

TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
August 15, 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, Charlie Laing, Kallie Robertson and Brian Kelly. Also present were planning consultant Michele Grieg, engineering consultant Brandee Nelson and Planning Board attorney Joel Sachs. Sam Harkins and Sam Phelan were absent.

Ms. Kane announced one change to the agenda. Under other business, a request for extension of conditional preliminary approval received from Jaeger Haus Restaurant was added.

Charlie Laing made a motion to approve the minutes of the August 1 meeting. Kallie Robertson seconded, and all members voted in favor.

OLD BUSINESS

DMAJS Associates LLC Minor Subdivision – Edgewood Drive/Cedar Drive/Overlook Drive, Red Hook
Continued discussion of sketch plan application to create a 3 lot subdivision from a 29.6 acre parcel.

Doug and Micki Strawinski were present.

Ms. Kane asked Brandee Nelson to review her comments dated 8-8-16. Ms. Nelson said she reviewed at the plans and did not find any significant concerns. She noted that additional detail should be provided for the driveway entrance on Birchwood Drive, and recommended that the Board require the applicant to revise the common driveway grade at the approach to Birchwood to have a suitable negative grade or adequate drainage infrastructure to minimize impact to the Town road.

Mr. Strawinski said he was currently trying to track down the deed to the piece of land where the common drive meets Overlook Road. He distributed for future review a draft common driveway and drainage easement, and a letter provided by engineer Mark Graminski stating that approvable individual sewage systems can be located on all three lots which are being proposed and that the Dutchess County Department of Health has agreed to allow individual wells for the proposed subdivision since the existing public water supply serving Forest Park is currently at capacity.

Ms. Kane asked if the applicants had had a chance to consider the setback of the proposed home on lot 3, which is sited approximately 165 feet from the boundary of the Kalina Farm and approximately 40 feet of the Kesicke Farm, which are both located in the Agriculture Business (AB) District. According to Michele Grieg's comments of 8-1-16, the Town Zoning Code recommends buildings on such a parcels be sited a minimum of 200 feet from the property line contiguous to land in the (AB) District, a guideline to be applied at the Planning Board's discretion. She added that the Planning Board may require the installation and maintenance of vegetative screening in the buffer area.

Mr. Strawinski said he could not meet that requirement. Ms. Kane said that in order to consider waiving the recommendation, he would have to provide a request outlining compelling reasons for doing so.

She suggested the applicants explore ways to meet the guideline, such as revising the lot lines. Ms. Grieg said that consideration should also be given to what type of agricultural business is being done on the adjoining AB District lands.

Ms Kane said the Board would conduct a site visit once the applicants decided what to do about the house siting.

Brian Kelly made a motion to adopt a Resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Kallie Robertson seconded and all members voted in favor.

Hoffman Residential Development – 19, 25 and 45 Old Farm Rd. – Major Subdivision, Final 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).

Richard Rang, Rod Morrison and attorney Jennifer Van Tuyl were present.

Michele Grieg said two conditions of approval must be discussed and agreed upon by the Board and applicants before the Board could act on the approval resolutions. Specifically, condition A.1.(v) of the site plan approval, concerning the location of the chain and bollards or gate that would prevent cars from driving up on to the proposed recreational playing field, and conditions A 17 and A 18 in the subdivision approval having to do with the construction of an ADA compliant sidewalk extension on Old Farm Road within the existing right of way to Route 9.

Regarding condition A.1.(v) Mr. Rang said that the chain and bollards would be located so as not to prevent anyone from the community from driving to the children's playground area and having the ability to turn around. The Board agreed with this discussion and revised the draft resolution accordingly.

Regarding the sidewalk issue, Ms. Van Tuyl said that the applicants do not agree with the language of A 17 and A 18 in the subdivision approval resolution in which the Board requires the applicant to build a sidewalk within the existing right of way of the town. She said the applicants have no problem with constructing the sidewalk, but the applicants don't feel they can create a safe sidewalk due to a very wide entrance to the movie theatre, grade issues due to Town drainage structures in the existing right of way, and traversing another entrance to the commercial area at the corner of Route 9 and Old Farm Road. Rod Morrison said that as a professional engineer, he was extremely reluctant to build a sidewalk in the area of the movie theatre entrance, which would direct pedestrian traffic through approximately 119 feet across an acceleration/deceleration lane for the entrance and exit of the movie theatre, well past the stop control.

Brandee Nelson said that although it is not an ideal situation, the theater entrance could be modified within the right of way. She also disagreed that there were any grade issues. She said that the town is willing to work with the developer to find a solution within the right of way. Mr. Morrison said that the current phrasing of the resolution does not indicate that. Mr. Rang added that although the applicants had agreed to construct a sidewalk, they did not agree to relocate drainage structures, reconstruct any portion of Old Farm Road or the entrance to any other properties. Ms. Nelson said it was essential for the town and developer to come to an agreement on how to provide the sidewalk.

Ms. Kane said that condition 17 in the subdivision approval requires the applicants to submit engineered plans for the sidewalk. Mr. Rang said he would ask his engineer to design the sidewalk incorporating afore mentioned improvements, but would not consent to making the improvements. He felt that was the town's responsibility. That said, he did not object to the language in condition 17 of the resolution.

Ms. Kane pointed out, however, that the following condition, 18, specifically states that the applicant shall design and construct the sidewalk. Ms. Van Tuyl said that all previous discussions about the sidewalk had been based on the town acquiring additional right of way. Mr. Morrison said some language needed to be added to reflect the responsibility of the Town.

Ms. Kane said she felt the Planning Board does not have the authority to adopt something that commits the town to a plan of action that the town has not reviewed. Planning board attorney Joel Sachs agreed. Ms. Kane said she was hesitant to include language holding the town responsible without consulting the town board. Ms. Van Tuyl said that it was disappointing to have come this far and not have the Board act on the resolution. She said that all past discussions about the sidewalk have included some town responsibility, and that discussions have taken place with the town supervisor and highway superintendent for some months. Ms. Nelson agreed that the Town has been aware of the situation and has been having difficulty obtaining easements from landowners.

The Board, applicants and consultants discussed various ideas to revise the language of the resolution that was mutually agreeable so the Board could act on the resolutions in a timely manner.

Ms. Kane asked each Board member to give his or her opinion on how they felt about whether the Town should have responsibilities in constructing the sidewalk. Charlie Laing said only the town can acquire the easements needed to add to the right of way, and therefore the town should have some responsibility. He added that making improvements to the theater entrance is a good option for the town if it proves very difficult to obtain the necessary easements from landowners.

Kallie Robertson said she thought it was reasonable to make this request of the Town, although if the Town balked, it could complicate the process. Brian Kelly said that while he generally agrees with the position that developers should be primarily responsible for infrastructure improvements, what was being considered here is a compromise involving a town right of way and the town should be given the choice how to pursue their involvement. He added the note they were trying to change was included in the conditions of the preliminary approval. Ms. Kane asked if the consensus of the Board to accept the new language. The Board generally agreed it was.

In conclusion, the Board agreed to revise the resolution condition A 18 to state that a note on the final subdivision plat should be revised to say the *"Future 5 foot wide ADA compliant sidewalk extension to Route 9 to be designed and constructed by the applicant, subject to the Town Board either acquiring an easement or additional right of way or making the drainage and driveway apron improvements necessary to construct such sidewalk within the existing right of way."*

The Board reviewed the rest of the contents of each resolution. Charlie Laing made a motion to adopt the Resolution Granting Approval to the Final Subdivision Plat and Incentive Zoning for Hoffman Property Traditional Neighborhood Development Subdivision. Brian Kelly seconded. Chairwoman Kane, Mr. Laing, Mr. Kelly and Ms. Robertson voted aye and the motion was carried.

Charlie Laing made a motion to adopt the Resolution Granting Site Plan Approval to Hoffman Property Traditional Neighborhood Development as amended. Brian Kelly seconded. Chairwoman Kane, Mr. Laing, Mr. Kelly and Ms. Robertson voted aye and the motion was carried.

NEW BUSINESS

Funshine Nursery School – 208 Rockefeller Lane – Site Plan

Presentation of application to replace a demolished 1307 square foot building with a new 1540 square foot building at an established daycare center in the R 1.5 Zoning District.

John Moutone of AMJ Properties and engineer Tim Ross were present.

Ms. Kane said that the Board had received input from the Zoning Board of Appeals Chairman Nick Annas about this site plan application indicating that a June 19, 2014 Findings and Decision for Donald Triebel representing the Funshine Nursery School prohibits any expansion of the facilities.

Ms. Kane said she had not spoken to Mr. Annas, but she did review the minutes of the ZBA meetings and said most of the discussion focused on the state and local formulas for determining enrollment and attendance allowed at daycare centers. The Town allows 40 students, but two variances have been granted in the past by the ZBA to the school, and the current enrollment allowed is 93.

Ms Grieg explained that Mr. Annas' position is that the ZBA's granting of the last variance, on June 19, 2014, in which the school was granted permission to increase enrollment from 60 to 93 children, was based on the fact that no expansion of the facility was proposed.

Mr. Ross said that he was a member of the ZBA at the time, and the size of the physical facility was not the subject of the variance. The number of students enrolled was the subject of the variance.

Kallie Robertson asked if the structure were expanded would it allow for more enrollment. Mr. Ross said no increase in enrollment was anticipated. He said the proposed new 1,540 sq. ft. building would contain no classrooms. It would be used as a multi-purpose space, storage and office space.

Mr. Moutone said that the proposed building would replace a 1,308 sq. ft. building that they had demolished in June. He said the proposed site plan with the new building makes for a much more attractive facility.

The Board viewed the site plan submitted, and determined that the proposed new building is about 230 sq. ft. larger than the one demolished. Ms. Grieg commented that some parking shown on the existing conditions of the site plan is not shown on the site plan that was originally approved by the Planning Board in 1995.

Ms. Kane read from the ZBA's Findings and Decision of June 19, 2014, in which the ZBA granted an increase of enrollment from 60 to 93 (the request was for 120), Finding #8 which states *"The Board is recommending a reduction to the variance originally requested. The Board further believes, that given the fact that no expansion of the existing approved facilities is proposed, no adverse impacts to the character of the neighborhood and the health, safety and welfare of the community will arise from the granting of this variance."*

Ms. Kane requested Board Attorney Joel Sachs to review the ZBA file and provide the Board with a legal opinion.

