

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
APRIL 4, 2016**

CALL TO ORDER / DETERMINATION OF QUORUM

Christine Kane called the meeting to order at 7:30 pm and announced that the pre-application discussions at the end of the agenda had been cancelled. A quorum was determined present for the conduct of business. Members present: Christine Kane, Brian Kelly, Charlie Laing, Kallie Robertson, Brian Walker and Sam Phelan. Sam Harkins was absent. Also present were the Board's Planning Consultant Michele Greig and Engineering Consultant Brandee Nelson.

Brian Kelly cited a spelling error in the minutes of March 21. Sam Phelan made a motion to adopt the minutes with the correction. Mr. Kelly seconded and all members voted in favor.

Ms. Kane announced that a map had been received by the Planning office from the Dutchess Land Conservancy (DLC) showing all of the parcels in Red Hook that are protected by DLC conservation easements.

PUBLIC HEARING

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

Public Hearing on application to subdivide a 26.9 acre parcel into two lots of approx. 3 acres and 17.86 acres in size and a lot line alteration to combine the remaining 6 acres with adjoining 26 acre Sweeny parcel located at 28 Stonybrook Road, together with an application for a Lot Line Alteration to convey 10.5 acres of adjoining land owned by Sweeny in the village Tivoli to the Sweeny parcel at 28 Stonybrook. The remaining 17 acres will be conveyed to adjacent landowner Stickle in the Village of Tivoli.

This Public Hearing was held jointly with the Village of Tivoli, since the project involved properties in the Town and Village. Ms. Kane welcomed the Board's colleagues from the Village of Tivoli Planning Board: Chairman Mike Billeci, John Hallstein, Donna Matthews, Ginger Grab and Pamela Morin.

Ms. Kane noted that both Boards had noticed the Public Hearing. She read the notice that the Town published in the Poughkeepsie Journal and the Kingston Freeman. Brian Kelly made a motion to open the Town Planning Board's Public Hearing. Brian Walker seconded and all members voted in favor. Donna Matthews made a motion to open the Village of Tivoli Public Hearing. Pamela Morin seconded and all members voted in favor.

Project Engineer Mark Graminski gave an overview of the project. He noted that Mr. and Mrs. Sweeny and Mr. and Mrs. Stickle were present.

Pamela Morin asked which parcel contains the Sweeny home. Mr. Graminski indicated the 42.67 acre parcel. Ms. Kane asked if there were any questions or comments from the public. There were none.

Ms. Kane asked if the Town Planning Board members had any questions or comments. Sam Phelan asked Mr. Graminski where the driveway for the newly created parcel is located. Mr. Graminski indicated the driveway, an existing farm road off Stonybrook Road that has been approved by the Town Highway Superintendent. Ms. Kane asked what the status of the conservation easement was. Mr. Sweeny said that the drafting of an agreement was underway.

Mike Billeci asked if there were any questions or comments from the Village of Tivoli Planning Board. There were none.

Ms. Kane asked what the size of the building envelope on the new parcel. Mr. Graminski said 1.09 acres.

Michele Greig asked Mr. Graminski to discuss how the maps would be filed in two separate sections. Mr. Graminski indicated the two sections and which would be filed first and later. Sections one and two must be signed and filed with the County and Town clerks within 180 days of the approval. Section three may be filed up to three years later.

Ms. Kane asked if there were any further questions from the public or Board members. There were none. Kallie Robertson made a motion to close the Town Planning Board's Public Hearing. Brian Walker seconded and all members voted in favor. Ginger Grab made a motion to close the Village of Tivoli Planning Board's Public Hearing. Pamela Morin seconded and all members voted in favor.

The Town Planning Board members reviewed a draft conditional approval resolution, and made one change, to move language about including the Agricultural Notice in the deed into the section for general requirements. Sam Phelan made a motion to adopt the conditional approval resolution as revised. Brian Kelly seconded and all members voted in favor.

The Tivoli Village Planning Board members reviewed a draft conditional approval resolution and made one change, adding the date of the subdivision application. Donna Matthews made a motion to adopt the resolution as amended. John Hallstein seconded and Mr. Billeci, Mr. Hallstein, Ms. Matthews, Ms. Grab and Ms. Morin voted in favor.

PUBLIC HEARING

Hudson Solar – Frohlich and McTigue – 381 Lasher Road – Special Use Permit

Public Hearing on application to install a ground mounted solar electric system in the Agricultural Business District and Flood Fringe Overlay.

