

Approved

Town of Red Hook Planning Board Meeting Minutes March 20, 2006

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, Sam Phelan, Charles Laing, John Hardeman, and Chair Christine Kane. Paul Telesca and David Wright were absent. Planning Consultant Michele Greig and Town Council member Jim Ross were also present.

BUSINESS SESSION

Christine Kane said that, at the request of the applicant, the public hearing for the Glen Pond Office Building project would be continued to April 3, 2006.

The minutes from the March 6, 2006 meeting had been sent to the members and reviewed. Sam Phelan made a motion to accept the minutes. Jennifer Fier seconded the motion, and all members present voted in favor.

Christine Kane read a memo from Planner Michele Greig, who had been asked by the Board to research whether a subdivision application that has not received sketch plan endorsement may be closed by the Board after an extended period of inactivity. Ms. Greig said that in the absence of any time limit in local or state regulations, such an application would remain open and active.

Christine Kane read a letter from Jim Michaelides, 32 Glen Ridge Road, which said that the February 27, 2006 minutes had not reflected both his and Peter Berardi's opinion that Glen Ridge Road was a privately owned and maintained road. Jennifer Fier made a motion to append this comment letter to those minutes. Sam Phelan seconded the motion, and all members present voted in favor.

PUBLIC HEARINGS

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road – Subdivision Plat, Site Plan & Special Permit

Peter Setaro, P.E., architect Steve Tinkelman and landscape architect Michael Collier were present for the continuation of the public hearing on applications for Special Permit, Site Plan and Subdivision Plat Approval to create 51 residential building lots ranging from 0.12 acres and up and an open space lot from a 65.3-acre parcel, partially in the Village of Red Hook and partially in the R1 District in the Town of Red Hook.

A. Responses to questions from the previous public hearing session

Mr. Setaro submitted a packet of documents that he said addressed some of the public questions and comments from the previous meeting. Focusing on the connection of the proposed new road and the existing Glen Ridge Road, Mr. Setaro said that Glen Ridge

Road had been built to Town highway specifications and that both the developer and the Town had always understood that it would be dedicated to the Town. He said that that dedication was currently before the Town Board and that the Highway Superintendent saw no problems with the connection of the two roads. He said at the time of Site Plan approval of the Glen Ridge development, a small easement had been left precisely for that connection.

Discussing the question about reed beds as part of the sewage disposal system, Mr. Setaro said that he had spoken with Jim Napoli of the Dutchess County Health Department and that, at this time, the department was not considering that type of design. He added that the Village of Tivoli was using reed beds as part of the sludge treatment but not as part of the primary sewage disposal system. He added that the flatness of the Anderson Commons site did not lend itself to a reed bed system.

Asked whether the Red Hook School District had been properly contacted about the project during the Village Planning Board's SEQR review, Mr. Setaro submitted a copy of the Lead Agency response from the District. He said that the District had sent in no additional communications about the project during the two months that the public hearing had been open in the Village. Mr. Tinkelman added that the housing units would be small and that the homeowner's association agreement would stipulate no playground equipment in the development, which would discourage families with small or school-aged children.

Finally, Mr. Setaro addressed a concern about a possible conflict of interest, since Morris Associates is currently involved in the proposed Town highway garage project and a proposed extension road from Hannaford's. He said that Wheeler Engineers is the official Town engineering firm and that engineers from Morris Associates are only called in on special projects. He said that Morris Associates' connections to various projects in the area had been discussed during interviews with Town officials and that the Town and the firm were clear about the necessary separation. He said that Morris Associates was in no way involved on behalf of the Town in this project.

B. Architectural issues

The Board and the applicants discussed the variety of home design styles, exterior colors, fenestration, porches and width of hardiplank siding. Mr. Tinkelman said that the goal of the developer was to create a continuity of size and shape but to allow original expression within the parameters spelled out in homeowners' association documents. He said that the owners of the single-family homes would be able to make those design choices and that the developer would make those design choices for the multi-family dwellings. The Board generally agreed that while the exterior colors and other options were listed on the site plan, it was not clear from the plan whether the developer or the homebuyer would make those choices.

Mr. Tinkelman said that fencing would be an option for the single-family homes and that 36" high vinyl picket fencing would be the only choice. The Board generally agreed that the uniform height was a good idea but encouraged the applicants to consider allowing a variety of fencing styles. Mr. Tinkelman added that black chain link fencing would surround the septic system equipment.

