

**APPROVED
RED HOOK PLANNING BOARD
MEETING MINUTES
August 3, 2015**

CALL TO ORDER / DETERMINATION OF QUORUM

Christine Kane called the meeting to order at 7:30 pm and confirmed the agenda as published. A quorum was determined present for the conduct of business. Members present: Chairperson Christine Kane, Charlie Laing, Brian Walker, Sam Harkins and Sam Phelan. Kallie Robertson was absent. Also present were Planning Consultant Michele Greig and Engineering Consultant Brandee Nelson.

Sam Harkins made a motion to adopt the minutes of July 6. Brian Walker seconded and all members voted in favor.

PUBLIC HEARING

Jaeger Haus – 5084 Route 9G – Site Plan, Special Permit

Continued discussion on application to construct a 1,400 square foot addition to an existing restaurant located on Route 9G in the RD3 Zoning District.

Brian Mullins of Wheeler Engineering and applicants Andreas Nowara and Emily Carvajal were present. Christine Kane read the public hearing announcement and asked Mr. Nowara to give an overview of the project. Mr. Nowara described the proposed changes to the site, including an addition for restrooms and the construction of a covered outdoor beer garden, and changing the parking area and ingress/egress traffic pattern. Traffic would enter from 9G, he said, and exit on to West Kerley Corners Road. He displayed samples of the building materials that would be used for the siding, roof and trim. He described the proposed sign, and planters that would be constructed. He said an employee will live in the cottage on the site.

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

Ms. Kane said the board had received a memo from ZEO Bob Fennell confirming that the number of parking spaces has not changed.

Ms. Kane asked Brandee Nelson for her comments on the project. Ms. Nelson recommended that the board require an erosion and sediment control plan be submitted for review for the existing and proposed parking area. She said the lighting should be reduced and shielded from the residential parcel to the south, and that the board require correspondence from the Dutchess County Department of Health (DCDOH), the Dutchess County Department of Public Works (DCDPW) and New York State Department of transportation (NYSDOT) with regard to the sewage disposal system, entrance from County Route 78 and entrance from NYS Route 9 respectively.

Ms. Kane said that the Board had received comments from John Clarke, Development and Design Coordinator the Dutchess County Department of Planning and Development. Mr. Clarke raised concerns about the crash history at Route 9G and West Kerley Corners Road, and noted that the 9G corridor near

Tivoli is the subject of an ongoing planning study by the Poughkeepsie-Dutchess County Transportation Council.

Although Mr. Clarke acknowledged that consolidating the parking to the side and rear of the restaurant and defining safer access points is an overall improvement, there are poor site distances, and particular potential for conflicts between left turning vehicles and northbound 9G traffic. He encouraged the Board to work with the NYSDOT and DCDPW to find the safest and most visible driveway locations, and suggested limiting the 9G driveway to right turns only or having two-way access off West Kerley Corners Road. He said the project plans should show sight line information and evaluation, and cautioned the applicants that the County may request a 10-15' wide easement along West Kerley Corners Road for its proposed profile realignment project. He also said the proposed Route 9G driveway is much too wide for a one-way entrance.

Mr. Clarke further stated that the planting plan and lighting details should be more specific, and noted that the handicapped parking area is not properly designed. He concluded with the recommendation that the truck loading area should be gated when not in use to prevent informal parking in the front yard.

The Board and applicants discussed the ingress/egress concerns and related site distances, as well as the corrections necessary for the handicapped parking area. The applicants agreed that a gate in front of the delivery area would be installed.

Discussion moved to a comment memo from the planning consultant dated 8-3-15, which also recommended NYS DOT approvals from the proposed site access from 9G, and listed some revisions that should be made to the site plan.

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

Sam Phelan asked for clarification about the planters along the perimeter of the parking lot. Mr. Nowara said he felt they would prevent people from pulling off to the side of 9G. Ms. Kane suggested planting grass under the planters. Mr. Phelan agreed that it would be an improvement. Ms. Kane asked if the parking lot would be paved. Mr. Nowara said no. Ms. Kane asked how parking spaces would be delineated. Mr. Nowara said railroad ties spiked into the ground. Ms. Kane suggested using them in the loading area as well, and that a grassy would help to delineate the parking area from the roads. She also instructed the applicants to shield lights from cars in the parking lot from the neighboring residential property with landscaping.

