding community.

Christine Kane asked why no duplex units were included in the new plan. Mr. Rang said they do not sell as well. The applicants provided the board with architectural renderings of the home styles but cautioned that they were preliminary.

Board members and Ms. Greig stressed their desire for affordable homes to be incorporated into the plan, and asked why there were fewer 1200 square ft. homes. Mr. Watkins said homes that small are also becoming more difficult to market. He said 1400-1600 square foot houses are more popular.

Ms. Greig said the intent of the Zoning is to serve not only households with children, but a broader demographic, including single people, people who are downsizing, and first time home buyers.

Street size, water supply and septic systems were discussed. Christine Kane invited John Clarke, Senior Planner at Dutchess County Planning Department, who was in the audience, to comment. Mr. Clark said he thought the new plan was better than the previous one, and agreed with Mr. Watkins that 1400 square foot homes would meet the affordable housing objectives of the board.

Christine Kane suggested that the applicants review the Greenplan memo dated 7-7-14 and address minor zoning inconsistencies for their next appearance before the board. The applicants will present their plan to the Town Board in the meantime.

**Katherine Gagin – 388 Lasher Road, Tivoli - Special Permit**

Continued discussion of application to operate a residential day care in a private home.

Katherine Gagin was present to represent her application. She described her project as NYS licensed daycare for 3 to 6 children.

Michele Greig said the applicant needed to provide a site plan to scale. Ms. Grieg also explained that the fenced play area is required to be in a side or rear yard (i.e., flush with the front façade of the house), and vegetative screening should be placed to screen the fence from the residential neighbors. Ms. Gagin said she has no close neighbors, but she would consider additional landscaping.

Sam Phelan asked what the fence would be made of. Ms. Gagin replied wood.

Ms. Kane asked what the ages of the children would be. Ms. Gagin said ages 3-6, and added that the stated hours of operation would be 7am-6pm.

Ms. Kane had concerns about the parking configuration. She noted that three designated parking spaces were between the house and the play area, and her concern was that vehicles would be backing up while children may be crossing the driveway to the play area. Ms. Gagin said that children will be escorted at all times. After some discussion, it was generally agreed that a designated pathway beyond the parking area for children to cross the driveway would be established, and the parking areas would be reconfigured so parents picking up could avoid backing into certain areas.

The board discussed lighting and signs, and asked Ms. Gagin to submit cut sheets for her lighting, clarify the scale of the site plan, and revise it to show the changed parking configuration.

A public hearing was tentatively scheduled for July 21.

## **NEW BUSINESS**

### **Red Hook Self-Storage – 19 Maizeland Road – Amended Site Plan, sketch plan**

Presentation of application to construct a 30 x 80 foot self-storage building on a 4.45 acre parcel on Route 9 in the TND Commercial Center Subdistrict. The parcel currently has 11 existing self-storage buildings and a single family home with a garage.

Martin Willms and his son Martin were present to discuss the application to construct one additional self-storage building.

Mr. Willms said he is aware that the town has plans to construct a connector road in the area. Mr. Willms and his son said the plans have been known for about five years, but the town has not moved forward yet. They showed the board photographs of how the road would disturb their land and the neighborhood in general. They wondered if the town would consider moving the road so it traverses an empty field that is owned by the village of Red Hook. They offered opinions for other options as well.

Mr. Willms said his current facility is totally full, and there is not another place to locate a new unit that does not interfere with snow removal/storage. He said they provide a valuable service to their customers, who mostly reside in the village of Red Hook, and that this the final unit on the site.

Christine Kane said she felt that the board would not be doing its job if they approved construction of a building where they knew a town road is planned. She felt that the board should write a letter to the town board seeking a definitive answer on the status of the planned road. She thought it would take about a month, and the project was tentatively placed on the August 4 agenda.

The board decided to move forward with a SEQR determination. Charlie Laing made a motion to classify the project a Type II action under SEQR, meaning no further review is necessary. Sam Phelan seconded and all members voted in favor.

### **Old Rhinebeck Aerodrome – Amended Site Plan**

Presentation of application to replace an existing gift shop (to be demolished) with a new one of approximately the same size and in nearly the same location, with the addition of new permanent accessible restroom facilities connected to a new sanitary disposal system on the 115 acre Old Rhinebeck Aerodrome property.

Architect Warren Temple Smith was present to represent the applicant. The board reviewed a memo dated 7-3-14 from Greenplan. Mr. Smith said the building will be stick built and insulated, but heating and cooling will not be installed because it will be used seasonally.

Charlie Laing made a motion classifying the project a Type II action under SEQR. Brian Walker seconded and all members voted in favor. A public hearing was tentatively scheduled for August 4.