Christine Kane read the Public Hearing notice published in the Poughkeepsie Journal and the Kingston Freeman. Carlos Newcomb of Hudson Solar was present to represent the applicants. He gave an overview of the project.

Stephen Pinto, a neighbor, said that the area where the array will be located is prone to flooding. Mr. Newcomb said it should not affect the array. Mr. Pinto asked if the system was residential. Mr. Newcomb replied it was.

Christine Kane read a memo from Steve Cole, the Town's Flood Plain Administrator, which listed four NYS Department of Environmental Conservation (NYSDEC) conditions for the construction and placement of the poles.

Brian Hempel, another neighbor, asked for clarification of where the array would be sited. He asked if it would be screened. Mr. Newcomb said there were some trees nearby, but it would be visible from the road. Wendy Hempel asked how high the panels are. Mr. Newcomb said approximately 10 feet high. Sam Phelan asked how wide the panels are. Mr. Newcomb said the nine panels are each about 36 inches wide, making the array about 29 feet wide. Mr. Pinto asked why they were not being installed on the roof of the residence. Mr. Newcomb replied that the advantage of siting them on the ground is that they can be positioned facing directly south. He added that some older structures are not good candidates for roof mounting. Mr. Pinto asked if the panels could create a glare. Mr. Newcomb replied that the panels are designed to absorb sunlight, and reflected light is very low.

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

Ms. Kane said that the project was not subject to review by the County Planning Department. The Board reviewed a draft conditional approval resolution and amended it to include the NYS DEC conditions. Sam Phelan made a motion to adopt the resolution as amended. Brian Kelly seconded and all members voted in favor.

OLD BUSINESS

Bard College – 4606 Route 9G – Site Plan

Continued discussion of application to renovate the former Two Boots Pizza Restaurant, located in the RD3 Zoning District, into office space.

Charles Simmons of Bard College was present. Christine Kane said that at the last Board meeting it had been determined that the project was limited in scope and therefore does not require a full site plan review. Mr. Simmons provided images of the sign as it would be when changed.

The Board reviewed a Resolution Determining the Project is Limited in Scope and Requires no Further Review Under Article VII. Kallie Robertson moved to adopt it. Brian Kelly seconded and all members voted in favor.

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

Continued discussion of application for Final 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).

Project representatives Richard Rang and Rod Morrison were present.

Ms. Kane asked if the applicants would be willing to submit a letter extending the time in which the Board must approve the site plan; they had previously extended to December of 2015. Mr. Rang said they would do so.

Ms. Kane read an email from Theresa Burke, the Town Highway Superintendent stating that she is concerned about the applicant's intent to have the Town maintain landscaping in the right of way. She encouraged the Board to have the contractor or HOA maintain the landscaping even after the roads are dedicated to the Town. The applicants said there would be a tree lawn there, and the HOA would maintain the lawn.

Ms. Kane asked Brandee Nelson to review her comments dated 4-4-16. Ms. Nelson said efforts to resolve issues about the stormwater system are ongoing, particularly the fact that the Town Highway Department does not have the equipment to maintain catch basins deeper than 6 feet. Rod Morrison said that any municipality that has a network of catch basins will invariably have some that exceed 6 feet in depth. He said the issue is a lack of equipment to maintain normal and customary infrastructure. Ms. Nelson acknowledged that the TND district is a more intensive development and does pose a challenge for the Highway Department's equipment inventory.

Ms. Nelson moved on to the 27 proposed LED street lights, and suggested that the applicants use a warmer color. Mr. Morrison said the applicants were in agreement with that.

Ms. Nelson recommended that the Site Plan be amended to show the construction of the sidewalk to Route 9G in an early phase of the project. It is currently proposed to be constructed in phase 5 (out of 8). She said the Town is pursuing easements from two property owners for the sidewalk.

Ms. Kane asked Michele Grieg to review her comments dated 4-4-16. Ms. Grieg recommended that the Board carefully review the proposed phasing and content of the recreational amenities. She questioned the rationale for the location of the playground and the community garden. Mr. Rang responded that the playground was originally proposed near the Community Center, but it was later decided that it would obstruct the view of the tree line and mountains, so they moved it into the corridor to the proposed soccer field, near the walking trails and fairly centrally located toward the front of the project but off to the side.

Ms. Grieg asked about the community garden. Mr. Rang said since vegetable gardens are not typically attractive, they located it in a corner of the project that will also be in close proximity to a potential water source.