The Board reviewed comments provided on the site plan submitted by Ms. Grieg including that the required setback for proposed new parking is ten feet short of the required 20. Ms. Kane asked the applicants to provide a narrative for the application providing more details on the reasons for and proposed uses of the new building and consider Ms. Grieg's comment memo while Mr. Sachs reviews the ZBA materials and provides his opinion. The applicants will return to the next meeting Sept. 19.

In other business, the Board granted a 6 month extension on conditional site plan and special permit approval to the Jaeger Haus Restaurant.

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

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

Name of Action: DMAJS Subdivision

Whereas, the Town of Red Hook Planning Board is in receipt of a Subdivision application by DMAJS Associates LLC to subdivide a ± 29.64 acre parcel located in the R1.5 District on Cedar Drive and Birchwood/Overlook Drive, Town of Red Hook, Dutchess County, New York; and

Whereas, a Full Environmental Assessment Form (EAF) dated May 6, 2016 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 other involved and/or federal agencies on this matter, including the Dutchess County Department of Health and the NYS Department of Environmental Conservation.

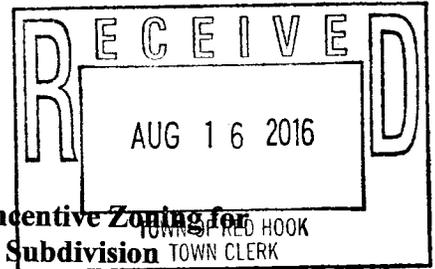
Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all reasonably necessary 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 **Brian Kelly**, seconded by **Kallie Robertson** and a vote of **Christine Kane**,

Charlie Laing, Kallie Robertson and Brian Kelly for, and **none** against, and **Sam Harkins and**

Sap Phelan absent, this resolution was adopted on **August 15, 2016**.



Resolution Granting Approval to the Final Subdivision Plat and Incentive Zoning for Hoffman Property Traditional Neighborhood Development Subdivision

Name of Project: Hoffman Property Traditional Neighborhood Development Subdivision

Name of Applicant: Kirchhoff Properties LLC

Whereas, the applicant, Kirchhoff Properties LLC, has submitted an application for Final Subdivision Plat approval dated November 24, 2015 to the Town of Red Hook Planning Board for one hundred and two (102) residential lots, four open space parcels (which will include a Community Center and Mail Kiosk), and one lot to be retained by Roger Hoffman on \pm 52.05 acres of land located at 19, 25 and 45 Old Farm Road (Tax Parcel Nos. 6272-00-204261, 6272-00-191306, and 6272-00-103351), partially within the TND Residential Subdistrict and partially within the TND Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York (the "project" or "the Hoffman Property Traditional Neighborhood Development"); and

Whereas, pursuant to Section 143-49.1(A)(2) the applicant has submitted an application for open space incentive zoning as outlined in Section 143-49.2 of the Town's Zoning Law, for a total of 33 incentive dwelling units and has proposed to pay cash as the provided benefit to the Town; and

Whereas, the applicant has submitted a plan set entitled "Final Site Plan and Overall Subdivision Plan Set," which included a Final Subdivision Plat, prepared by LRC Group, consisting of the following:

Sheets CV-1, EX-1, SB-1 to SB-4, SP-1, SG-1, SD-1, UT-1, SDS-1, PP-1 to PP-6, LL-1, LP-1, TT-1, TT-2, AM-1, and DN-1 to DN-7 dated January 16, 2013 and last revised March 25, 2016

Sheet SB-5 dated November 27, 2015 and last revised February 12, 2016

A Property Survey of Parcel 1, Parcel 2, and Remaining Lands for Red Hook Acres, LLC prepared by Welch Surveying dated October 6, 2014

A Wetlands Delineation Map prepared by Welch Surveying dated January 28, 2008 and revised October 24, 2011 (together the "Final Plat"); and

Whereas, pursuant to §120-11(G) of the Town's Subdivision Law and New York State Town Law, the applicant has proposed to file the subdivision plat in Sections, and pursuant thereto the applicant has submitted "Section Plat" Plan Sets for Sections #1 to #8, each set consisting of eight (8) sheets, all dated November 24, 2015 and last revised March 25, 2016, each of which may be filed within three (3) years of the filing date of the first section with the Dutchess County Clerk; and

Whereas, the applicant has submitted a revised Sheet AM-1 entitled "Amenities Update Exhibit" dated April 22, 2016 and revised May 2, 2016 and a document entitled "Hoffman

Recreational Features by Section” dated April 22, 2016 and revised May 2, 2016, which is included herein as an Exhibit One; and

Whereas, the applicant has submitted a plan entitled “Sidewalk Extension Exhibit” dated November 3, 2015, which is included herein as Exhibit Two; and

Whereas the applicant has submitted a “Hoffman Property Site and Architecture Package” prepared by Union Studio dated February 18, 2016; and an “Architectural Materials” list outlining building materials and colors dated September 10, 2015, and

Whereas, on February 4, 2013, the Planning Board classified the proposed action as a Type I action pursuant to SEQR and Chapter 68 of the Town Code, and circulated the project application and Full Environmental Assessment Form (EAF) to all Involved and Interested Agencies; and

Whereas, on October 27, 2014, due to changes in the project design, the Planning Board re-circulated the project application and the new Full Environmental Assessment Form to all Involved and Interested Agencies; and

Whereas, and on December 1, 2014, due to changes in the project design, the Planning Board re-circulated again to the Red Hook Town Board, and on December 15, 2014 the Planning Board was designated the lead agency for the purpose of conducting a coordinated review of a Type I action pursuant to SEQR and Chapter 68 of the Town Code; and

Whereas, on March 16, 2015, after reviewing the Full EAF, a Generic Environmental Impact Statement adopted by the Red Hook Town Board on February 23, 2011 for the zoning amendments that created the Traditional Neighborhood Development District, and the ‘criteria for determining significance’ set forth in 6 NYCRR Part 617.7(c), the Planning Board determined that the proposed action will not cause any significant adverse impact on the environment, and thus issued a Negative Declaration determining that an environmental impact statement need not be prepared; and

Whereas, on April 14, 2015 the Town Board amended §143-49.1 of the Town’s Zoning Law to increase the maximum size of a TND Cottage from 1,200 square feet to 1,500 square feet; and

Whereas, the applicant submitted correspondence from the Dutchess County Water and Wastewater Authority (DCWWA) dated September 29, 2014 specifying that the DCWWA intends to assume ownership and management responsibility for the proposed water and wastewater systems to be established on the subject property; and

Whereas, the applicant submitted correspondence from the Mayor of the Village of Red Hook dated February 27, 2015 indicating the Village of Red Hook intends to supply water to the proposed project and stating that the Village’s water system has adequate capacity to serve the project; and

Whereas, the Planning Board has consulted with the Town Highway Superintendent regarding sight distance, the Town Tree Committee regarding proposed street trees, the Town Trail Committee and Recreation Committee regarding proposed recreational amenities, the Town Design Review Committee regarding proposed architecture, and the Town Conservation Advisory Committee regarding environmental aspects of the proposed project; and

Whereas, the Town Engineer confirmed that mowing in the NYSDEC 100' adjacent area is allowed for the purpose of establishing walking trails pursuant to 6 CRR-NY 663.4(d)1 and (d)6; and

Whereas, on April 6, 2015, the Planning Board, pursuant to § 143-49.1K(5), resolved that the frontage of the by-right lots could be reduced from the required minimum 95' since incentive units are proposed as part of the TND and the narrower lot width for by-right lots results in a design that better conforms with the purpose of the TND District to provide compact, walkable neighborhoods; and

Whereas, pursuant to § 120-20C(1) of the Code of the Town of Red Hook, before the Planning Board can approve a subdivision plat containing residential units, such subdivision plat shall also show, when required by such Board, a park or parks suitably located for recreational purposes; and

Whereas, the parcels are located within 500 feet of a certified Agricultural District (Agricultural District 20) and the applicant submitted an Agricultural Data Statement, dated January 1, 2013, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcels; and

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

Whereas, the Incentive Zoning application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated July 6, 2015 which recommended that the Planning Board rely upon its own study of the facts in the case with due consideration to the County's comments, and the Planning Board fully considered each of the comments; and

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

Whereas, on July 6, 2015, the Planning Board opened a duly noticed public hearings on the Preliminary Plat and Incentive Zoning, which Public Hearings were continued on July 20, 2015, at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board closed the Public Hearings on July 20, 2015 and accepted written comments on the applications until July 31, 2015; and

Whereas, on June 4, 2015, the applicant submitted a request for a number of waivers from the design requirements of the TND Zoning District; and

Whereas, on September 21, 2015, the Planning Board granted the applicant's request to waive the requirement that the garage on TND House G, as identified on the Site and Architectural Package prepared by Union Studio and dated June 4, 2015, be set back a minimum of 20' from the front building façade and permitted the garage on TND House G to be set back a minimum of 12' from the front façade as long as no more than three (3) lots of the total 102 lots were developed with TND House G; and

Whereas, on September 21, 2015, the Planning Board granted the applicant's request to waive the required 9:12 roof pitch for various projections and dormers that the Planning Board determined fall under the shed roof classification, and for instances of roof pitch of 8:12 for TND Cottage E, and TND House B, D, and G, and for instances of roof pitch of 7:12 for TND House B Garage, as well as Garage Options 1 and 3 and for instances of roof pitch of 4:12 for TND House C Master Bedroom; and

Whereas, on September 21, 2015, the Planning Board denied the applicant's request to waive the requirement that sidewalks be provided on the north and south sides of Open Space Parcel D; and

Whereas, on October 5, 2015, the Planning Board denied the applicant's request to permit the garage on Lot 40 to be accessed directly from a street rather than from a rear lane; and

Whereas, the applicant agreed to extend the time frame for the Planning Board to make a decision on the preliminary plat subsequent to the close of the Public Hearing to October 5, 2015; and

Whereas, on October 6, 2015, the applicant was granted Preliminary Plat approval; and

Whereas, the Planning Board has determined that the Final Plat is substantially consistent with the Preliminary Plat and that a Public Hearing on the Final Plat is not necessary; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board has considered the provisions for reservation of parklands under Town Law 277 and under the Town Code and finds that the action will create a need for recreational land and facilities due to the generation of approximately 315 to 363 new residents of the Town including 75 to 105 new school age children (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 shall be reserved as a condition of approval of this subdivision. The Planning Board has considered the suitability of the subject lands for parkland, and has determined that portions of the subject lands would be suitable to meet the recreational

requirements of the residents who will be living on the site, as shown on Sheet AM-1 ("Amenities Update Exhibit") dated April 22, 2016 and revised May 2, 2016, and as further outlined in the attached Exhibit entitled "Hoffman Recreational Features by Section" dated April 22, 2016 and revised 5/2/2016 (see Exhibit One). The size and type of the proposed recreation facilities are roughly proportional to the recreation demands that will arise from the project. Therefore, a proper case exists for dedicating portions of the subject lands for parkland and recreation, pursuant to New York State Town Law § 277 and the Town Code. The applicant has agreed to and shall revise the Final Subdivision Plat and the Section Plat sets, to include the recreational amenities shown on Sheet AM-1 and as further outlined in the attached Exhibit One, and shall construct the recreational amenities (in accordance with the phasing schedule approved as part of this Final Subdivision Approval), which shall be maintained throughout the duration of the residential uses by the Homeowners Association. Furthermore, the applicant has offered to provide a public access easement with respect to the portions of the proposed parkland and open space areas therein described as being open to the public.