## **OTHER BUSINESS**

**Plimpton & Hills** Request for extension of conditional approval.

Christine Kane read a letter from Mark Graminski requesting a 90 day extension. Charlie Laing made a motion that an extension be granted. Sam Phelan seconded and all members voted in favor.

**Catlin Minor Subdivision** Request for extension of conditional approval.

Christine Kane read a letter from Mark Graminski requesting a 90 day extension. Charlie Laing made a motion that the extension be granted. Sarah Gilbert seconded and all members voted in favor.

**Red Hook Diner** Request for modification to landscape.

Christine Kane said that the applicants had requested permission to plant four 6-8 ft Norwegian Spruces instead of four 12-14 ft. trees. Sam Phelan made a motion to approve the change. Sarah Gilbert seconded and all members voted in favor.

**From the Ground Brewery** Request for extension of conditional approval.

Christine Kane read a letter from the applicant requesting an extension of approval.

Charlie Laing made a motion to grant the extension for 90 days. Brian Walker seconded and all members voted in favor.

**Arvine & Wendy Coon Farm Market 3** Discussion of ZEO's position on compliance with ordinance.

Christine Kane read a letter dated June 16, 2014 that ZEO Bob Fennell wrote to Arvine and Wendy Coon regarding their Farm Market 3 at 412 Route 199, which was approved by the board in 2012. Mr. Fennell's position is that the current operation is not compliant with the Farm Market 3 zoning ordinance. Specifically, he feels the sale of pre-fab storage buildings and equipment rental service is not allowed.

Mr. Fennell accompanied his letter with a memo to the board dated June 30, 2014 asking whether the board agreed with his interpretation.

After some discussion it was decided to reply to Mr. Fennell that the board agrees that renting equipment and selling pre-fab storage buildings is not allowed under the definition of Farm Market 3. The board also determined that they would like to know who is operating the Farm Market, and if it is still connected with the farm. The general consensus was that it is required to be connected to the farm, and that leasing the operation may not be allowed.

Town resident Michael Roomberg, who was in attendance, asked the board a question about the size and color of signs on private roads. Christine Kane responded that the Planning Board has no jurisdiction in the matter of road signs and suggested that the town clerk could provide him with information about sign regulations for private roads and subdivisions.

**ADJOURNMENT**

Since there was no other business to come before the board, Charlie Laing made a motion to adjourn. Sarah Gilbert seconded and all members voted in favor. The meeting was adjourned at 11:10 pm

The next regular meeting of the Town Planning Board will occur Monday, July 21, 2014. The agenda for that meeting will close at 12 noon on July 11, 2014.

Both new applications of any type and all new or revised documents for continuing submissions to be considered at the next available meeting must be received at the Planning Board Office in the required number of copies not later than the close of the agenda. The Board will not accept new information presented at a meeting for review at that meeting.

Respectfully Submitted,

Kathleen Flood  
Secretary to the Board

**617.7**

**State Environmental Quality Review (SEQR)**

**Negative Declaration**

Notice of Determination of Non-Significance

**Date of Adoption:** JULY 7, 2014

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:** Montgomery Place Maintenance of Scenic Vistas

**SEQR Status:** Type I   
Unlisted

**Conditioned Negative Declaration:**  YES  
 NO

**Description of Action:** The proposed action is an application by Historic Hudson Valley for a Special Permit from the Town of Red Hook Planning Board for the selective removal and trimming of trees to maintain scenic vistas on a portion of a ± 175.7 acre parcel of land located in the Town's Waterfront Conservation Zoning District.

**Location:** 100 Montgomery Place, 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 Environmental Assessment Form (EAF) for the action dated May 20, 2014 and revised May 30, 2014, 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 proposed tree cutting and trimming will occur in an area that has been identified as potential habitat for Indiana bat and bald eagle. Montgomery Place is located about 11 miles northeast of abandoned mines where Indiana bats hibernate, which is within the potential seasonal migration distance for this species. There are active bald eagle nests in tall trees along the Hudson, and bald eagles also winter along the river. To minimize impacts to these species, the applicant's biologist, Erik Kiviat, Executive Director of Hudsonia, has recommended that tree cutting and trimming at the project site be limited to the period between November 1 and December 1. Since the Montgomery Place vistas are more than 6,000 feet from the nearest known bald eagle nests, the proposed tree work will not disturb bald eagle nests. No black locust, shagbark hickory, butternut hickory, will be cut, and or dead or partially dead trees of any species will be left as much as possible. Ailanthus (tree of heaven), an invasive species, may be removed at any time, and such removal will result in beneficial impacts by preventing this species from colonizing canopy gaps caused by the death of hemlocks, which will prevent the maturation of Ailanthus trees and dispersal of seeds into the South and North Woods. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on plants and animals.
4. The project site is located in the Hudson River National Historic Landmark District, which is on the State and National Registers of Historic Places, and within an area that has been identified as sensitive for archaeological resources. Montgomery Place is a Federal period structure set in a landscape that was influenced by Andrew Jackson Downing. The Estates District Scenic Areas of Statewide Significance describes Montgomery Place as one of the "most historic, architecturally valuable and scenic of the Hudson River estates. . . specimen trees on the grounds of Montgomery Place frame some sweeping views to the west across Tivoli Bays to the distant Catskill Mountains, including the bluffs on the Hudson's western shore in the Ulster North SASS."