Ms. Kane questioned whether there was enough equipment proposed for the playgrounds for the number of units. Mr. Rang said the playground equipment proposed was comparable to the equipment installed in larger communities.

Sam Phelan said in lieu of a \$400,000 recreation fee, the project should offer recreation amenities of equal value. Ms. Kane asked Brandee Nelson to research the issue, and suggested asking the Recreation Department for additional input.

Ms. Kane asked how the proposed soccer field would be constructed and equipped, and who would be able to use it. Mr. Rang said the field will be graded to recreational standards, and goals, a storage shed and a striping system would be installed. He said it would be open to public, but any outside group using it would have to insure their activity. The soccer field will be installed after phase 6, because it is over the community leach fields.

The Board and applicants discussed in detail each amenity and its place in the project construction phasing plan, and how the actual rate of build out could affect the overall quality and availability of adequate recreational amenities. Proposed recreational amenities include the multi-purpose soccer field, another small recreational field with a stage, a dog park, 2 passive parks, a walking trail, a community garden, picnic areas, a community center with a barbeque pavilion, a children's playground, a tot lot, a fire pit gathering area and 18.5 acres of open space.

At the conclusion of the discussion Ms. Kane said she remained concerned that most recreational amenities will not be available to residents until the last stages of the project's build out, which could take years, and the project is a long way from the town parks.

Ms. Grieg recommended that the Planning Board authorize their attorney to review the plan notes.

Ms. Kane said that the Board could entertain drafting final approval resolution once the recreation amenities issues have been resolved and the attorneys review the plans.

In other business, the Board and consultants discussed problems encountered by the recently approved Jaeger Haus Restaurant, who have learned that they have no existing septic system. The County Health Department (DCHD) has refused to approve an engineer designed aerobic system for the site. The applicants are asking that the Planning Board remove approval condition #3 ('The applicant shall obtain approval from the Dutchess County Department of Health verifying that the existing sewage disposal system is adequate for the proposed use.') and allow them to install the system without DCHD approval. Brandee Nelson said she had contacted the Health Department to find out why they will not approve the system. She said she needed more information from the applicants and the DCHD. The Board reviewed the applicable sections of the town's zoning law and generally agreed that they did not have the authority to waive the health department approval requirement.

The Board received a request from the Old Rhinebeck Aerodrome Gift Shop project to change the color of the building from white to blue. The board agreed that the change was de minimis to the overall project. Kallie Robertson moved to approve the change. Brian Walker seconded and all voted in favor.

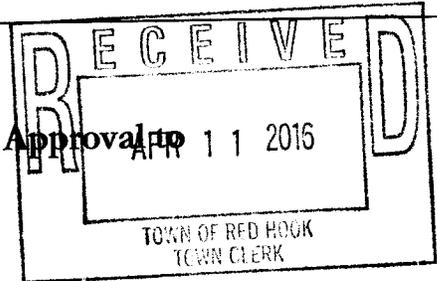
There being no further business before the board Kallie Robertson made a motion to adjourn. Sam Phelan Seconded and all members voted in favor. The meeting ended at 9:46 pm.

Respectfully Submitted,



Kathleen Flood
Secretary

**Resolution Granting Final Subdivision Plat Approval to
Sweeny/Claykill LLC/Stickle**



Name of Project: Sweeny/Claykill LLC/Stickle Subdivision

Name of Applicants: Peter and Sarah Sweeny, Sarah Sweeny, Claykill LLC, and Donald R. Stickle Jr and Claudia Stickle

Whereas, the applicants, Peter and Sarah Sweeny, Sarah Sweeny, Claykill LLC, and Donald R. Stickle Jr and Claudia Stickle, have submitted an application for Final Subdivision Plat approval dated October 9, 2015 to the Town of Red Hook Planning Board to subdivide a \pm 26.9 acre parcel into two lots and for a number of lot line alterations between four existing parcels, two of which are located in the Town of Red Hook (Tax Map Parcel Nos. 134889-6175-00-739369 and 134889-6175-00-688303) and two of which are located in the Village of Tivoli (Tax Map Parcel Nos. 134803-6175-04-726242 and 134803-6175-04-715183), Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Final Subdivision entitled "Section 1, Subdivision--Lot Line Alterations prepared for Claykill LLC, Sweeny, and Stickle" and "Section 2, Subdivision--Lot Line Alterations prepared for Claykill LLC, Sweeny, and Stickle" prepared by Mark R. Graminski PE, LS PC dated March 25, 2016 (the "Overall Plat"); and