Emily Carvajal asked if DOT approval was required in order for the project to move forward. Ms. Kane said yes. Ms. Carvajal said it had been difficult to get DOT personnel at the site. Ms. Nelson said that DPW would also have to approve the entrance on West Kerley Corners Road.

The board generally agreed that project approvals from the DOT and DPW would be necessary before the planning board could consider its decision. Mr. Nowara asked if he could continue with building the project. Ms. Kane said they could not. She said requirements that the DOT or DPW would make might impact the sight plan.

Mr. Nowara said he felt the highway approvals were an unnecessary delay and hardship. Ms. Kane said she understood his concern, but that the Board cannot approve something that does not meet the town's requirements. Ms. Nelson provided the applicant with specific contacts at both NYS DOT and DCDPW and the Board encouraged the applicants to try to expedite their meetings with the DOT and DPW.

Bard College Media Building – Annandale Road and Woods Avenue – Site Plan, Special Permit

Continued discussion of application to construct a media building on Annandale Road in the vicinity of Woods Avenue in the Institutional (I) District and the Historic Landmarks Overlay (HL-O) district.

Applicants Jeff Katz, Laurie Husted and Leslie Melvin were present. Christine Kane read the public hearing announcement and Mr. Katz gave an overview of the project, describing how four shipping containers would be re-purposed to create a two story rectangular building with glass on either end. Ms. Kane asked if anyone from the public had questions or comments. There were none.

Ms. Kane said the DCDPD had responded to the Zoning Referral as a matter of local concern. The board reviewed comments from Greenplan dated 8-3-15, which indicated missing information on the master plan amendment submitted. Mr. Katz said it had been corrected.

Ms. Kane asked Mr. Katz if he had any samples of materials or colors. Mr. Katz said he did not.

Mr. Phelan asked why the particular site had been selected for the building. Mr. Katz replied the site is flat and there are existing utilities to hook up to. He added that it is a busy intersection which would help to promote the building's purpose.

Mr. Phelan said he was concerned about the visual intrusion on a very historic part of the campus. He asked if the building could be moved back or if its visibility from Annandale Road could be reduced. Mr. Katz said setting the building back would involve removing trees from the woods behind it. He said there was a creek in the back as well with a 100' buffer, and the terrain is not as level. He said that was the reason an area variance had been obtained from the ZBA.

Ms. Kane said the original proposal had been for a smaller, a-frame structure that had a 'green' roof. Mr. Katz said the a-frame originally proposed was smaller but the same height. He added that proposed landscaping would mitigate the view of the newly proposed building from Annandale Road.

Ms. Kane questioned the accuracy of the flagging of the corners of the building for the board to view. Laurie Husted said she thought it was accurate, but they did not have it surveyed, or have an engineer on site when it was flagged.

Brian Walker said he felt the building was at odds with the historical character of the area. Mr. Katz said that he felt it was consistent with other buildings on campus that are in proximity of older architecture, such as the library, which has contrasting architecture.

Ms. Kane said Annandale road is a designated scenic road, and much attention was paid to the architecture of new Bard buildings on Annandale road, such as the style of the new dorms and the extensive buffer in front of the modern style gym.

Charlie Laing remarked that Bard was a dynamic campus with lots of different styles. He said that if the contrast between the old and new buildings could be achieved in a pleasing way, it would be to Bard's credit.

Mr. Phelan said he understands that utilities were available in the area, and that since the project is funded by a grant, there are cost constraints. He asked if it were financially impossible to move the building to another location. Mr. Katz said other locations were considered, but the cost of bringing utilities in was prohibitive, and the central location proposed was better for the promotion of the purpose of the building.

Ms. Kane said she felt it was an intrusion in the area. She said there were many other places on the campus that could be potential sites for the building, and questioned the thoughtfulness involved in choosing this particular site because utilities were available. She said cost restrictions and budgets are not in the purview of the Planning Board, and that other siting options should have been considered.