Over the years, the mansion's landscape setting became overgrown. While the original landscape has never been fully restored, it was partially restored in the 1920's, and in the 1980's, view openings that had been overgrown were reestablished to the property's appearance in the 1920's, with framed vistas to the Hudson River. These vistas have again become overgrown. The proposed tree removal and trimming will widen the view of the river and mountains, restoring the landscape to its 1920's appearance. This is consistent with 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 [taking into consideration] original design and subsequent modifications to the landscaping, current conditions, historic quality and overall relationship to the character of the overlay district." Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on historic resources.

5. 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.

6. 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: Kathleen Flood, 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)

Historic Hudson Valley (applicant)

Sue T. Crane, Town Supervisor

Town of Red Hook Town Board

NYS Department of Environmental Conservation

NYS DEC Environmental Notice Bulletin  
enb@gw.dec.state.ny.us

## **Resolution Granting Special Permit Approval to Montgomery Place Maintenance of Scenic Vistas**

**Name of Project:** Montgomery Place Maintenance of Scenic Vistas

**Name of Applicant:** Historic Hudson Valley

**Whereas,** the Town of Red Hook Planning Board has received an application for Special Permit approval from Historic Hudson Valley dated May 5, 2014 to remove thirty four (34) trees and a corridor of Ailanthus trees and to trim additional trees within 1,000 feet of the Hudson River in order to maintain historic vistas on the Montgomery Place estate on a  $\pm$  175.7 acre parcel of (Tax Map Parcel No. 134889-6173-00-260340-0000) in the Waterfront Conservation Zoning District and Historic Landmarks Overlay (HL-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,** on July 7, 2014, the Planning Board, after duly circulating the project application and Full Environmental Assessment Form (EAF) to all Involved Agencies, was designated the lead agency for the purpose of conducting a coordinated review of a Type I action pursuant to SEQR; 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 July 7, 2014, 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 July 7, 2014, 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 parcel is located within a New York State certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated May 5, 2014, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcel; 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 Historic Hudson Valley to remove thirty-four (34) trees and a corridor of Ailanthus trees within 1,000 feet of the Hudson River and to trim additional trees to maintain scenic vistas 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 thirty-four (34) trees and a corridor of Ailanthus trees and the trimming of additional trees as shown on "Map 1 to 4 Images" and the "Maintenance of Scenic Vista Map Key" prepared by the applicant and included in the Special Permit application for the project. No additional tree removal or trimming 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. Said trees shall be removed only between November 1 and December 1, with the exception of Ailanthus which may be removed at any time.
- 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 July 7, 2014 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 **SARAH GILBERT**, seconded by **CHARLIE LAING**, and a vote of **5** for, **0** against, and **1** absent, this resolution was adopted on **JULY 7, 2014**.

Resolution declared: **ADOPTED** on **JULY 7, 2014**

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

Kathleen Flood  
Kathleen Flood, Clerk to the Board

7-8-14  
Date

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

**Name of Action:** Red Hook Self Storage Building “L”

**Whereas**, the applicant proposes to construct a 30’ by 80’ (2,400 square feet) self storage building at 7320 South Broadway in the Traditional Neighborhood Development Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York; and

**Whereas**, an Environmental Assessment Form (EAF) dated May 21, 2014 has been prepared for the proposed action; and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is 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 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 **SAM PHELAN**, and a vote of **5** for, and **0** against, and **1** absent, this resolution was adopted on

**JULY 7, 2014.**

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

**Name of Action:** Old Rhinebeck Aerodrome Gift Shop

**Whereas**, the applicant proposes to construct a  $\pm$  1,360 square foot gift shop with restroom facilities on a  $\pm$  115 acre parcel located at 16 Norton Road in the RD3 District in the Town of Red Hook, Dutchess County, New York; and

**Whereas**, an Environmental Assessment Form (EAF) dated June 10, 2014 has been prepared for the proposed action; and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is 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 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 **BRIAN WALKER**, and a vote of **5** for, and **0** against, and **1** absent, this resolution was adopted on

**JULY 7, 2014.**