BE IT FURTHER RESOLVED, that the Planning Board has reviewed the application for incentive zoning and determined that the proposed project is consistent with the Generic Environmental Impact Statement adopted on February 23, 2011 and with the negative declaration for the project adopted on May 16, 2015; that the proposed project, including the incentive, can be adequately supported by the public facilities available or provided as a result of the project, including but not limited to sewer, water, transportation, waste disposal and fire protection; that the community benefit provided by the applicant is commensurate with the incentive granted by the Planning Board; that the project is in harmony with the stated objectives of § 143-49.2 of the Town Code and will promote the purposes therein; and that the project is sufficiently advantageous to render it appropriate to grant the incentive of adjustments in permissible building potential and area requirements of Chapter 143 of the Town Code in exchange for the community benefit of cash paid to the Town of Red Hook's dedicated open space reserve fund for utilization by the Town exclusively for the permanent protection of open space in the AB District pursuant to § 143-49.2E(1)(c) of the Town Code.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants approval of the application for incentive zoning for 33 incentive dwelling units pursuant to § 143-49.2 of the Town Code in exchange for the community benefit of cash pursuant to § 143-49.2 of the Zoning Law.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants approval to the Final Plat for the Hoffman Property Traditional Neighborhood Development in accordance with the plans and specifications heretofore submitted, subject to the applicable provisions of the Town Code relating to development of approved final plats, and authorizes the Final Plat to be filed in Sections pursuant to Town Law 276 (7) (b) and section 120-11G of the Town Code, subject to the following conditions and modifications:

- A. The Planning Board authorizes the Chair or her authorized designee to sign the "Final Site Plan and Overall Subdivision Plan Set" (not including any Section Plat) after compliance with the following conditions:

1. Revise the “Final Site Plan and Overall Subdivision Plan Set” and the “Section Plat Plan Sets” to depict the features shown on Sheet AM-1 “Amenities Update Exhibit” dated April 22, 2016 and revised May 2, 2016, as further revised by the description in the attached Exhibit entitled “Hoffman Recreational Features by Section” dated May 1, 2015, and to include the following: a note indicating that the service road and parking spaces adjacent to the playing field will be gravel surfaced; to include a gate, bollard and chain, or other similar to protect the field and SDS from cars driving up to the field; to depict a fence with an opening between the childrens’ playground and the tot lot.
2. On Sheet CV-1 (“Cover Sheet”), revise the Planning Board signature block to refer to “102 residential lots, four open space parcels, and one lot to be retained by Roger Hoffman.”
3. On Sheet CV-1, revise the Owner’s Certification to read, “The undersigned owner of this property hereon, states that s/he is familiar with this map, its contents and its legends and hereby consents to all said terms and conditions as stated herein and to the filing of this map with the Office of the Dutchess County Clerk in Sections.”
4. On Sheet SB-1 remove the reference to a transportation corporation as listed in Note 3 of the Section Plat Notes.
5. On Sheet SB-2 (“Lot Layout Plan”) and SB-5 (“Overall Subdivision Plat”), revise the footnote to the Lot Information Table to open space parcels A, B, C, and D, to read as follows: “That such parcels are intended to serve the recreational and open space purposes described on the approved plans, and the limited additional functions (e.g. storm drainage, SDS, underground utility pipes) shown on the approved plans, which have been found to be compatible with said open space and recreation use. These parcels cannot be converted to any residential or commercial use. Additionally, a material change in the type of recreation use will require review and approval by the Planning Board.”
6. On Sheet SB-3 (“Easement Plan”), revise Note 1 to state, “Prior to the acceptance of the offer of dedication of the roads, sidewalks, street lights, drainage features or any improvements in the Right of Way by the Town Board, such features will be owned and maintained by the project sponsor and/or Homeowners Association.
7. On Sheet SB-5 (“Overall Subdivision Plat”), revise Note 1 in the TND Code Notes to be consistent with TND Code Note 1 on Sheet SB-2, i.e., to state “All lots located on a rear lane shall derive their access to off-street parking and garages from the rear lane.”
8. Sheet LL-1 (“Planting Plan”) add a note that the Project Sponsor or HOA shall maintain all landscaping in the Town road right-of-way prior to the time the Town accepts the offer of road dedication.
9. Revise Sheet LP-1 (“Street Lighting Plan”) to depict the new light fixture that utilizes a 3000k LED lamp, as shown in the LRC Group memo dated April 8, 2016, and update the photometric plan on Sheet LP-1 utilizing the new fixture.
10. Add any notes or details to effectuate the conditions of this approval, including any notes or details required by the Town Attorney or Planning Board Attorney.
11. Revise all “Section Plat” Plan Sets consistent with the above revisions and with the following:

- (a) Revise the second paragraph of the "Site Plan and Section Plats" note that appears on the bottom of all sheets so that it reads: "All construction as shown on each Section Plat Plan Set is subject to the details and requirements as are shown within the approved "Final Site Plan and Overall Subdivision Plan Set for Hoffman Property," with the "Hoffman Property Site and Architecture Package" dated February 18, 2016, and the "Architectural Materials" list outlining building materials and colors dated September 10, 2015, as those documents may be amended by the Planning Board;
- (b) On Sheet SB-1:
 - i. Revise Note 1 in the TND Code Notes to be consistent with TND Code Note 1 on Sheet SB-2, i.e., to state "All lots located on a rear lane shall derive their access to off-street parking and garages from the rear lane."
 - ii. Revise Note 3 in the TND Code Notes so that it states: "As part of the building permit application the developer shall submit a plot plan drawing for each individual lot which will verify compliance with required setbacks and will depict a minimum of one front yard tree and, for lots with lane access, a rear yard/lane tree, as outlined in detail in Planting Note #15 on Sheet LL-1."
- 12. Submit easement for storm drainage easement agreement for the proposed Old Farm Road storm drain realignment in a form, substance, and manner of execution acceptable to the Town Attorney.
- 13. Submit a perpetual public access easement to the Town or other identified qualified easement holder, in such form and content as is acceptable to the Town Attorney, with respect to the areas within the proposed parkland, trails, and open space areas designated on the plans for public access.
- 14. Submit a master list of all proposed easements broken down by plat section, including stormwater easements, 20' rear lane easements, easements under the road and rear lane for sanitary sewer, water and utilities, public access easement for recreational amenities open to the public, snow storage easements, and the easement for SDS area.
- 15. Submit a petition for formation of a lighting district for street lights proposed to be located in the highway right-of-way and for a drainage district to the Town Board. Said petitions shall comply with Article 12 of the NYS Town Law and be consistent with the Final Site Plan and Overall Subdivision Plan Set.
- 16. Submit a petition for formation of a sidewalk district to the Town Board unless the Town Board has adopted a law requiring adjacent property owners to maintain the sidewalks. Said petition shall comply with Article 12 of the NYS Town Law and be consistent with the Final Site Plan and Overall Subdivision Plan Set.
- 17. Submit engineered plans for the ADA compliant sidewalk extension on Old Farm Road within the existing ROW to Route 9 to the satisfaction of the Town Engineer. If the Town provides additional ROW for the sidewalk outside the present ROW, the plan shall include a tree lawn that is consistent with the TND standards and Town's highway standards.
- 18. Amendment of the Insert View For Sidewalk Extension to Route 9 on Sheet SP-1 to include the above-referenced engineered plans and to delete the note and replace it with the following note: "Future 5' wide ADA compliant sidewalk extension to Route 9 to be designed and constructed by the applicant, subject to the Town Board either

- acquiring an easement or additional ROW or making the drainage and driveway apron improvements necessary to construct such sidewalk within the existing ROW.”
19. The Bulay release and supporting documentation must be found to be satisfactory by the Planning Board Attorney.
 20. Approval from the Dutchess County Department of Health of water supply and wastewater disposal.
 21. Submission of Final Memorandum of Understanding with the Dutchess County Water and Wastewater Authority (DCWWA) for the ownership and operation of the water supply and wastewater facilities, including the posting of all bonds and security required by the DCWWA, that provides DCWWA with ownership interests and control of the water and wastewater facilities before the first residential lot is sold or otherwise conveyed.
 22. Submit an out-of-district water agreement, a user agreement, or a Memorandum of Understanding from the Village of Red Hook Board of Trustees for the provision of water supply in an amount sufficient to supply the project and meeting all Department of Health requirements.
 23. Submission of a Homeowners Association (HOA) agreement, including covenants and bylaws of the Homeowners Association, in final form acceptable to the Town Planning Board Attorney. Amongst other provisions, the HOA agreement shall:
 - (a) Prohibit individual property owners from unlawfully disturbing the NYSDEC wetland, the plantings in the bioswales, and the 100 foot adjacent area. The HOA shall be responsible for maintaining the plantings in the bioswales throughout the duration of the residential use. Regular mowing in the 100 foot adjacent area shall be limited to the designated and approved trails and picnic areas. Any other mowing in the adjacent area shall be limited to periodic maintenance mowing, not to exceed three (3) times per year, for the purpose of preventing invasive and/or woody growth.
 - (b) Include the agricultural notice from § 72.2B of the Town Code.
 - (c) Include language addressing the use of pesticides and other harmful chemicals to the satisfaction of the Planning Board.
 - (d) Identify the HOA as the ultimate owner of Open Space Parcels A, B, C, and D and that the recreational amenities shown on these parcels are to be maintained by the HOA in perpetuity. Additionally, it shall be noted that Parcels A, B, C, and D are intended to serve the recreational and open space purposes described on the plans, and the limited additional functions (e.g. storm drainage, SDS, underground utility pipes) shown on the approved plans, which have been found to be compatible with said open space and recreation use. These parcels cannot be converted to any residential or commercial use. Additionally, a material change in the type of recreation use will require review and approval by the Planning Board.
 - (e) Identify the HOA as the holder of the 20’ lot access easements that encompass the private rear lanes.
 - (f) Indicate the HOA is responsible for the long-term maintenance of the private rear lanes, maintenance and operation of the on-site stormwater management facilities, maintenance of the recreational amenities, and maintenance of all landscaping in

the road right-of-way until such time the Town accepts the offer of road dedication, in perpetuity.

