

**TOWN OF RED HOOK PLANNING BOARD  
APPROVED MEETING MINUTES  
March 6, 2017**

**CALL TO ORDER / DETERMINATION OF QUORUM**

Deputy Chairman Charlie Laing called the meeting to order at 7:30 pm and confirmed the agenda as published. A quorum was determined present for the conduct of business. Members present: Charlie Laing, Kallie Robertson, Sam Phelan, Sam Harkins and Brian Kelly. Also present was planning consultant Michele Grieg and engineering consultant Brandee Nelson. Lisa Foscolo and Christine Kane were absent.

Brian Kelly made a motion to approve the minutes of the Feb. 6 and Feb. 13 meetings. Sam Harkins seconded and all members voted in favor.

**OLD BUSINESS**

**Bard Barringer House – 1442 Annandale Road – Certificate of Appropriateness, Site Plan**  
Continued discussion of application to construct a 920 square foot addition to an existing Victorian era building in the R-1.5 Zoning District, Historic Overlay District and Scenic Corridor Overlay District.

Chuck Simmons was present. He distributed a response from the project Architect to the Feb. 7 Design Review Committee (DRC) review comments.

In their review, the DRC stated that construction of the project was begun before consulting with the committee. Mr. Simmons explained that he had to excavate to move phone lines and other infrastructure near the building, and since the ground was open, he had requested and was granted a permit from the town for a foundation. In his response to the DRC, Peter Sweeny, the project architect, stated that the plans were developed and the permit for the foundation were issued prior to the establishment of the Historic Overlay District.

Referencing their comments, Charlie Lang said the DRC felt that the addition “dwarfs” the size of the original structure, and suggested that Bard do as much as possible to minimize the visual bulk and scale of the addition, particularly the south face. Mr. Simmons responded that the proposed 892 sf addition is actually smaller than the existing 1,900 sf building. Mr. Sweeny noted in his response that there are many precedents within the historic district of houses with detached or semi-detached barns or accessory buildings which are as big as or bigger than the house. He said the intention for the arrangement of the addition was to suggest an attached barn.

The Board and Mr. Simmons reviewed the elevations. Discussion focused on the roof, windows, trim and landscaping, taking into consideration the comments of the DRC. The board

generally agreed that although the addition was designed following the general principles of the Secretary of the Interior guidelines for additions on historic buildings, which specify that new buildings should be differentiated from the original structure to avoid "artificial history", they felt that the proposed windows should be reconsidered, possibly using grills and trim.

The Board generally agreed that they felt strongly about preserving the metal roof on the original building, which is proposed to be replaced with asphalt shingles. The roof on the addition is shown to be metal, but Mr. Simmons said that was now a budget consideration.

The board reviewed a planting scheme and made some suggestions for additional plantings.

Michele Grieg asked if the college had decided to remove lot lines or apply for area variances. Mr. Simmons said a decision would be made soon. Mr. Laing noted that the property had recently been re-zoned Institutional by the Town.

Mr. Simmons and the Board reviewed comments from Ms. Greig regarding the update for the Bard College Master Plan. Mr. Laing noted Ms. Grieg recommends a new Master Plan be prepared because the size of the campus has doubled since the adoption of the Master Plan in 1997. Mr. Simmons said that a new Master Plan will be developed, rather than an update.

#### **Sachar Pool – 10 West Bard Ave. – Special Use Permit**

Continued discussion of application to construct an in-ground pool in the R1.5 district, Waterfront Conservation, Environmental Protection Overlay and Flood-Fringe Overlay Districts.

Engineer Tim Lynch was present to represent the applicant. He described a new plan that sites the pool in the back yard between the flood way and the septic system.

Ms. Grieg said that in order to locate the pool within the 100 foot of the high watermark of the Sawkill, a use variance would need to be obtained, because development is prohibited there. Mr. Laing said he recalled that the applicant had appeared before the board originally with plans for a pool in the front yard. Ms. Grieg said that she would recommend that the Zoning Board of Appeals determine if the pool could be placed there.