Mr. Setaro said that Morris Associates was finalizing the Stormwater Pollution Prevention Plan and that the Plan would be submitted both to NYS DEC and the Town Engineer in the coming week.

The Board generally agreed that the applicants should recalculate the individual lots and correct a discrepancy in the street details. The applicants should also clarify on the plans whether the homeowner or the developer would make the available design choices for the various types of dwellings. The plans should also stipulate that the shake-style siding will be made of hardi-plank. The Board asked that more details of the landscaping-- including the width of the planting strips, the caliper of the trees, and the design, dimensions and construction of the public benches--be submitted. Finally, the applicants should submit the Homeowners Association Agreement for review by the Planning Board attorney.

The Board underlined its desire to see how the developers plan to ensure variation in style, color and architectural elements among both the single-family and multi-family units.

C. Open Space Protection

Mr. Setaro said that, while the Town Board had not yet made a final decision regarding its acceptance of the large open space on the parcel, the applicants were assuming that the Town Board would not accept that area. The applicants were in preliminary discussions with Winnakee Land Trust about the placing of a conservation easement on that space together with a public access trail easement.

D. Large, individual lots

Mr. Tinkelman said that the buyers of the large individual lots, which would range from 1.3 to 1.9 acres and lie along the proposed new road, would be responsible for building the homes and would be free of the design codes and restrictions placed on units in the Commons. The buyer could then locate the house on the lot as long as that placement was in compliance with Town setback regulations. There would, however, be a minimum house size, and the buyer would be prohibited from clear-cutting the wooded buffer at the front of the lots. In addition, the owners must agree to a shared driveway.

The Board asked that the applicants add specific building envelopes and proposed sewage disposal system sites to the plats, and it encouraged the 'creative' placement of the garages in order to enhance the streetscape through architectural guidelines. These guidelines should also be submitted for review.

E. Water related issues

Mr. Setaro presented aquifer protection maps prepared by Dutchess County Planning. He said that Anderson Commons lay on the fringe of both Zone 1, which consists of more permeable soil and lies directly above the aquifer, and Zone 2, which consists of less permeable soil. He said that he has collaborated with the Dutchess County Board of Health in the design of both the sewage disposal system and the Stormwater Pollution Prevention Plan and that both systems comply with Dutchess County specifications, which he said are more stringent than those of New York State. He agreed with the Town Engineer's office that more details about the systems were needed, and he said that he would be submitting a final copy of the Stormwater Pollution Prevention Plan soon.

Addressing specific questions, Mr. Setaro said that there would be a four-bay area in each of the infiltration basins and that wetland plants would help to soak up the water and filter out contaminants. Mr. Setaro also said that the water supply would loop into the development from a water main under Fisk Street and connect out to the water main under Glen Ridge Road.

Christine Kane then asked for public comment.

Jim Michaelides, 32 Glen Ridge Road, said that playground equipment should be allowed in the development, since grandchildren or other children could be visiting homeowners in the development. He said that there were also currently 21 children living along Glen Ridge Road. Mr. Tinkelman said that the restriction on playground equipment would apply only to the houses in the Commons area, not to the homes on the larger lots along the proposed new road and close to Glen Ridge Road. Asked if there would be sidewalks in front of those larger lots, Mr. Tinkelman said none were planned.

Steve Kurtz, 25 Glen Ridge Road, presented a petition signed by 32 neighbors who oppose the development. They see the increase in traffic stemming from the conversion of Glen Ridge Road to a through road as a safety concern.

Frank Corburn, 17 Glen Ridge Road, said that his three-year old child plays in the street, as do other children living on the road, and he was very concerned about the increased traffic. He also said there had been insufficient public notice about the project and that few people know about it.

Justine Levine, 19 Glen Ridge Road, echoed the previous speakers' safety concerns.

Planning Board member Sam Phelan said that a pie-shaped piece of property along Glen Ridge Road had been intentionally left undeveloped so that it could act as a connection to further development.

Peter Berardi, 61 Glen Ridge Road, said that his street currently had no sidewalks and no streetlights, and he asked how the Town was going to address this problem. He said that the children now walk in the street to meet the school bus, which stops at the end of Glen Ridge Road. He acknowledged that the school bus might make individual stops along the road if it became a through-road.

