

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
June 20, 2016**

CALL TO ORDER / DETERMINATION OF QUORUM

Christine Kane called the meeting to order at 7:30 pm. A quorum was determined present for the conduct of business. Members present: Christine Kane, Brian Walker, Sam Phelan and Kallie Robertson. Also present was planning consultant Michele Grieg. Charlie Laing, Sam Harkins and Brian Kelly were absent.

Ms. Kane noted changes to the agenda: the Hoffman TND project was tabled until the next meeting, which will be July 18, due to the July 4 Holiday; a request for an extension for Katherine Gaglin Daycare, a pre-application discussion with the Red Hook Boat Club, and a request for input from the Municipal Task Force were added under 'other business'.

Kallie Robertson made a motion to approve the minutes of June 6, 2016. Sam Phelan seconded and all members voted in favor.

Ms. Kane announced that Brian Walker will resign from the Board effective August 1. She thanked Mr. Walker for his valuable contributions during his six years of service.

NEW BUSINESS

Lisa Stencel renovation – 94 Old Post Road North – Certificate of Appropriateness

Presentation of application to construct an addition and additional fencing in the Hamlet of Upper Red Hook.

Lisa Stencel was present. She described her project, which has undergone several changes since the initial application.

Ms. Kane said that the Design Review Committee has approved of the project in an email received June 20. Kallie Robertson made a motion to classify the project as a Type II Action under SEQR. Brian Walker seconded and all members voted in favor. The Board generally agreed to waive a public hearing.

The Board reviewed and amended a draft approval for a Certificate of Appropriateness. Kallie Robertson made a motion to adopt the amended resolution. Brian Walker seconded, and all members voted in favor.

Bard Barringer House – 1442 Annandale Road – Certificate of Appropriateness, Site Plan

Presentation of application to construct a 920 square foot addition to an existing historic building housing offices in the R-1.5 Zoning District and the Hamlet of Annandale.

Charles Simmons was present. Ms. Kane said that the Certificate of Appropriateness (COA) application had been forwarded to the Design Review Committee (DRC) and that they had responded with a request for additional documentation for review.

Ms. Kane asked Mr. Simmons to give an overview of the project. Mr. Simmons said that the 920 sq. ft. addition would be a grant funded 'smart classroom'. The project also includes some interior and exterior remodeling, and a 20-space parking lot behind the building, which will serve parking needs for the Barringer House and two other nearby buildings.

Ms. Kane asked Michele Grieg to review her comments dated June 20. Ms. Grieg said that the property lies in the R1.5 Zoning District, where educational institutions and campuses are prohibited. She asked if Mr. Simmons could provide evidence that the existing use is a lawful nonconforming use. Mr. Simmons said he would look into it. Ms. Grieg said if no evidence exists, she would recommend that the College request the town to approve a zoning map change, in which the Barringer House property and several neighboring properties Bard has acquired in the R1.5 district would be re-zoned to be included in the adjoining Institutional District, where the rest of the campus lies. Alternatively, she said, a use variance could be sought.

Ms. Kane summarized that if Mr. Simmons could show that the property was purchased and used for non-residential use by the college prior to 1993, the Board could treat it as a lawful nonconforming use and proceed. If not, the applicant would have to pursue the zoning map amendment or use variance. In the meantime, she said, review of the Certificate of Appropriateness application could continue independently.

Ms. Grieg recommended that Mr. Simmons check the property deed for a cross easement since access to the proposed parking lot would be from the adjacent parcel to the north, which is also owned by the College. If one does not exist the applicant would probably have to provide one.

Regarding lighting, Ms. Grieg requested manufacturer cut-sheets for the building lighting and that the proposed LED bulbs have a temperature less than 3000K. She said that once these items were submitted, the project should be referred to the County for review under General Municipal Law 239n.

The Board set a Public Hearing for the project for July 18 for both applications.

OLD BUSINESS

Red Hook NY Congregation of Jehovah's Witnesses – Amended Site Plan

Continued discussion of application to improve parking lot lighting.

Tim Kreissler and Zachary Hall were present.

Mr. Hall summarized the revised plan. He said instead of five 10-ft. poles in the front, the applicants are now proposing three 13-ft poles, and six 18-ft poles are now proposed for the rear, rather than eight 20-ft. poles. All heights include pole stands.

Ms. Grieg reviewed the lighting cut sheets provided, and suggested that the proposed LED bulbs be reduced to a temperature less than 3000K.