Mr. Walker said he did not have a problem with the building per se, he just had trouble visualizing it. Mr. Phelan agreed that he was not offended with the building, but wondered if the siting could be improved. Mr. Walker said that the project would be easier to assess if the applicants could supply adequate imagery showing what the building would actually look like in the context of the setting. He said a more convincing rendering would also show that adequate consideration had been given to the site. He also said samples of materials would be very helpful.

Mr. Phelan agreed that some mitigation was desirable, and asked what steps had been taken to mitigate the architectural impact. Mr. Katz replied landscaping, and the siting of the building east to west. He said he was open to other suggestions.

The Board asked to applicants consider the points raised during the discussion, and provide alternatives or additional thoughtful mitigation measures, improved imagery and material samples at a future meeting.

Sam Phelan made a motion to close the public hearing. Sam Harkins seconded and all members voted in favor.

OLD BUSINESS

Shafer's Hudson Valley Motel – 8053 Albany Post Road – Site Plan, Special Permit

Continued discussion of application to expand an existing 10-room motel into a 19-room motel on 5.992 acre parcel, of which 2.3 acres are located within the B1 Zoning District and the remaining 3.6 acres are located within the RD3 District.

Applicants Vanessa and Dan Shafer were present. Ms. Shafer presented revised plans that take all building construction out of the wetland boundary zone. The new plan also increases the number of rooms from 16 to 19.

Michele Greig said that the project is an Unlisted action under SEQRA and suggested that the board adopt a draft resolution to conduct a coordinated review of the application due to the presence of NYS DEC wetland on the site and the proposed encroachment of the 100' adjacent area by a proposed driveway.

Sam Harkins made a motion that the board adopt a Resolution Establishing Intent to be Lead Agency for an Unlisted Action Undergoing Coordinated Review. Charlie Laing seconded and all members voted in favor.

Regarding the increase in rooms, Ms. Greig said that the B1 Zoning District permits 16 guest rooms for the first 2 acres of a parcel, plus one additional guest room per each additional 5,000 square feet of lot area. She said that under that formula, the applicants fall about 2,000 square feet short. However she cited section 143-8D of the Zoning Law, which provides that where a district boundary line divides a single lot, such as in this case, the regulations for the less restricted portion of such lot (in this case the portion in the B1 District) may be extended up to 25 feet into the more restricted portion (the B3 District), provided that the lot has street frontage in the less restricted (B1) district and provided that all other requirements of the Zoning Law are met. Therefore, Ms Greig concluded that if all the setback and other requirements of the Zoning Law are met, the applicant could extend the B1 District boundary line 25 feet to the west into the RD3 portion of the property, which would result in approximately 8,000 additional square feet in the B1 District and allow for the proposed 19 guest rooms without the need for an area variance.

Brandee Nelson suggested the applicants engage their engineer in developing storm water practices for the site. Ms. Kane said the applicants need to get the necessary approvals from the DEC before the Board could continue its review of the project until. Ms. Greig recommended the Board require the applicants to submit correspondence from the NYS DEC National Heritage Program and the US Fish and Wildlife regarding the potential presence of rare or state listed animals or plants, and significant habitats in the vicinity of the project site and said a habitat assessment may be required.

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

Continued discussion on Sketch Plat/Plan for preliminary subdivision plat and site plan approval to create 102 residential units on approximately 52 acres of land of which approximately 50 will be developed as a Traditional Residential Neighborhood in the TND (Traditional Neighborhood District - Residential) zoning district, and related zoning incentive plan.

Project Manager Richard Rang and Engineer Ron Morrison were present.

Brandee Nelson said that she had been in contact with Steve and Diana Huepler and will visit the site where the town storm water drain terminates near their property.

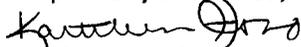
The Board and applicants reviewed a list of substantive comments received from the public at the Public Hearings held July 6 and 20 and the written public comment period ending July 30. The Board required the applicants to respond to the comments in writing at their next appearance.

OTHER BUSINESS

The Board generally agreed to table discussion of changing zoning regulations concerning flag lots until it can be determined if the Town Board has an interest in changing the regulations.

There being no further business to come before the board, Sam Harkins made a motion to adjourn. Charlie Laing seconded and all members voted in favor.

Respectfully submitted,


Kathleen Flood, Secretary