- (g) Include the long-term operation and maintenance policy for the on-site stormwater management facilities that the SWPPP has identified the HOA is responsible for.
 - (h) Prohibit homeowners from obstructing the private rear lanes and, to the extent there is such an obstruction, grant the HOA or any individual homeowner the right to remove such obstruction.
 - (i) Indicate the individual homeowners in the subdivision shall be required to pay charges/fees to the DCWWA for the operation and maintenance of the community SDS.
 - (j) Indicate that the HOA is responsible for maintenance of the pervious pavement to prevent it from becoming impervious.
 - (k) Require that any proposed modifications to the HOA agreement which would eliminate or alter any obligation of the HOA to the Town as set forth in the sections addressing conditions 22 (a) through (j) must be submitted to the Planning Board for additional review by the Planning Board attorney under this section. All such modifications shall remain consistent with the approved "Final Site Plan and Overall Subdivision Plan Set" approved by the Planning Board.
 - (l) Provide that copies of all amendments to the HOA agreement shall be copied to the Town Planning Board office for informational purposes.
24. Submit the information sheet including key points from the HOA Agreement that will be distributed to every homeowner.
 25. Approval of street names for the proposed public roads from the Town Board and Dutchess County 911.
 26. Revise the Final Plat to include a note that Open Space Parcels B, C, and D are intended to serve the recreational and open space purposes described on the plans, and the limited additional functions (e.g. storm drainage, SDS, underground utility pipes) shown on the approved plans, which have been found to be compatible with said open space and recreation use. These parcels cannot be converted to any residential or commercial use. Additionally, the recreational amenities shown on Open Space parcels B, C, and D and on Open Space Parcel A are to be maintained by the Homeowners Association in perpetuity.
 27. Submission of the Common Use and Maintenance Agreement for the shared rear lanes in a form acceptable to the Town Planning Board Attorney.
 28. Revision of the Plat to indicate that the applicant shall be responsible for constructing all road and drainage improvements as shown on the plans.
 29. The Applicant and thereafter the HOA shall have full legal responsibility for the construction and operation of the childrens' playground and tot lot.
 30. Identification of the qualified easement holder who will be the grantee of the proposed public recreation easement and trail easement.
 31. The applicant shall obtain approval from the Planning Board for the TND Site Plan.
 32. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 33. Payment of any and all outstanding escrow balances for consultant review.

34. Submission of Subdivision Plat drawings for each section 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.
 35. Payment of the incentive zoning fee to the Town Clerk for 33 incentive dwelling units at the time(s) and in the amount(s) required by § 143-49.2 of the Zoning Law.
- B. The Planning Board authorizes the Chair or her authorized designee to sign the "Section Plat" Plan Sets for Sections #1 to #8 referenced herein only after compliance with the following conditions has been demonstrated for the Section proposed to be signed:
1. The applicant shall demonstrate that the incentive zoning fee has been paid to the Town Clerk in the time and in the amount required by § 143-49.2 of the Zoning Law.
 2. Section Plats must be proposed for filing in numerical order.
 3. The applicant shall submit all easements for that Section in a form, substance, and manner of execution acceptable to the Town Attorney.
 4. The applicant shall demonstrate that offers of cession for all conveyances and easements for all prior Sections have been recorded with the Dutchess County Clerk's office or alternatively that the conveyance or easement documents have been recorded, or a combination thereof.
 5. The applicant shall post an inspection escrow with the Town in the reasonable amount to be determined by the Town Engineer for engineering inspections of all improvements as enumerated in § 120-14 of the Town Code (hereafter the "Improvements"). Credit shall be given for any inspection fees posted regarding the Site Plan approval.
 6. The applicant shall establish and place with the Town a performance guarantee or other agreement(s) containing such terms and conditions that are satisfactory to the Town Attorney and Town Engineer for the purpose of guaranteeing or securing performance by the applicant with regards to the construction of the required Improvements for that Section in accordance with § 120-14(A) of the Code of the Town of Red Hook for a minimum period of one (1) year, renewable in one (1) year increments but not to exceed three (3) years. The amount of the guarantees shall be determined by the Town Engineer. Such performance guarantees may be filed based on approved sections of the plat as provided in Town Law 277 (9) consistent with the TND phasing plan approved by the Planning Board as part of this Final Subdivision Approval Resolution.
 7. Approval by the Town Attorney of the form of all documents required for the dedication of all public Improvements, including an irrevocable offer of cession, hold harmless and security, to the Town of the proposed Town roads, sidewalks, lighting, and tree lawns, each of the related drainage easements, and any other elements located within the proposed Town Right of Way, other than water and wastewater elements dedicated to DCWWA.
 8. The applicant shall verify that the corners and angle points of the boundaries of the original tract being subdivided, have been marked by monuments or steel rods, of a type approved by the Town Engineer as required by § 120-29B(2)(b) and (f) of the Town Code, and suitable arrangements shall be made to have all proposed street intersections and angle points, if any, along the proposed streets, and other

intermediate points as designated, at such time as grading is completed to enable such markers to be installed.

9. The recreation amenities shall be completed in accordance with Exhibit One "Recreation Features by Section" and the approved Plans (Sheet SB-4SP).
 10. The applicant will not offer roads for dedication to the Town until 80% of the dwelling units on that section of the road have been constructed, it being further understood that acceptance of any Offer of Dedication is within the discretion of the Town Board.
 11. Within 30 days of filing the first Section Plat with the office of the Dutchess County Clerk, the applicant shall file the signed plan set entitled "Final Site Plan and Overall Subdivision Plan Set," with the Clerk of the Town of Red Hook. The remaining Section Plats must be filed with the office of the Dutchess County Clerk within three (3) years of the filing date of the first section with the Dutchess County Clerk.
 12. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of the proposed section.
 13. Payment of any and all outstanding escrow balances for consultant review.
- C. The following conditions shall be met prior to any land disturbance:
1. Prior to any land disturbance, the applicant shall obtain coverage from the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) and a SPDES Permit for wastewater discharge (SPDES P/C/I) from the community septic system shall be obtained.
- D. The following conditions to be met prior to the issuance of a building permit for the first dwelling unit in each plat section:
1. Prior to the issuance of the first building permit for the first Section, the HOA offering shall be approved by the Attorney General.
 2. Prior to the issuance of a building permit, the applicant shall obtain coverage from the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) and a SPDES Permit for wastewater discharge (SPDES P/C/I) from the community septic system shall be obtained.
 3. Pursuant to Town Law 276 and section 120-11 (G) of the Red Hook Code, the subdivider shall not be permitted to begin construction of buildings in any Section until such Section has been filed in the office of the Dutchess County Clerk and the required Improvements for that section have been installed and approved in such Section or a satisfactory performance guaranty covering the cost of such Improvements has been posted with the Town.
 4. The subdivider shall not be permitted to begin construction of buildings in any section until submission of proof that the Common Use and Maintenance Agreement for the shared rear lanes has been filed with the Dutchess County Clerk's Office.
 5. Prior to the start of construction, receipt of a road opening permit from the Town Highway Department for the curb cuts on Old Farm Road.

6. Prior to issuance of the road opening permit on Old Farm Road, the applicant shall trim the lower branches of the deciduous trees and the two conifer trees as outlined in the Crawford & Associates memorandum dated September 17, 2015 to the satisfaction of the Town Engineer and the Town Highway Superintendent to improve sight distance along Old Farm Road.

BE IT FURTHER RESOLVED, THAT 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. Appropriate documentation shall be provided to Town Building Department.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Charlie Laing, seconded by Brian Kelly, and vote of

Roll Call Vote:

Chairwoman Christine Kane	Aye
Deputy Chairman Charlie Laing	Aye
Member Brian Kelly	Aye
Member Sam Harkins	Absent
Member Sam Phelan	Absent
Member Kallie Robertson	Aye

Resolution declared: Adopted on August 15, 2016.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

8-16-16
Date

Exhibit One:

“Hoffman Recreational Features by Section” dated April 22, 2016 and revised May 2, 2015

5/2/16 REVISIONS (responding to Greenplan and Crawford Associates comments on the 4/22/16 submission); discussed with and submitted to Planning Board on 5/2/16

HOFFMAN RECREATIONAL FEATURES BY SECTION:

The purpose of this Narrative is to provide a description of the recreational features in the project. The first version of the Narrative was prepared by the Applicant, based on elements already shown on DN-6SP and DN-7 SP of the Site plan set and also depicted in the Architectural Package. This Narrative was discussed with the Board at the April 18th meeting. In response to comments at the meeting, the Applicant modified the Narrative and also submitted a drawing called "Amenities Update Exhibit," intended to supplement the existing plan set. The Amended Narrative and Amenities Update Exhibit were submitted on April 22, 2016. In response to Town consultant comments on that submission, the Narrative and Amenities Update Exhibit were further modified and discussed with the Board on May 2, 2016 and submitted to the Board that evening with the text herein. The Amenities Update Exhibit is also on file with the Board.

It is intended that after consensus has been reached between the Applicant and the Board, the Applicant will amend the full plan set to show the changes described herein and shown on the Amenities Update Exhibit. Thus, the sections in this Narrative that refer to the plan set are deemed to refer to the Plan Set that will be submitted incorporating the changes in the Amenities Update Exhibit. Every effort will be made to maintain congruity between this separate written description and the plan set. However, in the event of any discrepancy between the description of specific project elements in the plan set and this document, the provisions of the plan set will control.