Ms. Kane asked if all lights would be turned off by 11 pm. Mr. Kreissler replied yes. She also determined that proposed fixture 'C' is not shielded, so a different fixture should be selected. Ms. Kane said after the lighting changes were submitted, the project should be referred to the County Planning Department. The Board set a public hearing for July 18.

OTHER BUSINESS

Continued pre-application discussion: Kevin Kelly, Hudson Valley Motorcars

Mr. Kelly was present. He said he had decided not to park any cars on the Triebel's lot. He wanted only to affix his licensing signs to the building and share office space.

The Board generally agreed that since there will be no expansion, and the use being proposed is conforming, the project could be determined as limited in scope and so require further no further review, but the applicant must still submit an application for review.

Mr. Kelly agreed to provide a site plan application for the next meeting.

Pre-application discussion: Red Hook Boat Club – replacement of boat ramp

Club Commodore Robert Latimer was present. He said that the Boat Club plans to rebuild the boat ramp and has acquired the necessary permits from the DEC. He asked if the project required Planning Board approval. The board generally agreed that the project is routine maintenance of an existing structure and Planning Board approval would not be required.

Request for extension of approval – Katherine Gaggin Daycare

Christine Kane said that an extension request had been received on the site plan and special permit granted in September, 2014, although no specific reasons were given for the request. Sam Phelan made a motion that the Board grant one final extension to August 1, 2016, unless the applicant can provide specific, compelling reasons why she needs additional time. Brian Walker seconded and all members voted in favor.

Intermunicipal Task Force request for preliminary comments

Michele Greig said that the Intermunicipal Task Force is drafting language for a potential new law prohibiting drive-through establishments and 'formula', restaurants and retail businesses that are currently allowed in certain Districts.

Ms. Greig read the proposed definitions of drive-ins, formula restaurants and formula retail businesses for the Board's consideration.

The Board generally agreed with prohibiting drive-through establishments due to the fact that they don't contribute to the pedestrian friendly environment that Red Hook strives to provide. Opinions varied on the prohibition of formula restaurants and retail businesses. Sam Phelan asked Ms. Grieg what the purpose of the new law was. Ms. Grieg replied it was a matter of maintaining the character of the community.

The Board generally agreed with the intent of the proposed law, but felt that the definitions need to be further refined, particularly the formula retail business, because some businesses, such as Hannaford, Stewarts, CVS and possibly Agway might fall under the proposed definition, and yet they are desirable

business to have in the community. Brian Walker commented he was more in favor of regulating business types rather than prohibiting them. Sam Phelan added that the current zoning law does control some of the more objectionable aspects of the well-known types of formula businesses, such as sign size and height.

ADJOURNMENT

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "K. Flood".

Kathleen Flood
Secretary

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

Name of Action: Lisa Stencil Residence Alteration

Whereas, the applicant proposes to replace a section of an existing 1950 house with a new addition using similar siding, windows and design at 94 Old Post Road North, Upper Red Hook, in the H (Hamlet) Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated March 18, 2016 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)(8) 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 **Kallie Robertson**, seconded by **Brian Walker**, and a vote of **Christine Kane, Kallie Robertson, Brian Walker and Sam Phelan** for, and none against, and **Charlie Laing, Brian Kelly and Sam Harkins** absent, this resolution was adopted on **June 20, 2016**

Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS

Date: June 20, 2016

For: Lisa Stencel Residence
Tax Parcel #6373-01-285944

The applicant, whose property is located at 94 Old Post Road North, Upper Red Hook, wishes to rebuild a portion of the first floor, adding a second story above it; replace the roof and outdoor deck, and add 80-100 feet of matching style stockade fence on the north side of the property.

The application and supporting documents were sent to the Hamlet Design Review Committee March 24, 2016, and subsequent revisions were sent May 13, May 20, June 9 and June 15.

The Hamlet Design Review Committee submitted comments to the Planning Board May 16 and June 20 indicating their overall approval.

The project was classified as a Type II action with no further SEQR review required. A Public Hearing was waived by the Board.

The Planning Board has reviewed and discussed the proposed plans and determined that the project proposed is compatible with the historic character of the property as well as with the neighboring properties in the district and that there will be no visual negative impact. Therefore,

On a motion by **Kallie Robertson**, seconded by **Brian Walker**, and a vote of **Christine Kane, Kallie Robertson, Brian Walker and Sam Phelan** for, none against and **Charlie Laing, Brian Kelly and Sam Harkins** absent, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Lisa Stencel for the proposed construction described above.

Certified by: Kathleen Flood
Kathleen Flood, Planning Board Secretary

Date: 6-21-16