

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
February 1, 2016**

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, Brian Walker, Charlie Laing, Sam Phelan and Brian Kelly. Kallie Robertson and Sam Harkins were absent.

Brian Kelly made a motion to adopt the minutes of January 4. Charlie Laing seconded and all members voted in favor.

Christine Kane announced that the New York Planning Federation annual conference will be held April 17-19 in Saratoga Springs, and asked all Board members interested in attending to contact planning staff.

PUBLIC HEARING

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

Public Hearing on 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.

Norman Greig was present. Christine Kane read the public hearing announcement published in the Poughkeepsie Journal and the Kingston Freeman.

Mr. Greig gave an overview of the lot line adjustment between two lots located at Route 9 and Pitcher Lane which are both owned by Greig Market LLC.

Ms. Kane asked if there were any questions or comments from the public. Sarah Sweeney commented that she thought the lot line adjustment made good sense.

Ms. Kane noted that the applicant owns both parcels and will retain both lots, which are in the B1 Zoning District. The project eliminates one non-conforming lot and results in two conforming lots.

Ms. Kane asked if there were any other questions or comments. There were none. Brian Walker made a motion to close the public hearing. Brian Kelly seconded and all members voted in favor.

The Board reviewed a draft approval resolution. Charlie Laing made a motion to adopt the resolution. Sam Phelan seconded and all members voted in favor.

OLD BUSINESS

Claykill – Peter and Sarah Sweeny, 28 Stonybrook Road, Tivoli – Minor Subdivision and Lot Line Alteration

Continued discussion of application to subdivide a 26.9 acre parcel into two parcels of 3.002 and 15.745 acres; lot line alteration to combine remaining 8.25 acres with adjoining Sweeny lands at 28 Stonybrook Road.

Peter and Sarah Sweeny were present. Planning Consultant Michele Greig joined the meeting. Ms. Kane acknowledged that the Archeological Report had been submitted, and there were no significant findings, so further investigation will not be necessary. The Board and applicants reviewed Ms. Greig's memo dated 2-1-16.

Ms. Greig recommended that the board require the applicants submit the calculation of the formula method yield plan for density of the conservation subdivision for the project file.

Ms. Greig explained to the Board that a conservation easement in the Agricultural Business (AB) District requires a minimum of 80% open space for a conservation subdivision. This project would therefore require 16 acres of open space, however when the 1.367 acre building envelope is deducted from the 16.998 acre parcel, the remainder (15.631) falls just under half an acre short. She said that the board could allow the driveway to be included in the open space requirement. Sam Phelan and Ms. Kane said they would be reluctant to do that.

The Board and applicants discussed possible ways to revise the lot lines to capture the necessary acreage. The applicants agreed to consider them.

Ms. Greig said that the curb cut for the proposed driveway must be approved by the Town Highway Superintendent, with site distances shown on the plat. She also recommended that the applicants submit information from the NYS DEC Natural Heritage Program and from US Fish and Wildlife Service regarding the potential presence of species of conservation concern on the site. She said a habitat assessment may be necessary.

Ms. Greig said that she had recently learned that the applicants had made another, separate application to the Village of Tivoli Planning Board for a lot line adjustment on a parcel they own in the Village of Tivoli with frontage on 9G. She asked if that project was adjacent to this one. Ms. Sweeny indicated the Tivoli project on the location map. Ms. Greig said that because that project is immediately adjacent to the Claykill subdivision which the Board is currently reviewing, and affects one of the lots of the Claykill project (parcel #3), both projects must be considered as one action under the SEQRA review or it becomes a segmentation issue. She said both Planning Boards would have to review and approve the project.

Ms. Kane recalled the Tivoli parcel being discussed at the Claykill pre-application discussion, at which time the applicants stated they had no plans to alter or change the adjacent Tivoli parcel, which, she said, could have been useful in mitigating potential environmental impacts of the

Claykill proposed lot 2. Ms. Sweeny said that she felt Ms. Kane misunderstood; that she and Mr. Sweeny had indicated that they did not want to have building lots on the Tivoli parcel. She said that they had not considered subdividing the Tivoli parcel until recently, when the adjacent farmer offered to purchase part of their land along Route 9G to enlarge his farm, and the Sweeny's decided to sell him some of the parcel and then annex the remaining lands to the parcel that they plan to retain, which is parcel 3 of the Claykill subdivision.

