

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
August 21, 2017**

Christine Kane 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: Christine Kane, Bill Hamel, Kallie Robertson, Brian Kelly and Sam Phelan. Sam Harkins and Lisa Foscolo were absent. Also present were planning consultant Michele Grieg and engineering consultant Michelle Ewert.

Bill Hamel made a motion to approve the minutes of the Board's August 7 meeting. Brian Kelly seconded and all members voted in favor.

Ms. Kane announced that a workshop is being offered Monday Sept. 25 at the Red Hook Community Center entitled 'Protecting Drinking Water in the Saw Kill Watershed: A Regulatory and Policy Perspective'.

PUBLIC HEARING

Simeonova / La Farge – 32 Station Hill Road – Certificate of Appropriateness

Public Hearing on application to convert an existing garage to a studio, renovate and add two additions to an existing residence, and construct a deck and fence enclosed pool.

Applicant Deliana Simeonova and Architect Alan Baer were present. Christine Kane read the public hearing announcement that was published in the Poughkeepsie Journal and the Kingston Daily Freeman.

Mr. Baer gave an overview of the project site plan, including the latest revisions. He answered questions from Board members about materials and colors.

Ms. Kane asked if there were any comments or concerns from the public. There were none.

Ms. Kane noted that the proposed pool meets all required setbacks. She added that the applicants had submitted photos and specifications of the proposed pool fence. Ms. Kane said that the Design Review Committee had commented favorably about the project.

Ms. Kane asked if there were any comments from the public. There were none. Kallie Robertson made a motion to close the public hearing. Sam Phelan seconded and all members voted in favor.

The Board reviewed a draft Certificate of Appropriateness. Kallie Robertson made a motion to adopt it. Bill Hamel seconded and all members voted in favor.

OLD BUSINESS

Baxter 50 – Baxter Road – Minor Subdivision – final plat

Continued discussion 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.

Project engineer Tim Lynch was present.

Ms. Kane reviewed the legal history of the project for the benefit of Board members that were not present at the last meeting. The Board reviewed the final plat submitted.

Michele Ewert said that the soil tests provided were satisfactory, and recommended that Board waive applicable Board of Health requirements for both parcels.

Michele Grieg recommended several notes to be added to the subdivision plat concerning buffers and setbacks, and that the driveway agreement be submitted.

The Board reviewed drafts parts 2 and 3 of the EAF with findings, and a draft Negative Declaration. Brian Kelly made a motion to adopt the Negative Declaration. Sam Phelan seconded and all members voted in favor.

A public hearing was set for Sept. 18.

NEW BUSINESS

Barry Kramer – 124 North Road – Certificate of Appropriateness

Presentation of application to construct a 2,591 SF residence with a 638 SF of deck/porch and 582 SF attached garage in the Historic Overlay District.

Applicants Barry Kramer and Donna Zalichin were present.

Ms. Kane noted that the applicants had obtained a demolition permit for the existing house on North Road, and are now seeking approval for a slightly larger new home to be built on the site. Mr. Kramer said that although the house is not located in the village of Tivoli, they consulted the village pattern book when designing it. He distributed copies of the elevations and discussed the building materials and layout of the site.

Sam Phelan asked if the Design Review Committee had looked at the plans. Ms. Kane said comments had not been received yet. Mr. Phelan questioned whether an attached garage was appropriate in the neighborhood. He suggested detaching it or moving it to the north side of the house so that it was not so visible from the road.

Ms. Kramer said they are committed to an attached garage, and that they had chosen attractive doors. Mr. Kramer added that this will be their retirement home, and the attached garage is safer in the winter. He said that they had considered moving the garage but the grade of the property was prohibitive. He added that they are considering installing solar panels on the south facing garage roof in the future.

Ms. Kane said she would try to get comments from the Design Review Committee for the Sept. 18 meeting.

Sassano – Budds Corner Road – Special Permit

Presentation of application to permit 5 accessory structures on a 5.5 acre property in the RD3 district.

The applicant’s representative and architect Christie Billeci was present. She said that the building department had determined that a special permit was needed for five accessory structures. Three are allowed.

The Board reviewed comments from Michele Grieg dated 8-16-17. She noted that a photometric plan and lighting cut sheets should be submitted for proposed tennis court lights, and discussed general standards for special permits outlined in the Zoning Law that the Board should take into consideration.

The Board agreed to visit the site on Sept. 7 at 9am. Kallie Robertson made a motion to adopt a Type II resolution for SEQR. Brian Kelly seconded and all members voted in favor. A public hearing was set for Sept. 18.

Red Hook Land Corporation – 5 Old Farm Road – Site Plan

Presentation of application to construct a 10,860 Square foot mixed use building on a 1.955 acre parcel in the Traditional Neighborhood Development - Commercial Center (TND-CC) District.

Applicant’s representatives and engineers Tim and Robert Ross were present. Christine Kane noted that this proposed project is proposed reconstruction on the site at 5 Old Farm Road that burned down in March of 2016. In her memo dated 8-21-17, Michele Grieg stated that the original building was a lawful noncomplying building, and that any proposed reconstruction must conform to the requirements of the TND-CC District, which this submission does not.

The Board and applicants discussed permitted uses, streetscape requirements, design and architectural standards, off street parking, landscaping, signage, outdoor lighting, and access and egress. Ms. Kane commented that the project occupies a critical corner location, and the Board generally agreed that it’s important to consider the aesthetics of the streetscape on both Route 9 and Old Farm Road as well as pedestrian access and safety.

OTHER BUSINESS

Referral from the Town Board – Proposed Local Law C

A local law placing a twelve month moratorium on large scale commercial extractive operations in the Town of Red Hook.