Mr. Lynch distributed revised EAFs according to Ms. Grieg's comments dated March 3. He stated that siting the pool in the front of the house poses economic hardship on the owner. He took exception to comments from engineering consultant Brandee Nelson regarding the location of the pool to the existing septic system. He provided an alternative sketch. However, the board generally agreed that in order to site the pool in the back yard a use variance would have to be obtained.

#### **NEW BUSINESS**

**Seidel Accessory Apartment – 11 Thayer Lane – Special Use Permit**

Presentation of application to approve a 420 square foot accessory apartment on the first floor of a private residence on a 1.1 acre parcel in the R1.5 Zoning District.

Elisabeth Seidel and John Kuhn were present.

Mr. Kuhn said that the habitable square footage of the entire house was indicated on the floor plan submitted, as calculated by the town Building Inspector. He said that the total bedroom count is 3, so there should be no effect on the existing septic system, and fire-proof sheetrock has been installed between the apartment and the rest of the home, which was also approved by the town inspector.

Mr. Laing asked if there were any new entrances. Mrs. Seidel said there were not. Ms. Grieg asked if there were any other apartments on the property. Mrs. Seidel said there were not.

The Board inquired about parking. Mr. Kuhn said the driveway is 109 feet long and 20 feet wide. The Board asked for more specific documentation of where the four parking spaces would be located.

Kallie Robertson made a motion to adopt a Resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Sam Harkins seconded and all members voted in favor. A public hearing was scheduled for March 20.

#### **Ackerman / Kilberg – 288 Hapeman Hill Road – Lot Line Adjustment**

Presentation of application for a lot line adjustment to transfer approximately .188 acres of land from a 6.44 parcel to an adjoining .642 acre parcel in the R3 Zoning district.

Brian Ackerman was present. Mr. Ackerman is purchasing additional land for his parcel from his neighbor. The Board reviewed variances obtained by Mr. Ackerman for his non-conforming, land locked parcel, as well as his building permit and well and septic approvals. Ms. Greig recommended that the location of the house and septic be shown on the survey.

Mr. Ackerman made revisions to the EAF submitted as per Ms. Grieg's comments dated 3-6-17.

Sam Harkins made a motion to adopt a Resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Brian Kelly seconded and all members voted in favor. A public hearing was scheduled for March 20.

#### **Baxter 50 – Baxter Road – Minor Subdivision**

Presentation of application to create two parcels, 12.6 acres and 10.6 acres, from a 23.2 acre parcel in the R1 Zoning District. A 0.4 acre portion of the lot is located in the Village of Red Hook.

Engineer Tim Lynch was present. He submitted a revised EAF as per comments from the planning consultants comments dated 3-2-17. Charlie Laing noted that the two proposed lots

are flag lots, and because a portion of the land is located in the village, an application for subdivision must be made there as well.

Mr. Laing asked about the environmental features of the property. Mr. Lynch indicated a stream and small wetland on the rear of the property. The Board accepted parcel access maps showing wetland features on the property, and required that the applicant provide a soils map and a common use and maintenance agreement for the common driveway.

Sam Phelan 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. A public hearing was scheduled for March 20.

**Norton 337 – Norton Road – Minor Subdivision**

Presentation of Application to create three flag lots, 9.2 acres, 5.9 acres and 5.0 acres, from a 20.10 acre parcel in the R1 Zoning District.

Engineer Tim Lynch was present. He distributed a revised EAF as per the planning consultant's memo dated 3-3-17.

Charlie Laing noted that given the Town's flag lot regulations, the current configuration did not look viable due to the extensive wetlands and streams on the property. Sam Phelan agreed, saying the extensive wetlands may pose problems siting building envelopes and septic systems, and requires driveways that cross streams. The Board generally agreed to require more detail on the plat showing the locations of environmental resources.

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.

**Grieg / Day – 32 Guski Lane – Special Permit, Lot Line Adjustment, Minor Subdivision**

Presentation of three related actions, including a proposed Lot Line Alteration involving three parcels of land, a Special Use Permit for a driveway through a state protected freshwater wetland, and a subdivision application to create two new lots for an overall area consisting of 35.081 acres in the Agricultural Business District.

Norman Grieg was present. He said he was trying to create access to landlocked parcels created by an old Central Hudson right of way, and re-connect contiguous farmland.