SECTION ONE:

The filing of the 1st section plat will create 11 new residential building lots. The Section One Plat contains two important elements of open space and recreation.

At the time of the filing of the Section 1 Plat, "Parcel A" (approximately 32 acres)¹ will be reserved or created as a separate parcel and preserved from the possibility of future development. This parcel is the Site of a number of improvements (trails, picnic areas, dog park, multi-purpose field, etc) to be made in conjunction with the development of future Sections of the Plat.

This section plat also creates the Central Green in the community. The Green (approx. ½ ac.) includes the Post Office style mail building which will be a gathering place for the residents, where event postings and other communications may be shared with the community. The Architectural elevations and floor plans appear in the Site and Architectural Package at sheets 51 & 52. The large rear covered porch of this building will serve as a gathering space, and also serve as a stage for events (speeches, demonstrations, performances, etc.) to be held on the Green. This Green will also include several benches and a large open lawn to serve as informal seating for picnics or attending events on the Green, and an informal recreation area for Frisbees,

¹ Parcel A is 32.18 acres in size. Of this total, 18.48 acres is wetland. 13.70 acres is upland. Of the upland total, 6.40 acres is an upland adjacent area and 7.30 acres is the remaining upland area. The proposed easement for public access easement over parcel A covers 6.42 acres (See EX-2).

Tai Chi, croquet, etc.) This area will provide recreation areas of interest to empty nesters, parents and young children.

SECTION TWO:

The filing of the second section plat will create an additional 10 residential building lots, for a total of 21 lots.

This section plat also creates the Playground and Tot Lot areas, located to the rear of lots 15 & 16. The Tot Lot will be geared toward the 2-5 year old age group, and the Playground will be geared toward ages 5-12. This play area with both components had initially been proposed for Section 6 of the plat, but construction was moved forward to an earlier section of the plat to provide active recreation for youngsters at an earlier phase of the project.

The fenced play areas in the Playground and Tot Lots, respectively, are 54'x34' and 34'x30.' These areas will be side-by-side, with a perimeter four foot tall, 3 rail, fence to regulate play activities, with a similar fence separating the two age groups. 42" clear openings in the perimeter fence into each area, and one between each area, will allow for controlled movement between the play areas. The play equipment provided will be designed to satisfy the two age groups in terms of scale, nature and complexity or challenge, and will be generally provided as composite structures where various play components are attached. Each area will provide a variety of play experiences to engage a range of physical and mental aspects of play.

A total of four benches have been provided for adult seating outside the playground and Tot Lot. Additional shade trees and shrubs have been added to the landscaping. Three picnic tables will also be added near the playground. These additions expand the area of this active recreational area, and improve its landscaping and attractiveness. The proposed Playground and Tot Lot are detailed on DN-6 SP, Sheet 31 of 32, and the additional landscaping is shown on the Landscape Plan (Sheet LL-1 SP, Sheet 21 of 32).

The size and facilities in the play areas are sufficient to serve the entire 102 homes. Approximately 75 children under 15 years of age are anticipated in the project (of which only fewer than 15 would be expected to be occupying the project by the end of phase 2). The Playground and Tot Lot, and the equipment to be provided, are sized to accommodate 25 children in the Tot Lot and 30 children in the Playground at any given time which approaches two-thirds of the total number of children anticipated in the community.

Additionally, in Section Two, at the request of the Planning Board, the Developer has added an additional section of walking trail, approximately 1785 linear feet in length, which will proceed from the main entrance road to the project, past the playground, and follow the outer perimeter of the future field, providing a looped trail.²

² The section of the trail around the future field is subject to temporary closure during periods of construction of future phases of the septic system.

Such improvements to be completed prior to the issuance of the 21st C/O for the project.

Thus, by the time the project has 21 homes, it will have provided the Central Green with facilities for empty nesters, parents and young children; a playground and tot lot, with landscaping and seating areas for parents; a walking trail passing the playground and looping around the future field; as well as the guarantee of approximately 32 acres of reserved open space for future trail and picnic area construction, the Community Center, the Community Garden, the pavilion, the Dog Park and the Multi-Purpose field.

SECTION THREE:

The filing of the 3rd section Plat will create 12 additional residential building lots, for a total of 33, but does not create any new roadways. For this reason, the improvements in the early sections of the Project are intended to exceed the needs of these residents as well. The Section Three plat also shows the installation of a sign in the public right-of-way of Old Farm Road commemorating the former Hucklebush Rail line. As outlined on the plans, this sign must be installed prior to the issuance of the 33rd C/O in the project.

SECTION FOUR:

The filing of the 4th section plat will create 11 additional building lots, for a total of 44. This section plat will improve an additional segment of the trail system, extending from the south side of the playground area through the Open Space areas of the site. It will also create two additional picnic areas. This Section Plat will also add a second entrance to the trail system, from the roadway near Lot 18, and meeting the main trail at the Community Garden. The trail route through the Open Space has been revised to include a longer distance, now reaching a temporary terminus in the vicinity of the rear of the future Community Center. It has also been revised to contain additional curves and loops, allowing several opportunities for walkers to easily return to the trail head. The length of the additional trail segment in Section Four is 1574 feet. When coupled with the 1784 linear feet in Section Two, the total length is 3,331 linear feet. This trail segment will also provide access to the former Hucklebush rail line at the southwest corner of the project site (where a 2nd commemorative sign will be placed). This represents an advancement in timing, as the entire trail was originally proposed for Section 6.

The grassed trail is approximately 8 feet wide. The trail will be overseeded with a fescue mix to assist in delineating the trail. The picnic areas, each consisting of 3 picnic tables with integral benches, are located near the Huckelbush ROW adjoining the property, and near the temporary terminus behind the future Community Center. The trail intersects with the community's sidewalk system in two locations, near lot 15 and near lot 18. Benches will be located at each of the trail heads. This section of the trail also provides a possible future connection to a future off-site Huckelbush Rail Trail if that is established in the future. The trail and picnic areas are suitable for recreational walking and picnicking that will appeal to empty-nesters, parents and their children.

Section Four will also include the establishment of a park area (Parcel B - 4,889 sf in size), in front of lots 23-27, to be improved with benches, trees, lawn and landscaping. The park, is accessible from the proposed public street in section 4 plat. This area is appropriately improved for passive recreation, informal picnicking, or outdoor relaxing and enjoying the outdoors. This feature will appeal to empty nesters and parents with young children. Parcel B, the trail system and picnic areas will be owned and maintained by the Home Owner's Association.

The improvements in Section Four also include a community vegetable garden which is a private amenity for use of residents of the project. This community garden will be fenced with an approximately four foot tall wood post and rail fence backed with black vinyl coated mesh (See DN6-SP, sheet 31 of 32). Use will be governed by the Home Owners Association. Vegetable gardening is a recreational activity that can be enjoyed by empty nesters, parents and young children. This represents an advancement in timing for the Community Garden, as it was originally proposed for Section 7 of the project. The garden itself has increased in size somewhat. The proposed garden is now approximately 3100 sf (roughly 63 feet by 36 feet, as shown on the plans. A potential expansion of the community garden (approximately 1700 sf) has also been shown on the plans, in the event that the HOA at any time in the future wanted to expand it. [See Amenities Update Exhibit] Additional landscape features have been added in the area of the Community Garden, consisting of two benches within the fence, the compost areas and a potting area in front of the shed. The fence has been extended to meet the shed, which is shown on the Site Plan and Landscaping Plan. A yard hydrant is provided adjacent to the shed. Additional landscaping has been added, consisting of a perimeter of soft shrubs around the fence and three trees to be added to the Landscape Plan.

All of the above improvements are to be completed prior to the issuance of the 44th C/O.

SECTION FIVE:

The filing of the 5th section plat, will create 10 new residential building lots, for a total of 54, approximately half the population of the project, at full occupancy of all the houses in this Section. This section plat includes the construction of the one-story Community Center building. Each property owner in the development will have a key/card to access the Community Center. This represents an advancement in timing, as this improvement was originally proposed to be provided in Section 6. This building, approximately 1,700 sf will be located at the terminus of the northerly most entrance road and will be the focal point of the community. It will serve as a community gathering space and also be used for events. This building will be fully appointed and furnished and will include a covered front porch, and a patio in the rear. A porch swing will be added to the back patio. Two horseshoe areas will also be added in the rear of the Community Center.

The interior of the building will be fitted with a large community room fitted with movable furniture to allow multiple uses of the space, including Yoga or exercise. The Community Center also includes a gymnasium equipped with three pieces of cardiovascular workout equipment, a card room/office, a warming kitchen for community dinners or events, and bathrooms. Floor

plans showing the interior layout of the Community building are part of the Architectural package, sheets 48 - 50.

To the rear of the community center will be the open pavilion overlooking the preserved open space and trail system. The rear patio and lawn area can also be used for yoga and outdoor exercise in non-winter months. Homeowners can walk to the Community Center from the community's sidewalk system. During Section 5 plat construction, an additional walkway will be connected to the pavilion to be constructed in this section and further extended to the existing trail and picnic area system (see drawings, left branch of walkway to trail), allowing another access for project residents to access the trail system. This feature will be attractive to empty nesters, parents and children.

During Section Five, the developer has also agreed to construct an off-site improvement consisting of a sidewalk extension from the community to the existing sidewalk located at Route 9, within the Town ROW or lands to be acquired by the Town. This sidewalk is a further element of the outdoor walkability and healthy lifestyle of the Hoffman project and allows residents to easily walk into the center of Town and the Village without using automobiles.

Thus, by the time that the project has been 50% occupied, the project will have two greens/park areas, a playground, a tot lot, a community vegetable garden, public picnic areas and approximately one third of the trail system, and the community center, as well as more than 32 acres of preserved open space. There is a wide variety of possible outdoor and indoor recreational and fitness activities.

SECTION SIX:

The filing of the 6th section plat, will create 19 new residential building lots, for a total of 73. This section plat also creates a Cottage Court. This Cottage Court (approx. 1/4 acre) is another unique and defining feature of the community as it allows homes to be fronted on a green rather than a street. The Cottage Court will include a fire pit and patio area, benches and associated landscaping, creating a community gathering place. This feature will be attractive to empty nesters and parents in the evening for small gatherings. Flagstone pavers have been added to provide access to the fire pit from the sidewalks on both sides of the Cottage Court.

