

draft
**Town of Red Hook Planning Board
Meeting Minutes
October 17, 2005**

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:35 p.m. and a quorum determined present for the conduct of business.

Members present — Jennifer Fier, John Hardeman, Charles Laing, Paul Telesca, David Wright and Acting Chair Sam Phelan. Christine Kane was absent. Planning Consultant Michele Greig was also present.

BUSINESS SESSION

Acting Chair Sam Phelan confirmed the agenda for the evening.

The minutes of the October 3, 2005 meeting had been sent to the members and reviewed. Jennifer Fier made a motion to accept those minutes, and David Wright seconded the motion. All members present voted in favor.

Jennifer Fier and Charles Laing reported on the Leadership Training sessions they attended on October 15, 2005. The discussions centered around the legal underpinnings of the zoning regulations and the responsibilities of both planning boards and zoning boards of appeal.

PUBLIC HEARINGS

TGS Associates/ Hardscrabble Commons – NYS Rte 9 and Metzger Rd. – Subdivision Plat, Site Plan and Special Use Permit

At the request of the applicant, the public hearing was continued to November 7, 2005.

Bard College / Science and Computation Center – Campus Road – Site Plan

At the request of the applicant, the public hearing was continued to November 7, 2005. The Board asked that the Zoning Enforcement Officer visit the site and make certain that no work was in progress before the site plan was approved.

Rondack Construction/ Glen Pond Road Office Buildings – Site Plan

At the request of the applicant, the public hearing was continued to November 7, 2005.

REGULAR SESSION (NEW BUSINESS)

Rosemarie Zengen – 7310 South Broadway – Amended Site Plan

Rosemarie Zengen was present with an application for approval of an Amended Site Plan authorizing the addition of a 10 ft. x 15 7/8 ft. shed on an approximately 2.95-acre parcel in the B1 District.

Ms. Zengen said that Town Building Inspector Steve Cole had measured the setbacks to the proposed shed and found them to comply with the Town's District Schedule of Area and Bulk Regulations.

She also said that the addition of the shed would bring the coverage on her lot to 3.9%, well within the allowed 15%.

The Board asked Ms. Zengen to submit a site plan which included her entire lot, all buildings with dimensions and setbacks, outdoor lighting if any, parking areas, driveways, and the proposed shed. She said that her previously approved site plan was probably in the archived files under the name Barnao or R&R Development.

The project was found to be an Unlisted Action under SEQR with no coordinated review. David Wright made a motion to establish the Board as lead agency. John Hardeman seconded the motion, and all members voted in favor.

Tim & Irene Hourihan – Crestwood Road – Subdivision Plat

Tim Ross, P.E. was present with an application for Subdivision Plat (sketch plan) Approval to create five (5) residential building lots, ranging in size from 4.25 acres to 7.78 acres, all from a 26.87-acre parcel in the RD3 Zoning District.

Mr. Ross said that the proposal consisted of an existing house on one lot and the creation of four new residential building lots. He said that he understood that 75% of the land under water must be subtracted from the total acreage when calculating the density and he believed five lots to be within the allowed density. He also agreed that some of the soils on the parcel were prime, some of Statewide importance and some hydric.

Ms. Greig said that because of the valuable soils on the parcel, the Board must require 'clustering'. Mr. Ross said that the topography of the land precluded clustering. Ms. Greig said that clustering did not necessarily mean 'grouping' the homes but rather placing the homes in harmony with the topography and in such a way that the valuable soils were preserved. She said that such a design would allow smaller lots and buildings that were hidden from the road. She urged Mr. Ross to be creative in revising the proposed plan and to refer to the Greenway Guides for examples.

The Board determined that the Federal wetlands must be flagged and the boundaries and buffers indicated on the plat. The hydric soils must be surveyed in order to establish the density calculations. The Board also asked Mr. Ross to incorporate shared driveways to reduce the number of curb cuts. Ms. Greig asked that Mr. Ross expand the zoning legend to include both the required bulk regulations and those proposed for the project. The Board also asked that building envelopes be indicated on the revised plat.

The project was found to be an Unlisted Action under SEQR needing a coordinated review. David Wright made a motion to establish the Board as Lead Agency. John Hardeman seconded the motion, and all members present voted in favor. Ms. Greig said that several revisions must be made to the EAF before it could be circulated to the involved agencies.

The Board also referred the project to the Agricultural and Open Space Advisory Committee and urged Mr. Ross to seek the Committee's suggestions on how best to protect the rural character of the area and the surrounding scenic views.

TLC Acreage, LLC – Oriole Mills Road – Subdivision Plat.

Bob Capowski, Katherine Dewkett and Mitchell Bodian were present with an application for Subdivision Plat (sketch plan) Approval to create 1 new 3.0-acre building lot and a 98.1-acre remaining lands lot from a total 101.1-acre parcel, partially in the Town of Rhinebeck and partially in the Certified Agricultural District and the RD3 Zoning District of the Town of Red Hook.

Mr. Capowski said that the applicant desired to move an existing house from the larger parcel to the proposed 3-acre lot, adding a new septic system and water supply. He said that the larger lot was covered by forest that had grown up on unused farmland.

Ms. Greig said that if the applicant wanted to make use of the “one lot exception” under the Farm Law, the new lot would have to be 3 acres in size, and that although there were certain requirements, a farmland protection plan would not be necessary. If the applicant wished to subdivide off a lot smaller than 3 acres, he must formulate a full build-out and farmland protection plan which would govern any future development on the remaining lands parcel.

The Board referred the project to the Agriculture and Open Space Advisory Committee, saying that that Committee could assist in developing a farmland protection plan and full build-out. The Board also asked the applicant to clarify a discrepancy in some of the soil values.

The project was determined to be an Unlisted Action under SEQRA needing a coordinated review. John Hardeman made a motion to establish the Board as Lead Agency. David Wright seconded the motion, and all members present voted in favor.

OTHER BUSINESS

Ms. Greig distribute drafts of possible revisions to the Zoning and Subdivision regulations for the members’ review and comments. Two of those drafts covered revisions to the flag lot regulations. One draft had been developed by the Planning Board in 2002 but had not been adopted by the Town Board. GreenPlan had developed a second draft for the Planning Board’s consideration.

Ms. Greig then gave an overview of draft Open Space Subdivision regulations, which would replace the current “cluster” regulations. The accompanying draft amendments to the current Important Farmlands Law would reference the Open Space Subdivision regulations.

The Board also reviewed a draft Agricultural Overlay District map submitted by the Agricultural and Open Space Advisory Committee. The map would designate a block of parcels for farmland protection and would replace current consideration of lots on an individual basis.

The Board determined that it would hold a workshop session on Monday, October 24, 2005 at 7:30 p.m. to focus on the draft flag lot regulations and the draft amendments to the Important Farmlands regulations.

ADJOURNMENT

Upon being advised by the Chair that there was no further business to come before the Board, John Hardeman made a motion to adjourn the meeting. David Wright seconded the motion, and all members present voted in favor. The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Paula Schoonmaker
Assistant Clerk