Charlie Laing said that the Board cannot create a new land-locked parcel. Sam Harkins agreed, and said the lot farthest back would have to be deeded to the Migliorelli farm. Mr. Grieg said that could not be done. After much discussion the Board generally agreed the subdivision could not be accomplished legally.

**OTHER BUSINESS**

**Discussion – Electronic Submissions**

The Board discussed a new policy of requiring electronic submissions, and generally agreed that it would be an improvement, reducing the need for many copies and making projects easier for the public to see by using the newly installed smart screen.

**Update – Anderson Commons**

The Board acknowledged a letter from Hogan & Rossi, attorneys for the Anderson Commons project requesting a one year extension to satisfy the conditions of approval. The Board agreed to refer the letter to the Planning Board attorney for comment.

**ADJOURNMENT**

There being no further business before the Board, Sam Harkins made a motion to adjourn. Brian Kelly 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:** Seidel Accessory Apartment

**Whereas,** the Town of Red Hook Planning Board is in receipt of a Special Permit application from Elisabeth Seidel to create a  $\pm$  420 sq. ft. one-bedroom accessory apartment in an existing single family dwelling on a  $\pm$  1.1 acre parcel of land located at 11 Thayer Lane in the R1.5 Zoning District, Town of Red Hook, Dutchess County, New York; and

**Whereas,** an Environmental Assessment Form (EAF) (undated) 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 no other involved and/or federal agencies on this matter.

**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 **Kallie Robertson**, seconded by **Sam Harkens**, and a vote of **Charlie Laing, Brian Kelly, Kallie Roebertson, Sam Phelan and Sam Harkins** for, and **none** against, and **Christine Kane and Lisa Foscolo** absent, this resolution was adopted on **March 6, 2017**.

617.6

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

**Name of Action:** Kilberg/Ackerman Lot Line Alteration

**Whereas,** the Town of Red Hook Planning Board is in receipt of a Subdivision application by Richard Kilberg and Brian Ackerman to convey  $\pm$  0.188 acres of land from the  $\pm$  6.44 acre Kilberg parcel to the  $\pm$  0.642 acre Ackerman parcel located at Hapeman Hill Road in the RD 3 District in the Town of Red Hook, Dutchess County, New York;

**Whereas,** an Environmental Assessment Form (EAF) dated December 18, 2016 and revised March 6, 2017 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.

**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 **Sam Harkins**, seconded by **Brian Kelly**, and a vote of **Charlie Laing, Brian Kelly, Kallie Robertson, Sam Harkins and Sam Phelan** for, and

**nine** against, and **Christine Kane and Lisa Foscolo** absent, this resolution was adopted on **March 6, 2017**.



617.6

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

**Name of Action:** Baxter 50 Subdivision

**Whereas,** the Town of Red Hook Planning Board is in receipt of a Subdivision application by Rhinebeck-Red Hook-GB, LLC to subdivide a  $\pm$  23.2 acre parcel located at Baxter Road in the R1 District in the Town of Red Hook, Dutchess County, New York;

**Whereas,** an Environmental Assessment Form (EAF) dated February 21, 2017 and revised March 6, 2017 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 Village of Red Hook Planning Board and the Dutchess County Department of Health.

**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 **Sam Phelan**, seconded by **Kallie Robertson**, and a vote of **Charlie Laing, Brian Kelly, Kallie Robertson, Sam Phelan and Sam Harkins** for, and **none** against, and **Christine Kane and Lisa Foscolo** absent, this resolution was adopted on **March 6, 2017**.

617.6

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

**Name of Action:** Norton 337 Subdivision

**Whereas,** the Town of Red Hook Planning Board is in receipt of a Subdivision application by Rhinebeck-Red Hook-GB, LLC to subdivide a  $\pm$  20.1 acre parcel located at Norton Road in the R1 District in the Town of Red Hook, Dutchess County, New York;

**Whereas,** an Environmental Assessment Form (EAF) dated February 21, 2017 and revised March 6, 2017 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.

**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 **Charlie Laing, Kallie Robertson, Brian Kelly, Sam Phelan and Sam Harkins** for, and **none** against, and **Christine Kane and Lisa Foscolo** absent, this resolution was adopted on **March 6, 2017**.