Supervisor Robert McKeon was present. Proposed Local Law C would place a twelve month moratorium on large scale commercial extractive operations in the town of Red Hook, including soil mining, timber harvesting and spring water collection. Ms. Grieg said the Town wants time to review the Zoning Law with regard to these types of activities, specifically with regard to setting limitations. She said that the Town will use the time for research purposes and to learn how other communities manage these activities. As an example, and to clarify who may regulate what, Ms. Grieg said that the State DEC regulates mining activities, but Towns can regulate impacts of these activities, such as traffic on local

roads. Mr. McKeon gave another example of logging that has occurred on Aspinwall Road that has affected the natural diversion of water, and could result in local flooding.

Mr. McKeon said the proposed law is drafted so that no existing operation will be impacted based upon their current levels, thus any application currently before the board, such as Cokertown Springs, can continue, provided that it does not get permitted above the current use.

The Board generally agreed to support the Town Board's efforts to adopt the proposed local law.

ADJOURNMENT

There being no further business before the Board, Sam Phelan made a motion to adjourn. Bill Hamel seconded and all members voted in favor.

Respectfully Submitted,

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

Kathleen Flood
Secretary

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

Deliana Simeonova and Benjamin LaFarge
Tax Parcel # 225862
August 21, 2017

The applicants, whose property is located at 32 Station Hill Road, Red Hook, wish to convert an existing garage into a studio, renovate the existing residence including two additions, and construct a deck and lap pool with a fence enclosure.

The application and supporting documents were sent to the Design Review Committee June 21, 2017. The Committee visited the site and on July 17 recommended that the Planning Board grant a Certificate of Appropriateness to the applicants.

The project was classified as a Type II action with no further SEQR review required. A public hearing was held August 21, 2017.

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

On a motion by **Kallie Robertson**, seconded by **Bill Hamel**, and a vote of **Christine Kane, Bill Hamel, Kallie Robertson, Brian Kelly and Sam Phelan** for, **none** against and **Sam Harkins and Lisa Foscolo** absent, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Deliana Simeonova and Benjamin LaFarge for the proposed construction described above.

Certified by Kathleen Flood, Planning Board Clerk

Kathleen Flood 8/22/17

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: August 21, 2017

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Baxter 50 Subdivision

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
 NO

Description of Action: The applicant proposes to subdivide a ± 23.2 acre parcel (Tax Map Parcel No. 134889-6272-00-691583-0000) located on Baxter Road in the R1 District into two lots, ± 10.57 acres and ± 12.59 acres in size. A 0.4 acre portion of the parcel is located in the Village of Red Hook and provides access from Baxter Road. The two lots will be served by individual wells and sanitary sewage disposal systems.

Location: Baxter Road, Town of Red Hook, Dutchess County New York

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Short Environmental Assessment Form (EAF) for the proposed project, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. Both of the proposed lots will be in excess of five acres. Pursuant to § 120-20G(2) of the Subdivision Regulations, the applicant has submitted certification from a licensed professional engineer that an approvable individual sewage disposal system location exists on each of the proposed lots and that it is likely that a suitable individual on-site water supply may also be developed on each of the proposed lots. The project's total anticipated water usage is 780 gallons per day, which will have no measurable impact on existing groundwater supplies in the area. Based on the foregoing, no significant adverse environmental impacts to groundwater will result from the proposed project.

4. The property is adjacent to a farm operation that is located within a NYS certified Agricultural District (Agricultural District 20). A note will be included on the subdivision plat that no building on proposed Parcel 2 shall be located closer than 200' to the adjacent property boundary to the south (land of Anderson) which is in a NYS certified Agricultural District, and that no clear cutting of the existing vegetative screening in this buffer area shall be permitted. The distance between buildings on Parcel 2 and the adjacent agricultural parcel, in conjunction with the existing vegetation, will buffer the adjacent agricultural lands from the proposed subdivision, as recommended by the Town's Subdivision Regulations, to the greatest extent practicable. An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcels. The Planning Board considered comments on the Agricultural Data Statement in its review of the application. Based on the foregoing, no significant adverse environmental impacts to agricultural resources will result from the proposed project.
5. The proposed action will create a need for recreational land and facilities due to the generation of approximately four (4) new residents of the Town including two (2) new school age child (based on multipliers provided by Rutgers University, Center for Urban Policy Research "Residential Demographic Multipliers," June 2006). When considering the cumulative demands of all recently approved and pending subdivision applications on Town recreational facilities, there may be a need to expand such facilities in the near future as a result of this and other subdivisions. Based on the present and anticipated future need for park and recreational opportunities in the Town, and the recreation demands that will arise from the future population of this project, parklands should be reserved as a condition of approval of this subdivision. However, the Planning Board has examined the feasibility of locating a park on the subject parcel and has determined that the site is not suitable. Therefore, pursuant to New York State Town Law § 277, the Planning Board has appropriate grounds to require that the applicant deliver payment in lieu of parkland dedication in an amount established by the Town Board, sufficient to allow for expansion of the Town's recreational facilities. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on community resources.
6. The Town of Red Hook Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency

617.6
State Environmental Quality Review (SEQR)
Resolution
Classifying the Proposed Project as a Type II Action

Name of Action: Sassano Special Permit

Whereas, the applicant proposes to construct or place five (5) minor accessory residential structures on a \pm 5.058 acre parcel located on Budds Corners Road in the RD3 District in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated August 10, 2017 has been prepared for the proposed action; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(10) and, therefore, SEQR does not apply.

Now Therefore Be It Resolved, that the Planning Board hereby classifies the proposed project as a Type II action and declares that no further review under SEQR is required.

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

Christine Kane, Bill Hamel, Kallie Robertson, Brian Kelly and Sam Phelan for,

and **none** against, and **Lisa Foscolo and Sam Harkins** absent, this resolution was

adopted on **August 21, 2017**.