Section 6 also includes the completion of the walking trail (approximately 1964 linear feet) from the Community Center to the sidewalk system at the looped road constructed in section 6 where an additional bench will be sited. This section of the trail has also been made somewhat longer than shown at the April 18 Planning Board meeting, by adding loops for interest, and allowing multiple points to turn around. This trail segment will add two additional picnic areas (3 tables each) so that the trail, overall, provides access to a total of five (5) picnic areas, each fitted with 3 picnic tables (total of 15 picnic tables) with integral benches, all as outlined on the plans, sheets AM-1SP, DN-6 SP and DN-7 SP. This section will also add the second connection to the trail system from the Community Center. This feature is attractive to empty nesters and families.

The above improvements must be completed prior to the issuance of the 73th C/O for the project.

Thus, at the time that approximately three-quarters of the project is occupied, all greens/parks will be established, the entire trail system and picnic area system will be established, and the playground/Tot lot, and vegetable garden will be established, as well as approximately 32 acres of preserved open space. The length of the entire trail is 5609 linear feet, or 1.06 miles. This length does not include the length of the sidewalk system within the project, and the length of sidewalk being built to reach the existing public sidewalk on route 9.

SECTION SEVEN:

The filing of the section 7 plat, will create 12 new residential building lots, for a total of 85.

This section plat includes the construction of the multi-purpose (soccer) field and the dog park at the southerly most portion of the property, both to be constructed following the completion of the construction of the last phase of the wastewater disposal facilities in this area.

The multi-purpose field will be graded and surface to meet acceptable standards for a soccer field, provided with striping facilities and fitted with goals and benches. The multipurpose field is designed to be U12/U14 size, as it is anticipated that the majority of the children would be under 14 years of age.

The multipurpose field was designed in accordance with NFHS (National Federation of State High School Associations) standards. It also meets the US Youth Soccer standard field sizes.

Grading of the field meets the NFHS standard which allows a 1.0% slope for natural turf fields with good drainage. The field is located over well-drained, granular soils. Soil compaction or drainage will not present any functional challenges to the use and maintenance of the field. LL1-SP (sheet 21 of 32) shows the required soil and seed mix (seed mix B) appropriate for an active fields.

The multi-purpose field is intended for group active recreation, in games or practices by organized teams. This feature will be of interest to the soccer leagues in the community, and parents or grandparents and relatives of players who live in the Hoffman TND project. Use of the field will be subject to reasonable rules to preserve the field and avoid overuse. The field may be used for up to 3 games or practices on a weekend day. The field may be used for up to 3 additional practices per week on weekdays. The field shall not be used on 2 consecutive days. Where there are more than one game/practice on a weekend day, there shall be at least an hour between the end of one event and the beginning of another. The HOA will have the right to close the field periodically for maintenance, and may decline to schedule games/practices on days when the HOA itself has scheduled an event at the Field.

The fenced dog park will be approximately 7,000 sf and will include an off-leash area and an open pavilion for resident seating. The Dog Park fence and gazebo are detailed on DN-7SP. The dog park fence is 43.75 inches to the top rail. The dog park will provide separate areas for large dogs and small dogs. A pole building measuring 8 x 16 will span the fence dividing the two sections of the dog park, to provide resting space under a roof within both parts of the dog park.

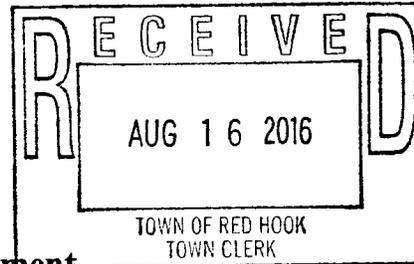
The dog park will be fitted with a gated, off leash, area, pet waste bag dispenser, maintenance entrances, and landscaping. The hours and rules relating to the dog park will be posted at the entrance. There will be no water spigot in the dog park, as it would create a long dead-end service. The dog park will be welcome by all dog owners in the project, which can include empty nesters or families. The improvements relating to the multi-purpose field and dog park must be completed prior to the issuance of the 84th C/O for the project.

SECTION EIGHT:

Section Eight contains the last 17 lots in the subdivision, for a total of 103. All recreation facilities have been completed by the end of the previous phases.

Exhibit Two:

“Sidewalk Extension Exhibit” dated November 3, 2015



**Resolution Granting Site Plan Approval to
Hoffman Property Traditional Neighborhood Development**

Name of Project: Hoffman Property Traditional Neighborhood Development Site Plan

Name of Applicant: Kirchhoff Properties LLC

Whereas, the applicant, Kirchhoff Properties LLC, has submitted an application for Site Plan approval dated January 16, 2013 to the Town of Red Hook Planning Board for one hundred and two (102) residential lots, four open space parcels (which will include a Community Center and Mail Kiosk), and one lot to be retained by Roger Hoffman on ± 52.05 acres of land located at 19, 25 and 45 Old Farm Road (Tax Parcel Nos. 6272-00-204261, 6272-00-191306, and 6272-00-103351), partially within the TND Residential Subdistrict and partially within the TND Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York (the “project” or “the Hoffman Property Traditional Neighborhood Development”); and

Whereas, the applicant has submitted a plan set entitled “Final Site Plan and Overall Subdivision Plan Set,” which included a Site Plat, prepared by LRC Group, consisting of the following:

Sheets CV-1, EX-1, SB-1 to SB-4, SP-1, SG-1, SD-1, UT-1, SDS-1, PP-1 to PP-6, LL-1, LP-1, TT-1, TT-2, AM-1, and DN-1 to DN-7 dated January 16, 2013 and last revised March 25, 2016

Sheet SB-5 dated November 27, 2015 and last revised February 12, 2016

A Property Survey of Parcel 1, Parcel 2, and Remaining Lands for Red Hook Acres, LLC prepared by Welch Surveying dated October 6, 2014

A Wetlands Delineation Map prepared by Welch Surveying dated January 28, 2008 and revised October 24, 2011 (together the “Final Plat”); and

Whereas, the applicant has submitted a revised Sheet AM-1 entitled “Amenities Update Exhibit” dated April 22, 2016 and revised May 2, 2016 and a document entitled “Hoffman Recreational Features by Section” dated April 22, 2016 and revised May 2, 2015, which is included herein as an Exhibit One; and

Whereas the applicant has submitted a “Hoffman Property Site and Architecture Package” prepared by Union Studio dated February 18, 2016; and an “Architectural Materials” list outlining building materials and colors dated September 10, 2015; and

Whereas, on February 4, 2013, the Planning Board classified the proposed action as a Type I action pursuant to SEQR and Chapter 68 of the Town Code, and circulated the project application and Full Environmental Assessment Form (EAF) to all Involved and Interested Agencies; and

Whereas, on October 27, 2014, due to changes in the project design, the Planning Board re-circulated the project application and the new Full Environmental Assessment Form to all Involved and Interested Agencies; and

Whereas, and on December 1, 2014, due to changes in the project design, the Planning Board re-circulated again to the Red Hook Town Board, and on December 15, 2014 the Planning Board was designated the lead agency for the purpose of conducting a coordinated review of a Type I action pursuant to SEQR and Chapter 68 of the Town Code; and

Whereas, on March 16, 2015, after reviewing the Full EAF, a Generic Environmental Impact Statement adopted by the Red Hook Town Board on February 23, 2011 for the zoning amendments that created the Traditional Neighborhood Development District, and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), the Planning Board determined that the proposed action will not cause any significant adverse impact on the environment, and thus issued a Negative Declaration determining that an environmental impact statement need not be prepared; and

Whereas, on April 14, 2015 the Town Board amended §143-49.1 of the Town's Zoning Law to increase the maximum size of a TND Cottage from 1,200 square feet to 1,500 square feet; and

Whereas, the applicant submitted correspondence from the Dutchess County Water and Wastewater Authority (DCWWA) dated September 29, 2014 specifying that the DCWWA intends to assume ownership and management responsibility for the proposed water and wastewater systems to be established on the subject property; and

Whereas, the applicant submitted correspondence from the Mayor of the Village of Red Hook dated February 27, 2015 indicating the Village of Red Hook intends to supply water to the proposed project and stating that the Village's water system has adequate capacity to serve the project; and

Whereas, the Planning Board consulted with the Town Highway Superintendent regarding sight distance, the Town Tree Committee regarding proposed street trees, the Town Trail Committee and Recreation Committee regarding proposed recreational amenities, the Town Design Review Committee regarding proposed architecture, and the Town Conservation Advisory Committee regarding environmental aspects of the proposed project; and

Whereas, the Town Engineer confirmed that mowing in the NYSDEC 100' adjacent area is allowed for the purpose of establishing walking trails pursuant to 6 CRR-NY 663.4(d)1 and (d)6; and

Whereas, on April 6, 2015, the Planning Board, pursuant to § 143-49.1K(5), resolved that the frontage of the by-right lots could be reduced from the required minimum 95' since incentive units are proposed as part of the TND and the narrower lot width for by-right lots results in a design that better conforms with the purpose of the TND District to provide compact, walkable neighborhoods; and

Whereas, the parcels are located within 500 feet of a certified Agricultural District (Agricultural District 20) and the applicant submitted an Agricultural Data Statement, dated January 1, 2013, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcels; and

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

Whereas, the Site Plan was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated July 6, 2015 which recommended that the Planning Board rely upon its own study of the facts in the case with due consideration to the County's comments, and the Board fully considered each of the comments and required sidewalks on all sides of the green to promote pedestrian use and connection, and granted waivers for flexibility on sloped roof features and TND House G (as discussed more fully below), as recommended by the County Planning Department; and

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

Whereas, on July 6, 2015, the Planning Board opened a duly noticed public hearing on the Site Plan, which Public Hearing was continued on July 20, 2015, at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board closed the Public Hearing on July 20, 2015 and accepted written comments on the application until July 31, 2015; and

Whereas, on June 4, 2015, the applicant submitted a request for a number of waivers from the design requirements of the TND Zoning District; and

Whereas, on September 21, 2015, the Planning Board granted the applicant's request to waive the requirement that the garage on TND House G, as identified on the Site and Architectural Package prepared by Union Studio and dated June 04, 2015, be set back a minimum of 20' from the front building façade and permitted the garage on TND House G to be set back a minimum of 12' from the front façade as long as no more than three (3) lots of the total 102 lots were developed with TND House G; and