Whereas, on November 16, 2015, the Planning Board circulated notice of its intent to serve as lead agency in a coordinated review of a Type I Action pursuant to SEQR; and

Whereas, on March 7, 2016, due to changes in the project design the Planning Board re-circulated notice of its intent to serve as lead agency in a coordinated review of a Type I Action pursuant to SEQR, to which all other agencies agreed; and

Whereas, on March 21, 2016, the Planning Board determined that the proposed project is consistent with the policies of the Town's Local Waterfront Revitalization Program; and

Whereas, on March 21, 2016, the Planning Board in consideration of the Full Environmental Assessment Form and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), determined that the proposed action will not cause any potentially significant adverse impacts on the environment, and thus issued a Negative Declaration deeming a Draft Environmental Impact Statement would not be prepared; and

Whereas, one of the parcels is located within a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated February 25, 2016, which the Planning Board forwarded to all owners of farm operations within 500' of the subject parcels; and

Whereas, the Planning Board considered the comments on the Agricultural Data Statement in its review of the application; and

Whereas, the applicant submitted correspondence from the Town Highway Superintendent dated November 30, 2016 stating that there are no highway siting issues for the proposed driveway location for Proposed Lot 2 on Stonybrook Road; and

Whereas, the applicant proposes to file the subdivision plat in two (2) sections pursuant to § 7-728(7)(b) of the NYS Village Law and § 276(7)(b) of the NYS Town Law; and

Whereas, the Planning Board notified the Clerk of the Village of Tivoli of the public hearing pursuant to General Municipal Law § 239-nn; and

Whereas, on April 4, 2016, the Planning Board opened a duly noticed public hearing on the Subdivision Plat, at which time all interested persons were given the opportunity to speak and the Planning Board closed the public hearing on April 4, 2016; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board finds that the action will create a need for recreational land and facilities due to the generation of approximately three (3) new residents of the Town including one (1) new school age child (based on multipliers provided by Rutgers University, Center for Urban Policy Research "Residential Demographic Multipliers," June 2006). When considering the cumulative demands of all recently approved and pending subdivision applications on Town recreational facilities, there may be a need to expand such facilities in the near future as a result of this and other subdivisions. Based on the present and anticipated future need for park and recreational opportunities in the Town, and the recreation demands that will arise from the future population of this project, parklands should be reserved as a condition of approval of this subdivision. However, the Planning Board has examined the feasibility of locating a park on the subject parcel and has determined that the site is not suitable. Therefore, pursuant to New York State Town Law § 277, the Planning Board has appropriate grounds to require that the applicant deliver payment in lieu of parkland dedication in an amount established by the Town Board, sufficient to allow for expansion of the Town's recreational facilities.

BE IT FURTHER RESOLVED, that no building permit may be issued for any improvements to Lot 2 until the applicant provides proof of recordation of the conservation easement with the Dutchess County Clerk.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Subdivision plat approval to Peter and Sarah Sweeny, Sarah Sweeny, Claykill LLC, and Donald R. Stickle Jr and Claudia Stickle in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. The Planning Board authorizes the Chair or her authorized designee to sign the Cover Page of the Overall Plat after compliance with the following conditions:
 - (a) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 - (a) Payment of any and all outstanding escrow balances for consultant review.
 - (b) Submission of a Cover Page with appropriate signature blocks and which contains the following notes:
 - i. Endorsement of the Overall Plat by the Town and Village Planning Board Chairs is for recordkeeping purposes only and does not authorize the filing of Section 1 or 2 of the Overall Plat. Section 1 and Section 2 may not be filed with the County Clerk until all conditions of the resolutions granting approval have been satisfied, as evidenced by the endorsement of each Section of the Town and Village Planning Board Chairs.
 - ii. Pursuant to § 120-11G(2) of the Town Code, within 30 days after filing Section 1 of the plat with the Dutchess County Clerk, the applicant shall file with the Town Clerk the Overall Plat.
2. The following conditions shall be fulfilled prior to signing of Section 1 (Sheet 1) of the Subdivision Plat by the Planning Board Chairwoman:
 - (a) The applicant shall submit certification from a licensed professional engineer that an approvable individual sewage disposal system location exists on Parcel 2 and that it is likely that a suitable individual on-site water supply may also be developed on Parcel 2, pursuant to § 120-24B(7) of the Town Code.
 - (b) Both Sheets 1 and 2 shall be revised as follows:
 - i. Include the formula method yield plan for the conservation subdivision as outlined in § 120-26B(1) of the Town Code.
 - ii. Revise the Zoning Legend for the AB District to correct the formatting errors (i.e., fix errors so the proposed column correspondes with the correct row; to move the word “density” down one row; and to revise the statements state that “accessory structures shall have a minimum 3’ setback from any property boundary”).
 - iii. Revise the Zoning Legend for the R-2A to correct the same formatting errors as the AB District Legend.
 - iv. Revise Plat Note 8 so it states: “No building permit shall be issued for Section 2 -- Parcel 2 until the applicant provides proof of recordation of the conservation easement with the Dutchess County Clerk.”
 - v. Revise Plat Note 10 to delete the word “for” after the term “building envelope.”
 - (c) The applicant shall verify that the corners of the tract have been marked by monuments or steel rods, as approved by the Town Engineer.
 - (d) Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town’s Land Subdivision Regulations, including all required P.E. and L.S. stamps and signatures.
3. The following conditions shall be fulfilled prior to signing of Section 2 (Sheet 2) of the Subdivision Plat by the Planning Board Chairwoman:
 - (a) The applicant shall demonstrate that the entire approved plat was filed with the Town Clerk within 30 days after filing Section 1 of the plat with the Dutchess County Clerk.

