

**TOWN OF RED HOOK PLANNING BOARD  
APPROVED MEETING MINUTES  
July 18, 2016**

**CALL TO ORDER / DETERMINATION OF QUORUM**

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

Mr. Laing announced two changes to the agenda. Under other business, the Town Board requests that the Planning Board approve that the Town Board serve as lead agency for SEQR regarding a property purchase by the town from a landowner adjacent to the town hall. Secondly, the Public Hearing scheduled for the Bard Barringer House project was cancelled because the applicant was unable to provide the documentation necessary to continue with site plan review.

Brian Walker made a motion to approve the minutes of the June 20 meeting. Sam Harkins seconded and all members voted in favor.

**PUBLIC HEARING**

**Red Hook NY Congregation of Jehovah's Witnesses – 7 Old Route 199 - Amended Site Plan**  
Public Hearing on application to improve parking lot lighting.

Charlie Laing read the public hearing notice that was published in the Poughkeepsie Journal and the Daily Freeman. Tim Kreissler and Zachary Hall were present. Kallie Robertson made a motion to open the public hearing. Brian Kelly seconded and all members voted in favor.

The Board reviewed a revised photometric plan to address the comments of the Planning Consultant. Mr. Laing asked if there were any questions from the public. There were none. Michele Grieg said that all of her comments had been satisfied, however she noted that the Board typically requires plans to be stamped by a licensed architect or engineer, but the board could waive that requirement. Mr. Hall requested that it be waived. He explained that the lighting manufacturer provides the photometric plans. The Board generally agreed to waive the requirement, and requested that the preparer's signature be added to the site plan.

Mr. Laing asked if there were any questions or comments from the public. There were none. Kallie Robertson made a motion to close the hearing. Brian Kelly seconded and all members voted in favor.

The Board reviewed a draft approval resolution and made some revisions to the language. Sam Harkins made a motion to grant the approval with the revisions. Kallie Robertson seconded and all members voted in favor.

## **NEW BUSINESS**

### **Kevin Kelly Office – 7317 South Broadway - Amended Site Plan**

Presentation of application to install two signs measuring 24"x 36" and 24" x 40" on front of existing building.

Kevin Kelly was present. Michele Grieg said that the application should be processed as a business office, since no cars will be stored on the site. Mr. Kelly proposes to install two signs on the building. The Board reviewed the signs and discussed the proposal.

After reviewing the application, Sam Harkins made a motion that the project is limited in scope and requires no further review under article VII of the Zoning Code, which 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. Brian Walker seconded and all members voted in favor.

### **Max's BBQ – 7249 South Broadway - Amended Site Plan**

Presentation of application to install a 33 x 15 wood patio over existing gravel patio.

Maria Lewis was present to represent the applicant. She said the owner proposes to replace the existing gravel patio with a pressure-treated wood one of the same size. There is no additional lighting or other changes.

After reviewing the application, Kallie Robertson made a motion that the project is limited in scope and requires no further review under article VII of the Zoning Code, which 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. Sam Harkins seconded and all members voted in favor.

### **Red Hook Diner – 7329 South Broadway - Amended Site Plan**

Presentation of application to install an awning over the entrance of the restaurant.

Kevin Mallory was present to represent the applicant. He said a permanent, unlighted canvas awning over the entrance is proposed. He provided samples of the material and two possible color choices that would be used.

After reviewing the application, Kallie Robertson made a motion that the project is limited in scope and requires no further review under article VII of the Zoning Code, which 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. Brian Walker seconded and all members voted in favor.

**OTHER BUSINESS**

**Request from the Town Board to act as lead agency for SEQR in the acquisition of land adjacent to the town hall.**

The Board unanimously agreed to approve the Town Board serving as lead agency.

**NEW BUSINESS**

**Christine and David Kane – 9 Lasher Road, Tivoli – Certificate of Appropriateness**

Presentation of application to construct a 22 x 32 three bay, one story garage in the Historic Overlay District.

Erica Kane was present to represent the applicants.

Brian Kelly asked if the Design Review Committee had provided comments on the project. Mr. Laing said no comments were received. Planning staff confirmed that the application documents had been mailed to the committee June 22, and additional information emailed by the applicant to the planning office had been forwarded to the Committee July 11. Ms. Kane confirmed that the applicants had contacted the committee to request a site visit several times.

Ms. Kane provided photos of the Kane residence and a photo of a garage similar in style to the one proposed. She said the siding proposed is wood, and the color of the garage and the style and colors of the window trim will match the house. She said that the entrance to the garage will face the rear of the property and the windows will face the road; lilac bushes will be planted for screening, and two trees will be removed near the site.