Whereas, on September 21, 2015, the Planning Board granted the applicant's request to waive the required 9:12 roof pitch for various projections and dormers that the Planning Board determined fall under the shed roof classification, and for instances of roof pitch of 8:12 for TND Cottage E, and TND House B, D, and G, and for instances of roof pitch of 7:12 for TND House B Garage, as well as Garage Options 1 and 3 and for instances of roof pitch of 4:12 for TND House C Master Bedroom; and

Whereas, on September 21, 2015, the Planning Board denied the applicant's request to waive the requirement that sidewalks be provided on the north and south sides of Open Space Parcel D; and

Whereas, on October 5, 2015, the Planning Board denied the applicant's request to permit the garage on Lot 40 to be accessed directly from a street rather than from a rear lane; and

Whereas, the applicant agreed to extend the time frame for the Planning Board to make a decision on the Site Plan subsequent to the close of the Public Hearing to October 5, 2015; and

Whereas, the project also requires subdivision approval and on October 6, 2015, the applicant was granted Preliminary Plat approval; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants approval to the Site Plan for the Hoffman Property Traditional Neighborhood Development in accordance with the plans and specifications heretofore submitted, subject to the provisions of the Town Code, and subject to the following conditions and modifications:

- A. The Planning Board authorizes the Chair or her authorized designee to sign the "Final Site Plan and Overall Subdivision Plan Set" after compliance with the following conditions:
1. Revise the "Final Site Plan and Overall Subdivision Plan Set" to:
 - (i) Show the location of the small signs to be installed at the trailheads indicating that the trails are open to the public, along with a detail of the sign including language.
 - (ii) Add a note to Sheet SP-1 ("Site Plan") that no garage doors on Lots # 60, 66, 70, and 83 are permitted to face Old Farm Road.
 - (iii) Add a note to Sheet SP-1 ("Site Plan") that states "The Planning Board of the Town of Red Hook has limited the home designs suitable for Lots # 60, 66, 70, and 83 are limited to TND Houses B, C, D, and E as shown on the "Site and Architecture Package" dated February 18, 2016, as same may be amended by the Planning Board. Each home on those lots must have a wrap-around porch."
 - (iv) Revise Sheet SP-1 ("Site Plan") to include note: "Changes to the Site Plan shall require the approval of the Planning Board."
 - (v) Depict the features shown on Sheet AM-1 "Amenities Update Exhibit" dated April 22, 2016 and revised May 2, 2016, as further revised by the description in the attached Exhibit entitled "Hoffman Recreational Features by Section" dated May 1, 2015, and to include the following: a note indicating that the service road and parking spaces adjacent to the playing field will be gravel surfaced; to include a gate, bollard and chain, or other similar to protect the field and SDS from cars driving up to the field; to depict a fence with an opening between the childrens' playground and the tot lot.
 - (vi) On Sheet CV-1 ("Cover Sheet"), revise the Planning Board signature block to refer to "102 residential lots, four open space parcels, and one lot to be retained by Roger Hoffman."
 - (vii) On Sheet CV-1, revise the Owner's Certification to read, "The undersigned owner of this property hereon, states that s/he is familiar with this map, its contents and its legends and hereby consents to all said terms and conditions as stated herein

- and to the filing of this map with the Office of the Dutchess County Clerk.
2. Submission of a Maintenance and Protection of Traffic Plan to ensure that construction traffic will function adequately during construction of the project
 3. Submission of evidence demonstrating all conditions of the Planning Board's Resolution for the Approval of the Final Subdivision Plat listed under Condition A have been met.
 4. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required P.E. and L.S. stamps and signatures.
 5. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 6. Payment of any and all outstanding escrow balances for consultant review.

When the above conditions have been satisfied, four (4) sets of the above referenced plans shall be submitted for Planning Board Chairman endorsement. One (1) set shall be returned to the applicant, one (1) set will be retained by the Planning Board, one (1) set will be provided to the Town Engineer, and one set shall be filed with the Town Clerk.

Changes to the Site Plan shall require the approval of the Planning Board.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO) for the first dwelling unit in each section:

1. The applicant shall be responsible to pay required inspection fees covering costs of review and inspection during construction and shall maintain any required escrow for such inspections, with any excess funds to be returned to the applicant at the time of completion of construction.

C. The following are general conditions which shall be fulfilled throughout the construction and operation of the project:

1. All proposed improvements shall be completed in accordance with the approved Site Plan, as same may be modified by the Planning Board.
2. The recreation amenities shall be completed in accordance with the Exhibit One "Recreation Features by Section" and the approved Plans (Sheet SB-4SP).
3. In the event that a CO is requested for a dwelling prior to completion of all proposed landscaping on a lot, a cash bond in an amount recommended by the Town Engineer will be posted to ensure completion of these features in accordance with the approved Site Plan.
4. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.
5. Performance bonds shall be released by section, based upon completion of work in a section.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Charlie Laing, seconded by Brian Kelly, and vote of

Roll Call Vote:

Chairwoman Christine Kane	Aye
Deputy Chairman Charlie Laing	Aye
Member Brian Kelly	Aye
Member Sam Harkins	Absent
Member Sam Phelan	Absent
Member Kallie Robertson	Aye

Resolution declared: Adopted on August 15, 2016.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

8-16-16
Date

Exhibit One:

“Hoffman Recreational Features by Section” dated April 22, 2016 and revised May 2, 2015

5/2/16 REVISIONS (responding to Greenplan and Crawford Associates comments on the 4/22/16 submission); discussed with and submitted to Planning Board on 5/2/16

HOFFMAN RECREATIONAL FEATURES BY SECTION:

The purpose of this Narrative is to provide a description of the recreational features in the project. The first version of the Narrative was prepared by the Applicant, based on elements already shown on DN-6SP and DN-7 SP of the Site plan set and also depicted in the Architectural Package. This Narrative was discussed with the Board at the April 18th meeting. In response to comments at the meeting, the Applicant modified the Narrative and also submitted a drawing called "Amenities Update Exhibit," intended to supplement the existing plan set. The Amended Narrative and Amenities Update Exhibit were submitted on April 22, 2016. In response to Town consultant comments on that submission, the Narrative and Amenities Update Exhibit were further modified and discussed with the Board on May 2, 2016 and submitted to the Board that evening with the text herein. The Amenities Update Exhibit is also on file with the Board.

It is intended that after consensus has been reached between the Applicant and the Board, the Applicant will amend the full plan set to show the changes described herein and shown on the Amenities Update Exhibit. Thus, the sections in this Narrative that refer to the plan set are deemed to refer to the Plan Set that will be submitted incorporating the changes in the Amenities Update Exhibit. Every effort will be made to maintain congruity between this separate written description and the plan set. However, in the event of any discrepancy between the description of specific project elements in the plan set and this document, the provisions of the plan set will control.

SECTION ONE:

The filing of the 1st section plat will create 11 new residential building lots. The Section One Plat contains two important elements of open space and recreation.

At the time of the filing of the Section 1 Plat, "Parcel A" (approximately 32 acres)¹ will be reserved or created as a separate parcel and preserved from the possibility of future development. This parcel is the Site of a number of improvements (trails, picnic areas, dog park, multi-purpose field, etc) to be made in conjunction with the development of future Sections of the Plat.

This section plat also creates the Central Green in the community. The Green (approx. ½ ac.) includes the Post Office style mail building which will be a gathering place for the residents, where event postings and other communications may be shared with the community. The Architectural elevations and floor plans appear in the Site and Architectural Package at sheets 51 & 52. The large rear covered porch of this building will serve as a gathering space, and also serve as a stage for events (speeches, demonstrations, performances, etc.) to be held on the Green. This Green will also include several benches and a large open lawn to serve as informal seating for picnics or attending events on the Green, and an informal recreation area for Frisbees,

¹ Parcel A is 32.18 acres in size. Of this total, 18.48 acres is wetland. 13.70 acres is upland. Of the upland total, 6.40 acres is an upland adjacent area and 7.30 acres is the remaining upland area. The proposed easement for public access easement over parcel A covers 6.42 acres (See EX-2).

Tai Chi, croquet, etc.) This area will provide recreation areas of interest to empty nesters, parents and young children.

SECTION TWO:

The filing of the second section plat will create an additional 10 residential building lots, for a total of 21 lots.

This section plat also creates the Playground and Tot Lot areas, located to the rear of lots 15 & 16. The Tot Lot will be geared toward the 2-5 year old age group, and the Playground will be geared toward ages 5-12. This play area with both components had initially been proposed for Section 6 of the plat, but construction was moved forward to an earlier section of the plat to provide active recreation for youngsters at an earlier phase of the project.

The fenced play areas in the Playground and Tot Lots, respectively, are 54'x34' and 34'x30'. These areas will be side-by-side, with a perimeter four foot tall, 3 rail, fence to regulate play activities, with a similar fence separating the two age groups. 42" clear openings in the perimeter fence into each area, and one between each area, will allow for controlled movement between the play areas. The play equipment provided will be designed to satisfy the two age groups in terms of scale, nature and complexity or challenge, and will be generally provided as composite structures where various play components are attached. Each area will provide a variety of play experiences to engage a range of physical and mental aspects of play.

A total of four benches have been provided for adult seating outside the playground and Tot Lot. Additional shade trees and shrubs have been added to the landscaping. Three picnic tables will also be added near the playground. These additions expand the area of this active recreational area, and improve its landscaping and attractiveness. The proposed Playground and Tot Lot are detailed on DN-6 SP, Sheet 31 of 32, and the additional landscaping is shown on the Landscape Plan (Sheet LL-1 SP, Sheet 21 of 32).

The size and facilities in the play areas are sufficient to serve the entire 102 homes. Approximately 75 children under 15 years of age are anticipated in the project (of which only fewer than 15 would be expected to be occupying the project by the end of phase 2). The Playground and Tot Lot, and the equipment to be provided, are sized to accommodate 25 children in the Tot Lot and 30 children in the Playground at any given time which approaches two-thirds of the total number of children anticipated in the community.

Additionally, in Section Two, at the request of the Planning Board, the Developer has added an additional section of walking trail, approximately 1785 linear feet in length, which will proceed from the main entrance road to the project, past the playground, and follow the outer perimeter of the future field, providing a looped trail.²

Such improvements to be completed prior to the issuance of the 21st C/O for the project.

