

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
December 21, 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: Christine Kane, Sam Harkins, Kallie Robertson and Brian Walker. Charlie Laing, Sam Phelan and Brian Kelly were absent. Also present was Planning Consultant Michele Grieg.

Sam Harkins made a motion to adopt the minutes of December 7. Brian Walker 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 sketch plan 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.

Vanessa Shafer and engineer Martin Willms were present. They presented a revised site plan which proposes a portion of the new construction to be within the DEC wetlands 100 foot buffer zone and moves parking areas and gravel drives out. Ms. Shafer said the applicants have met several times on the site with the DEC, and said the DEC were more comfortable with new construction in the adjacent zone than they were with parking and roads, due to runoff concerns.

Mr. Willms said changes had also been made to the septic system, and if need be, an advanced treatment unit could be installed rather than an expansion area for the septic.

Christine Kane asked if the DEC had reviewed the new site plan. Mr. Willms said they had not received a formal review.

The Board and applicants reviewed a memo from Greenplan dated 12-13-15. Michele Greig said that her primary concern at this point is potential impact on the wetlands buffer zone, and that although she thought the new proposed site plan was an improvement, grading would encroach in the area, and she would prefer to see all construction out of the buffer area. If the applicants could not achieve that, she said, the SEQR review would be lengthy and complicated. Mr. Willms said a SWPPP would be developed for the project, and that the proposed silt fence on the west side of the construction would mitigate runoff issues.

Sam Harkins said he felt before the Board could go any further he would want to see the DEC's report and have the town engineer review of the site plan. Brian Walker remarked that it was surprising to him that the DEC would prefer new construction rather than parking in the buffer zone. He asked what kind of foundation was proposed. Mr. Willms answered that it would be a crawlspace. Ms. Greig said there would be many environmental issues that would need to be considered by the Board, who have established themselves as Lead Agency for SEQR.

Ms. Kane asked Ms. Grieg to discuss the issue of density. Ms. Grieg explained that the applicants are working within Section 143-8D of the Zoning Law which states that where a district boundary line divides a single lot, the regulations for the less restricted portion of such lot may be extended up to 25 feet into the more restricted portion provided that the lot has street frontage in the less restricted district and all other requirements of the Zoning Law, including extraordinary setbacks or buffers which may be required between certain land uses are wholly met. She said the applicants are proposing to extend their B1 District boundary 25 feet into the RD3 District, however it does not appear from the plans that the side yard setback is met for the southernmost renovated existing motel building, in which case the B1 District boundary cannot be extended as proposed. Ms. Shafer said that there is a small shed on the building that she would remove if need be to meet the setback requirement.

Ms. Grieg also questioned the number of parking spots, and asked how many employees there would be. She suggested the next revised sketch plan be submitted to the town engineer to review.

At this point Michele Greig recused herself from the meeting.

NEW BUSINESS

Greig Farm Market LLC – 8090-8100 Route 9 – Lot Line Alteration

Presentation of application to adjust lot lines to create one 3.675 acre parcel and one 3.930 acre parcel from a .689 acre parcel and a 6.916 acre parcel all belonging to the same owner in the B1 Zoning District.

Norman Grieg was present. Ms. Kane asked if new construction was proposed for either lot. Mr. Grieg said no. He said he wanted to make the two lots more equal.

The Board reviewed comments from Greenplan, which noted that the proposed project will result in the creation of two conforming lots, where only one of the two existing lots currently conforms to the zoning law.

The Board reviewed a Resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review, and part I of the Environmental Assessment Form. Kallie Robertson made a motion to adopt the resolution. Sam Harkins Seconded and all members voted in favor.

The Board next reviewed a draft Negative Declaration. Sam Harkins made a motion to adopt it. Kallie Robertson seconded and all members voted in favor.

A Public Hearing will be held Feb. 1.

At this point Ms. Grieg returned to the meeting.

OTHER BUSINESS

Pre-Application discussion – minor subdivision – James and Sonia Crane, Stonybrook Road

James Crane was present. He said he wants to subdivide an approximately 11.345 acre parcel into two approximately 5 acre parcels to create a future house site adjoining their current home. The two homes would share the existing driveway.

Ms. Greig noted that the area is archeologically sensitive and asked if the area had ever been disturbed before. Mr. Crane said that there had been a barn that was removed. He said he would probably site the house there. Ms. Kane said if he could document that the area had been previously disturbed, an archeological survey may not be required. However a full Environmental Assessment Statement will need to be submitted because the project would be a Type I action under SEQR.

Extension request – Katherine Gagin Daycare

Ms. Kane read Ms. Gagin's request for an extension to meet the conditions of her approval. Sam Harkins made a motion to grant a 180 day extension. Brian Walker seconded and all members voted in favor.

Kallie Robertson said she had a question about the Shafer's Hudson Valley application that had been discussed earlier in the meeting. She asked if, in the event that the DEC allowed the proposed project, the Planning Board would have to approve encroachment in the buffer zone if they were not comfortable with it. Ms. Grieg said that the Board will be responsible for the SEQR review of the project to assure that it presents no adverse environmental impact on the wetlands. Ms. Kane added that the DEC review would be included as part of the planning board's review of the project as would the town engineer's review. Ms. Kane remarked that the site plan was tight, and the board may want to consider conducting a site visit since the project will surely have a complex review.

Ms. Kane also noted that the Board had received a letter from an attorney representing several neighbors who are opposed to the project, and another attorney representing other neighbors had attended the meeting.

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

Respectfully submitted



Kathleen Flood
Secretary

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: December 21, 2015

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: Greig Market LLC Resubdivision

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
 NO

Description of Action: The applicant proposes to alter the lot lines on two existing lots of record. No new lots are proposed nor is any physical alteration proposed in conjunction with the proposed action. One of the two lots is currently nonconforming and will be made conforming with the Zoning Law following approval.

Location: 8090 and 8100 Route 9, 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 project dated December 2, 2015, the Planning Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The proposed action will not change any of the existing utility services to or on the site including water, sewer, and electric services.
4. No physical alteration, development, or other land disturbance on the site is proposed in conjunction with the action.
5. The action complies with the Zoning Law of the Town. One of the two existing lots is nonconforming as to Area and Bulk Requirements. The proposed Resubdivision, if approved as proposed, will result in both lots being in conformity with the Zoning Law's Area and Bulk Requirements.

For Further Information:

Contact Person: Kathleen Flood, Secretary
Address: Town of Red Hook Planning Board
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)
7340 South Broadway
Red Hook, NY 12571

617.6
State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Lands of Greig Market LLC Resubdivision

Whereas, the Town of Red Hook Planning Board is considering action on a proposed Subdivision application by Greig Market LLC for a \pm 7.605 acre parcel of land located at 8090 and 8100 Route 9, Town of Red Hook, Dutchess County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated December 2, 2015 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 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 **KALLIE ROBERTSON**, seconded by **SAM HARKINS**, and a vote of **CHRISTINE KANE, SAM HARKINS, KALLIE ROBERTSON AND BRIAN WALKER** for, and **NONE** against, and **CHARLIE LAING, SAM**

PHELAN AND BRIAN KELLY absent, this resolution was adopted on
DECEMBER 21, 2015.