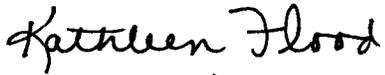
Mr. Laing asked the Board for thoughts on how to proceed without comments from the Design Review Committee. He asked if anyone thought that the project posed a big enough impact that they would want postpone the matter until the Design Review Committee reviewed it. Alternately, he said, the Planning Board could determine that is compatible, and act on the application. Sam Harkins commented that the DRC had the opportunity to review it. Kallie Robertson said that since there is no actual plan of the new building, she is comfortable with the assurance that the colors, siding, roof materials and window trim will match the house. Mr. Kelly said that a detached garage would be more common in the Historic Overlay District than an attached one. Mr. Harkins added that the proposed garage is not excessively large.

Brian Kelly made a motion classifying the proposed project as a Type II action under SEQR, meaning that no further review under SEQR is required. Brian Walker seconded and all members voted in favor.

The Board reviewed a draft Certificate of Appropriateness. Sam Harkins made a motion to adopt it. Brian Kelly seconded and all members voted in favor.

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,

A handwritten signature in cursive script that reads "Kathleen Flood".

Kathleen Flood  
Secretary

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

**Name of Project:** Kevin Kelly Office

**Name of Applicant:** Kevin Kelly

**Whereas,** the Town of Red Hook Planning Board has received an Application for Site Plan Approval from Kevin Kelly to install two signs for a business office on a site which includes an existing auto body shop on a  $\pm$  1.5 acre parcel located at 7317 South Broadway in the TND Commercial Center 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 July 5, 2016, a Short Environmental Assessment Form (EAF) Part 1 dated July 5, 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,** the proposed use is the establishment of a permitted use (an office) within an existing complying structure; proposed signage is consistent with the Zoning Law; no additional parking is required or proposed; 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 **Sam Harkins**, seconded by **Brian Walker**, and a vote of **Charlie Laing, Kallie Robertson, Brian Walker, Brian Kelly and Sam Harkins** for, and **none** against, and **Christine Kane and Sam Phelan** absent, this resolution was adopted on **July 18, 2016**.

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

Kathleen Flood  
Kathleen Flood, Clerk to the Board

7-20-16  
Date

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

**Name of Project:** Max's BBQ Restaurant Patio Replacement

**Name of Applicant:** David Weiss

**Whereas,** the Town of Red Hook Planning Board has received an Application for Site Plan Approval from David Weiss to replace an existing  $\pm$  495 sq. ft. gravel patio with a wooden patio of the same size on  $\pm$  0.93 acre parcel located at 7349 South Broadway in 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 June 30, 2016, a Short Environmental Assessment Form (EAF) Part 1 dated June 24, 2016, and related Sketch Plan materials; and

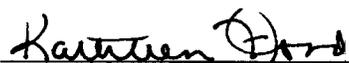
**Whereas,** the Zoning Law §143-114C(1) authorizes the Planning Board to waive the requirement for site plan review when a project is limited in scope, with compatible land use, site and building design characteristics, including the establishment of permitted uses within existing complying structures,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

**Whereas,** the proposed project is a minor modification of a permitted use associated with an existing complying structure 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 **Sam Harkins**, and a vote of **Charlie Laing, Kallie Robertson, Brian Walker, Brian Kelly and Sam Harkins** for, and **none** against, and **Christine Kane and Sam Phelan** absent, this resolution was adopted on **July 18, 2016**

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

  
\_\_\_\_\_  
Kathleen Flood, Clerk to the Board

7-20-16  
Date

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

**Name of Project:** Red Hook Diner Awning

**Name of Applicant:** Red Hook Diner

**Whereas,** the Town of Red Hook Planning Board has received an Application for Site Plan Approval from Red Hook Diner to install an awning over the front door of their restaurant located on a ±2.98 acre parcel at 7329 South Broadway in 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 June 29, 2016, a Short Environmental Assessment Form (EAF) Part 1 dated July 6, 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,** the proposed project is a minor modification of a permitted use within an existing complying structure 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 Walker**, and a vote of **Charlie Laing, Kallie Robertson, Brian Walker, Brian Kelly and Sam Harkins** for, and **none** against, and **Christine Kane and Sam Phelan** absent, this resolution was adopted on **July 18, 2016**

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

Kathleen Flood  
Kathleen Flood, Clerk to the Board

7-20-16  
Date

**Town of Red Hook Planning Board**  
**CERTIFICATE OF APPROPRIATENESS**

Date: July 18, 2016

For: Christine and David Kane garage  
Tax id # 935505

The applicant's propose to construct a 32 x 22 1 story, 3-bay garage on their property located on the Historic Overlay District at 9 Lasher Road, Tivoli.

The application and supporting documents were mailed to the Design Review Committee June 22, 2016. Additional information was submitted via email July 9, 2016.

The Design Review Committee had no comments.

The project was classified as a Type II action with no further SEQR review required. No Public Hearing was held.

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 and the district and that there will be no visual negative impact. Therefore,

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

Certified by: Kathleen Flood  
Kathleen Flood, Planning Board Secretary

Date: 7-20-16