

**TOWN OF RED HOOK PLANNING BOARD
DRAFT MEETING MINUTES
June 18, 2018**

Chairman Sam Phelan called the meeting to order at 7:30 pm. He announced two items had been added to the agenda under Other Business: a discussion about 337 Norton Road minor subdivision, and an extension request to meet approval conditions from From the Ground Brewery.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Bill Hamel, Kallie Robertson and Lisa Foscolo. Brian Kelly was absent. Also present was engineering consultant Ryan Loucks.

Lisa Foscolo made a motion to accept the minutes of June 4. Bill Hamel seconded and all members voted in favor.

PUBLIC HEARING

David Schulz - 12 Wildey Road – Certificate of Appropriateness

Public hearing on application to install a deer fence on a residential parcel in the hamlet of Barrytown.

Mr. Schulz was present. Sam Phelan read the public hearing notice that was published in the Poughkeepsie Journal. Bill Hamel made a motion to open the public hearing. Kallie Robertson seconded and all members voted in favor.

Mr. Schulz gave an overview of his project, and answered some questions from Board members. He confirmed that the fence will be 4 feet high along the front, and 6 feet on the sides and rear lot lines.

Deliana Simeonova, the applicant's neighbor, asked if she had any maintenance responsibilities. Mr. Phelan answered no. She asked if there were any restrictions on planting near the proposed fence. Mr. Phelan said there are not. Ms. Simeonova said she was in support of the project.

Mr. Phelan said that the Design Review Committee had recommended that the project be granted a Certificate of Appropriateness. He asked if there were any further comments from the public. There were none. Kallie Robertson made a motion to close the public hearing. Bill Hamel seconded and the motion was carried.

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

Michael and Shelly Herrick – 48 Williams Road – Minor Subdivision

Continued discussion of application to subdivide a 34.58 acre parcel into two lots, 24.58 acres and 10 acres in size, in the RD3 Zoning District.

Applicant's representative Marie Welch was present. She said the project engineer is working on a plan for septic design, which will also address comments from the Board's engineer regarding driveway pull-offs and the driveway entrance.

Sam Phelan said he had visited the site. He asked if the driveway would be moved. Ms. Welch said it would not be moved but it would be widened, which she acknowledged will require an Army Corps of Engineers (ACOE) permit.

Bill Hamel said he had also visited the site. He said the creek is significantly wide. Mr. Phelan agreed, and said it may complicate the ACOE permitting process.

The Board reviewed comments from their consulting engineer. Ryan Loucks said that the project would probably require a permit from the Department of Environmental Conservation (DEC) as well.

The Board reviewed comments from the planning consultant dated 6-13-18. It was noted that the permits from ACOE and DEC could be made conditions of approval.

The Board reviewed a Resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Kallie Robertson moved to adopt it with one change that indicates the proposed project is within the agricultural district. Bill Hamel seconded and all members voted in favor.

The Board reviewed a part 2 EAF and a draft SEQR Negative Declaration. Lisa Foscolo made a motion to adopt the Negative Declaration. Kallie Robertson seconded and all members voted in favor.

A public hearing was tentatively set for July 2.

OTHER BUSINESS

Extension request- 90 days – Podolsky minor subdivision

Kallie Robertson made a motion to grant a 90 day extension to meet conditions of approval. Bill Hamel seconded and all members voted in favor.

Extension request – 90 days – From the Ground Brewery Beer garden/farm market

Lisa Foscolo made a motion to grant a 90 day extension to meet conditions of approval. Kallie Robertson seconded and all members voted in favor.

Discussion – Norton 337 minor subdivision

The Board reviewed a legal opinion from its attorney. Mr. Phelan explained that whenever there are multiple flag lots coming on to a road, there must be an easement to consolidate the driveways. He said the difficulty is that proposed lot 3 goes over some ACOE wetlands, and does not have “uninhibited access” to Norton Road, which is required by New York State Town Law.

He said the only way to resolve the problem would be to obtain a resolution from the Town Board declaring the area as an Open Development Area, which would allow lot 3 to use an easement to gain access to the road, or to obtain a variance from the Zoning Board of Appeals, which Mr. Phelan said might be the best option.

Mr. Phelan said he would talk to the applicant’s representative

Discussion – Preserve at Lakeskill site distances

Bill Hamel recused himself for the discussion.

Mr. Phelan asked engineering consultant Ryan Loucks to explain the dynamics and differences between Stop Line Site Distance and Stopping Site Distance shown by the applicants at the proposed entrance to the subdivision on Feller-Newmark Road.

Mr. Loucks explained that the Stop Line Sight Distance deals with a vehicle exiting the subdivision. Referring to an illustration that he provided to the Board, he indicated the required American Association of State Highway Transportation Officials (AASHTO) guidelines site distance for right and left hand turns, which differ due to the fact that a left hand turn requires crossing a traffic lane. He noted that the applicants have more than adequate site distance for a left hand turn, but are 19 feet short for a right turn due to a curve and rise in Feller-Newmark Road.

Kallie Robertson asked if it is known what actual speeds people are driving on the road, which has a speed limit of 35 mph. Mr. Loucks said he could check to see if the DOT has done any studies on Feller Newmark Road, and added that such circumstances are difficult to design for.

Referring again to the diagram, Mr. Loucks noted that the project meets AASHTO Stopping Sight Distance guidelines, which are essentially how much distance an oncoming car on Feller Newmark Road would need to stop short of the proposed entrance to the subdivision.

In response to a question from Lisa Foscolo, Mr. Phelan said that the applicants are trying to show that, although they are 19 feet short of the AASHTO recommended Stop Line Site Distance, they do have the required amount of Stopping Site Distance so that an oncoming car could stop or slow down before striking one exiting the development. Kallie Robertson questioned whether there actually is 250 feet of site distance, and asked if it could be verified. Mr. Loucks said it could be verified.

Supervisor Robert McKeon, who was present, recommended that Mr. Loucks refer to Table 5 in the Town Highway Specifications, and its accompanying formulas. Mr. McKeon also stated that applicant had a traffic analysis completed for the proposed project, which included the traffic volumes and speeds questioned earlier in the discussion. Mr. Phelan asked Mr. Loucks to follow up for the Planning Board.

ADJOURNMENT

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

Respectfully submitted,

Kathleen Flood
Planning Board Clerk