- (b) The applicant shall submit the conservation easement for Parcel 2 in final form acceptable to the Planning Board.
- (c) The applicant shall file the conservation easement in the Dutchess County Clerk's Office simultaneously with the filing of the final plat, and shall provide the Planning Board with a record of the easement filing.
- (d) The applicant shall make a recreational fee payment, in an amount established by the Town Board, for one (1) residential building lot to allow for expansion of the Town's recreational facilities.
- (e) The applicant shall verify that the corners of the tract have been marked by monuments or steel rods, as approved by the Town Engineer.
- (f) The applicant shall demonstrate that the above conditions of Section 2 of the plat have been met within a period of three years from the filing date of the first section of the plat with the Dutchess County Clerk.

4. Pursuant to § 72-2C of the Town Code, prior to the initial sale, purchase or exchange of any real property within the subdivision, the applicant shall deliver to the prospective grantee a typewritten document containing the agricultural notice set forth in § 72-2B of the Town Code. Further, the applicant shall incorporate the agricultural notice of the Town Code in any deeds wherein title to any property is to be initially conveyed to a grantee.

5. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

On a motion by **Sam Phelan**, seconded by **Brian Kelly**, and a vote of **Christine Kane**, **Brian Kelly**, **Charlie Laing**, **Sam Phelan**, **Kallie Robertson** and **Brian Walker** for, none against, and **Sam Harkins** absent, this

Resolution declared **ADOPTED** on **APRIL 4, 2016**.

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

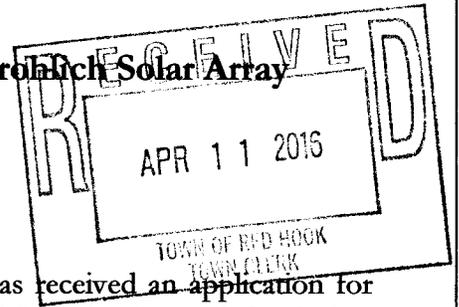
Kathleen Flood
Kathleen Flood, Clerk to the Board

4.11.16
Date

Resolution Granting Special Permit Approval to Frohlich Solar Array

Name of Project: Frohlich Solar Array

Name of Applicant: Darren Frohlich and Collen McTigue



Whereas, the Town of Red Hook Planning Board has received an application for Special Permit approval from Darren Frohlich and Collen McTigue dated March 9, 2016 to install a ground-mounted solar array on a \pm 17.3 acre parcel (Tax Map Parcel No. 134889-6275-00-745159-0000) located at 381 Lasher Road in the AB District and Flood-Fringe Overlay (FF-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 the FF-O District found in § 143-111 of the Zoning, and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on March 21, 2016 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(10) and, therefore, SEQR does not apply; 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 March 28, 2016 that the application is exempt from 239m review since it is a special permit for a residential use; and