Thus, by the time the project has 21 homes, it will have provided the Central Green with facilities for empty nesters, parents and young children; a playground and tot lot, with landscaping and seating areas for parents; a walking trail passing the playground and looping around the future field; as well as the guarantee of approximately 32 acres of reserved open space for future trail and picnic area construction, the Community Center, the Community Garden, the pavilion, the Dog Park and the Multi-Purpose field.

SECTION THREE:

The filing of the 3rd section Plat will create 12 additional residential building lots, for a total of 33, but does not create any new roadways. For this reason, the improvements in the early sections of the Project are intended to exceed the needs of these residents as well. The Section Three plat also shows the installation of a sign in the public right-of-way of Old Farm Road commemorating the former Hucklebush Rail line. As outlined on the plans, this sign must be installed prior to the issuance of the 33rd C/O in the project.

SECTION FOUR:

The filing of the 4th section plat will create 11 additional building lots, for a total of 44. This section plat will improve an additional segment of the trail system, extending from the south side of the playground area through the Open Space areas of the site. It will also create two additional picnic areas. This Section Plat will also add a second entrance to the trail system, from the roadway near Lot 18, and meeting the main trail at the Community Garden. The trail route through the Open Space has been revised to include a longer distance, now reaching a temporary terminus in the vicinity of the rear of the future Community Center. It has also been revised to contain additional curves and loops, allowing several opportunities for walkers to easily return to the trail head. The length of the additional trail segment in Section Four is 1574 feet. When coupled with the 1784 linear feet in Section Two, the total length is 3,331 linear feet. This trail segment will also provide access to the former Hucklebush rail line at the southwest corner of the project site (where a 2nd commemorative sign will be placed). This represents an advancement in timing, as the entire trail was originally proposed for Section 6.

The grassed trail is approximately 8 feet wide. The trail will be overseeded with a fescue mix to assist in delineating the trail. The picnic areas, each consisting of 3 picnic tables with integral benches, are located near the Huckelbush ROW adjoining the property, and near the temporary terminus behind the future Community Center. The trail intersects with the community's sidewalk system in two locations, near lot 15 and near lot 18. Benches will be located at each of the trail heads. This section of the trail also provides a possible future connection to a future off-site Huckelbush Rail Trail if that is established in the future. The trail and picnic areas are suitable for recreational walking and picnicking that will appeal to empty-nesters, parents and their children.

Section Four will also include the establishment of a park area (Parcel B - 4,889 sf in size), in front of lots 23-27, to be improved with benches, trees, lawn and landscaping. The park, is accessible from the proposed public street in section 4 plat. This area is appropriately improved for passive recreation, informal picnicking, or outdoor relaxing and enjoying the outdoors. This feature will appeal to empty nesters and parents with young children. Parcel B, the trail system and picnic areas will be owned and maintained by the Home Owner's Association.

The improvements in Section Four also include a community vegetable garden which is a private amenity for use of residents of the project. This community garden will be fenced with an approximately four foot tall wood post and rail fence backed with black vinyl coated mesh (See DN6-SP, sheet 31 of 32). Use will be governed by the Home Owners Association. Vegetable gardening is a recreational activity that can be enjoyed by empty nesters, parents and young children. This represents an advancement in timing for the Community Garden, as it was originally proposed for Section 7 of the project. The garden itself has increased in size somewhat. The proposed garden is now approximately 3100 sf (roughly 63 feet by 36 feet, as shown on the plans. A potential expansion of the community garden (approximately 1700 sf) has also been shown on the plans, in the event that the HOA at any time in the future wanted to expand it. [See Amenities Update Exhibit] Additional landscape features have been added in the area of the Community Garden, consisting of two benches within the fence, the compost areas and a potting area in front of the shed. The fence has been extended to meet the shed, which is shown on the Site Plan and Landscaping Plan. A yard hydrant is provided adjacent to the shed. Additional landscaping has been added, consisting of a perimeter of soft shrubs around the fence and three trees to be added to the Landscape Plan.

All of the above improvements are to be completed prior to the issuance of the 44th C/O.

SECTION FIVE:

The filing of the 5th section plat, will create 10 new residential building lots, for a total of 54, approximately half the population of the project, at full occupancy of all the houses in this Section. This section plat includes the construction of the one-story Community Center building. Each property owner in the development will have a key/card to access the Community Center. This represents an advancement in timing, as this improvement was originally proposed to be provided in Section 6. This building, approximately 1,700 sf will be located at the terminus of the northerly most entrance road and will be the focal point of the community. It will serve as a community gathering space and also be used for events. This building will be fully appointed and furnished and will include a covered front porch, and a patio in the rear. A porch swing will be added to the back patio. Two horseshoe areas will also be added in the rear of the Community Center.

The interior of the building will be fitted with a large community room fitted with movable furniture to allow multiple uses of the space, including Yoga or exercise. The Community Center also includes a gymnasium equipped with three pieces of cardiovascular workout equipment, a card room/office, a warming kitchen for community dinners or events, and bathrooms. Floor

plans showing the interior layout of the Community building are part of the Architectural package, sheets 48 - 50.

To the rear of the community center will be the open pavilion overlooking the preserved open space and trail system. The rear patio and lawn area can also be used for yoga and outdoor exercise in non-winter months. Homeowners can walk to the Community Center from the community's sidewalk system. During Section 5 plat construction, an additional walkway will be connected to the pavilion to be constructed in this section and further extended to the existing trail and picnic area system (see drawings, left branch of walkway to trail), allowing another access for project residents to access the trail system. This feature will be attractive to empty nesters, parents and children.

During Section Five, the developer has also agreed to construct an off-site improvement consisting of a sidewalk extension from the community to the existing sidewalk located at Route 9, within the Town ROW or lands to be acquired by the Town. This sidewalk is a further element of the outdoor walkability and healthy lifestyle of the Hoffman project and allows residents to easily walk into the center of Town and the Village without using automobiles.

Thus, by the time that the project has been 50% occupied, the project will have two greens/park areas, a playground, a tot lot, a community vegetable garden, public picnic areas and approximately one third of the trail system, and the community center, as well as more than 32 acres of preserved open space. There is a wide variety of possible outdoor and indoor recreational and fitness activities.

SECTION SIX:

The filing of the 6th section plat, will create 19 new residential building lots, for a total of 73. This section plat also creates a Cottage Court. This Cottage Court (approx. 1/4 acre) is another unique and defining feature of the community as it allows homes to be fronted on a green rather than a street. The Cottage Court will include a fire pit and patio area, benches and associated landscaping, creating a community gathering place. This feature will be attractive to empty nesters and parents in the evening for small gatherings. Flagstone pavers have been added to provide access to the fire pit from the sidewalks on both sides of the Cottage Court.

Section 6 also includes the completion of the walking trail (approximately 1964 linear feet) from the Community Center to the sidewalk system at the looped road constructed in section 6 where an additional bench will be sited. This section of the trail has also been made somewhat longer than shown at the April 18 Planning Board meeting, by adding loops for interest, and allowing multiple points to turn around. This trail segment will add two additional picnic areas (3 tables each) so that the trail, overall, provides access to a total of five (5) picnic areas, each fitted with 3 picnic tables (total of 15 picnic tables) with integral benches, all as outlined on the plans, sheets AM-1SP, DN-6 SP and DN-7 SP. This section will also add the second connection to the trail system from the Community Center. This feature is attractive to empty nesters and families.

The above improvements must be completed prior to the issuance of the 73th C/O for the project.

Thus, at the time that approximately three-quarters of the project is occupied, all greens/parks will be established, the entire trail system and picnic area system will be established, and the playground/Tot lot, and vegetable garden will be established, as well as approximately 32 acres of preserved open space. The length of the entire trail is 5609 linear feet, or 1.06 miles. This length does not include the length of the sidewalk system within the project, and the length of sidewalk being built to reach the existing public sidewalk on route 9.

SECTION SEVEN:

The filing of the section 7 plat, will create 12 new residential building lots, for a total of 85.

This section plat includes the construction of the multi-purpose (soccer) field and the dog park at the southerly most portion of the property, both to be constructed following the completion of the construction of the last phase of the wastewater disposal facilities in this area.

The multi-purpose field will be graded and surface to meet acceptable standards for a soccer field, provided with striping facilities and fitted with goals and benches. The multipurpose field is designed to be U12/U14 size, as it is anticipated that the majority of the children would be under 14 years of age.

The multipurpose field was designed in accordance with NFHS (National Federation of State High School Associations) standards. It also meets the US Youth Soccer standard field sizes.

Grading of the field meets the NFHS standard which allows a 1.0% slope for natural turf fields with good drainage. The field is located over well-drained, granular soils. Soil compaction or drainage will not present any functional challenges to the use and maintenance of the field. LL1-SP (sheet 21 of 32) shows the required soil and seed mix (seed mix B) appropriate for an active fields.

The multi-purpose field is intended for group active recreation, in games or practices by organized teams. This feature will be of interest to the soccer leagues in the community, and parents or grandparents and relatives of players who live in the Hoffman TND project. Use of the field will be subject to reasonable rules to preserve the field and avoid overuse. The field may be used for up to 3 games or practices on a weekend day. The field may be used for up to 3 additional practices per week on weekdays. The field shall not be used on 2 consecutive days. Where there are more than one game/practice on a weekend day, there shall be at least an hour between the end of one event and the beginning of another. The HOA will have the right to close the field periodically for maintenance, and may decline to schedule games/practices on days when the HOA itself has scheduled an event at the Field.

The fenced dog park will be approximately 7,000 sf and will include an off-leash area and an open pavilion for resident seating. The Dog Park fence and gazebo are detailed on DN-7SP. The dog park fence is 43.75 inches to the top rail. The dog park will provide separate areas for large dogs and small dogs. A pole building measuring 8 x 16 will span the fence dividing the two sections of the dog park, to provide resting space under a roof within both parts of the dog park.

The dog park will be fitted with a gated, off leash, area, pet waste bag dispenser, maintenance entrances, and landscaping. The hours and rules relating to the dog park will be posted at the entrance. There will be no water spigot in the dog park, as it would create a long dead-end service. The dog park will be welcome by all dog owners in the project, which can include empty nesters or families. The improvements relating to the multi-purpose field and dog park must be completed prior to the issuance of the 84th C/O for the project.

SECTION EIGHT:

Section Eight contains the last 17 lots in the subdivision, for a total of 103. All recreation facilities have been completed by the end of the previous phases.