Ms. Greig said regardless, the two projects must be treated as one action, with one overall SEQR environmental review. Ms. Kane clarified that a town boundary does not matter in an environmental review of an action. She asked where the Sweenys were in the application process with the Village of Tivoli. The Sweenys said they had submitted a formal application in December.

Ms. Greig said she wanted to consult with the Town Attorney on the matter, because if the procedures were not followed correctly the entire project could be legally challenged.

Ms. Kane stressed that the Board was not trying to make matters difficult, but that this additional action would now require the Board to follow different procedures and coordinate with the Village of Tivoli Planning Board. She said the Village of Tivoli Planning Board has asked for Town Planning Board members to attend their meeting Feb. 8 to discuss the project. The Board's consensus was that Ms. Kane should attend and try to resolve the procedural issues with Tivoli so the project could move forward. She asked Michele Greig to discuss the matter with the Town Attorney.

OTHER BUSINESS

Scenic Hudson – Pre application discussion, Poet's Walk Park

Scenic Hudson Park Planner Heather Blaikie was present. She distributed maps and a project summary for improvements proposed for the Poets' Walk Park, with the objectives of improving handicap accessibility, providing a portable restroom, and various landscape, trail and parking lot improvements and enhancements. Some aging structures will be removed, and a fence around the restroom will be constructed.

She answered Board member's questions, which focused mainly on the parking lot and the restroom, and asked what the scope of the Planning Board's review would be. Ms. Kane said an application for amended site plan should be submitted.

Jaeger Haus Restaurant – Request for extension on conditional approval

Ms. Kane said that a request had been received from Emily Carvajal, co-owner of the Jaeger Haus Restaurant, requesting an extension on the conditional approval of the project. Charlie Laing made a motion to grant a six month extension. Sam Phelan seconded and all members voted in favor.

Ms. Kane said that the Town Board will be officially referring the following items to the Planning Board input at its next meeting: the Intermunicipal Agreement for the revised Dutchess County Department of Planning and Development (DCDPD) referral process, the proposed new Local Law for the Historic Preservation District, and updates in the DCDPD Greenway Guide. She asked Board members to review the documents related to these issues prior to the next meeting so that the Board could provide comments to the Town Board by their March 9 meeting.

ADJOURNMENT

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

Respectfully submitted,



Kathleen Flood
Secretary

Resolution Granting Lot Line Alteration Approval to Greig Market LLC

Name of Project: Lot Line Revision: Lands of Greig Market LLC

Name of Applicant: Greig Market LLC

Whereas, the applicant has submitted an application for Lot Line Alteration approval, prepared by Decker Surveying dated June 23, 2015, to the Town of Red Hook Planning Board to revise the lot lines between two existing parcels of land; and

Whereas, the two parcels include Tax Map Parcel No. 6373-01-216928 which consists of \pm 6.916 acres and Tax Map Parcel No. 6373-01-214954 which consists of \pm 0.689 acres for a total area of \pm 7.605 acres; and

Whereas, the proposed Lot Line Alteration is considered a Minor Subdivision in accordance with the Town of Red Hook Subdivision Law; and

Whereas, the proposed Lot Line Alteration will result in a modification to the boundary of existing, legally established lots and will not result in the creation of any new lot nor create any nonconformity with respect to any area or bulk requirement established by the Town Zoning Law, the Dutchess County Health Department, the New York State Uniform Fire Prevention and Building Code or other law, rule or regulation; and

Whereas, the subject parcels are located on State Route 9 at the intersection with Pitcher Lane in the B1 District in the Town of Red Hook, Dutchess County, New York, and;

Whereas, the Planning Board reviewed a Short Environmental Assessment Form (EAF) dated December 2, 2015, classified the Action under the State Environmental Quality Review Act as an Unlisted Action, and determined there were no other Involved or Federal Agencies on the Action; and

Whereas, on December 21, 2005, the Town of Red Hook Planning Board, in consideration of the Short EAF and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c) determined that the proposed action will not cause any potential significant adverse impacts on the environment, and thus issued a draft Negative Declaration deeming that an environmental impact statement need not be prepared; and

Whereas, on February 1, 2016, the Town of Red Hook Planning Board conducted a public hearing on the Lot Line Alteration application at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board now wishes to grant Lot Line Alteration approval to Greig Market LLC to allow a revision of the lot lines for the existing lots located on Route 9 and Pitcher Lane.