Whereas, on April 4, 2016, 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 the Planning Board closed the public hearing on April 4, 2016; 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 (undated), 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 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.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Special Permit approval to Darren Frohlich and Collen McTigue to install a solar array in accordance

with the applications materials and specifications heretofore submitted upon the following conditions:

- A. The applicant shall obtain a Floodplain Development Permit from the Building Department pursuant to Chapter 77 of the Town Code.
- B. Pursuant to § 143-111B of the Zoning Law, certification by a registered architect or licensed professional engineer of as-built compliance with the approved plans shall be submitted to the Zoning Enforcement Officer prior to the issuance of a Certificate of Compliance for the structure. Copies of this certificate shall be maintained by the Building Inspector as a permanent public record available for inspection.
- C. The applicant shall continue to comply with the special conditions for development within the FF-O District found in § 143-111 of the Zoning Law throughout the duration of the use.
- D. The applicant shall meet the special conditions of construction outlined in the letter from the Town's Floodplain Administer Stephen J. Cole dated April 4, 2016, specifically:
 - i. No fill material shall be brought to the site.
 - ii. Solar panels shall be elevated at least 3' above grade.
 - iii. All electrical boxes and related equipment shall be elevated at least 3' above grade.
 - iv. All underground electrical wire shall be rated for use in wet conditions.
- E. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
- F. Payment of any and all outstanding escrow balances for consultant review.

On a motion by **Sam Phelan**, seconded by **Brian Kelly**, and a vote of **Christine Kane, Brian Kelly, Charlie Laing, Sam Phelan, Kallie Robertson and Brian Walker** for, none against, and **Sam Harkins** absent, this Resolution declared: **ADOPTED** on **APRIL 4, 2012**

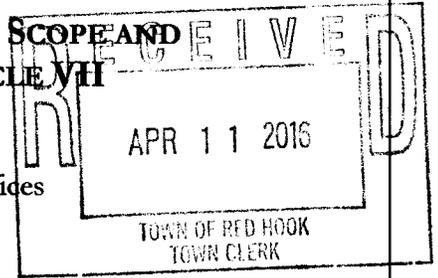
Resolution Certified, Filed with the Town Clerk and Mailed to the Applicant



Kathleen Flood, Clerk to the Board

4-11-16
Date

**RESOLUTION DETERMINING PROJECT IS LIMITED IN SCOPE AND
REQUIRES NO FURTHER REVIEW UNDER ARTICLE VII**



Name of Project: Bard College Renovation of Restaurant into Offices

Name of Applicant: Bard College

Whereas, the Town of Red Hook Planning Board has received an Application for Site Plan Approval from Bard College to renovate an existing \pm 5,323 square foot accessory restaurant into offices for the College's Masters At Teaching (MAT) program at 4606 Route 9G in the RD3 District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the proposed use requires Site Plan Approval pursuant to §143-125 of the Town of Red Zoning Law; and

Whereas, the Planning Board is in receipt of an Application for Site Plan Approval dated March 10, 2016, a Short Environmental Assessment Form (EAF) Part 1 dated March 10, 2016, and related Sketch Plan materials; and

Whereas, the Zoning Law §143-114C(1) authorizes the Planning Board to waive the requirement for site plan review when a project is limited in scope, with compatible land use, site and building design characteristics, including the establishment of permitted uses within existing complying structures, wherein no substantial site improvements are required or proposed; and

Whereas, on July 26, 2011, the Zoning Enforcement Officer determined that an Educational Institution was an allowable use on the parcel, subject to issuance of a Special Permit; and

Whereas, the Planning Board reviewed the Special Permit dated January 9, 2012 that was issued for the Bard College Alumni Center on the subject parcel and determined that the proposed offices are consistent with the conditions of the Special Permit and no amendment to the Special Permit is necessary; and

Whereas, the proposed use is the establishment of a permitted use within an existing complying structure; proposed signage will use the existing sign frame/stand with no change in its size or location, and said sign shall require a sign permit from the Building Department; no additional parking is required; and no substantial site improvements are required or proposed.

Now therefore be it resolved, that the Planning Board hereby determines that the project is limited in scope and requires no further review under Article VII.

On a motion by **Kallie Robertson**, seconded by **Brian Kelly**, and a

vote of **Christine Kane, Brian Kelly, Charlie Laing, Sam Phelan, Kallie Robertson and Brian Walker** for, and **none** against, and **Sam Harkins** absent, this resolution was adopted on **April 4, 2016**.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

4-11-16
Date