Tara Sullivan, 140 Echo Valley Road, said that the public still cannot see this project in the context of the overall Town and Village roads and properties. She asked if maps could be put on the Town website.

The Board generally agreed that the Town currently does not have the technical capability to put such maps on the website. It added that the maps and other documents are available for public review at the Town Hall and are also in the Town Clerk's office as long as the public hearing is open.

Kathy Stewart, Spring Lake Road, said that the Town of Beekman had recently begun to require developers to create a link with the Town's website and to post on that link maps and other documents that pertain to proposed projects. She said other Towns require developers to post on their websites information and documents about projects that

could affect the quality of life in the Town. Ms. Stewart also said that the Village had not advertised its public hearing on the project enough. Third, she said she was not satisfied with Mr. Setaro's contention that there was no conflict of interest. Finally, she said that the developer should provide more information about the environmental impacts of the project. She said that the SEQR negative declaration had been premature.

Planning Board Chair Christine Kane said that the Village Planning Board had been the Lead Agency in the SEQR review and that Ms. Stewart should voice her concerns to that Board. She added that a 'coordinated review' means that one agency, in this case the Village Planning Board, takes responsibility for leading the environmental review with the consent of the other involved agencies. The lead agency then conducts the SEQR review and issues the necessary decisions.

Ms. Stewart said that the townspeople view the Town Planning Board as their representatives in overseeing the SEQR review, even if the Village was the Lead Agency.

Planning Board member Sam Phelan said that law and precedent guide the dissemination of information but he understood that the public would like the Town to create more opportunities for public review.

Kevin Lyle, 10 Glen View Road, said that he had been following the project for over a year and was looking forward to its implementation.

Jim Michaelides said that the developers were relying on 'proposed' maps of the Glen Ridge Road development and he urged them to obtain 'as built' maps showing the correct placement of the homes and other features. In particular, he pointed to sheets AZ002 and AZ003 of the site plan/subdivision package.

John Clark, senior planner with the Dutchess County Office of Planning and Development, reviewed that agency's involvement in the creation of a comprehensive development plan for the entire southeast quadrant of the Town. He said that that plan, developed during the summer of 2004, included a network of interconnecting streets, improvements for Firehouse Lane, and a plan similar to this one for the Anderson property. He said that by and large, the applicants had complied with the bulk of the Anderson property plan. County Planning had reviewed aerial photos and maps of the entire Town and Village as it was formulating the various aspects of the plans for the Anderson property and for the southeast quadrant of the Town.

Tom Gardner, 15 Glen Pond Road, asked whether these aerial photos as well as maps of all proposed roads were available to the public. The Board said that many of these materials could be found in the Town's files or in the Planning Board's files.

The Board and the applicants generally discussed the traffic impact study, agreeing that the study had included this project plus two other proposed projects in the Village. Documents showed that the data had been collected during the summer of 2005, and the results did not anticipate a large impact on the various intersections along NYS Route 9.

The applicants asked that the public hearing be closed, saying that no new issues had been brought up at this meeting.

The Board generally agreed that it could address the outstanding issues at subsequent meetings and that because the applicants had waived the timeframe for Board approval or denial after the close of the public hearing, there would be adequate time to resolve remaining problems. Sam Phelan made a motion to close the public hearing. John Hardeman seconded the motion, and all members voted in favor. Christine Kane then closed the public hearing.

The project was tentatively scheduled for the April 17, 2006 agenda.

John & Susan Pelosi – 48 Old Post Road (Upper Red Hook) – Certificate of Appropriateness

John Pelosi was present for the continuation of the public hearing on an application for Certificate of Appropriateness to authorize the issuance of a building permit for the construction of a 14' x 15' addition (a total 14' x 30' modification) to an existing residence on a 0.33-acre lot in the Hamlet (H) Zoning District.

Christine Kane reviewed the area variance granted by the ZBA on March 8, 2006, which would allow Mr. Pelosi to increase the coverage and decrease the open space on his lot. She reminded the Board that on February 27, 2006, it had tabled a motion to grant the Certificate while it awaited the ZBA's decision.

Christine Kane then asked if there was any public comment. There was none. She then closed the public hearing

Charles Laing made a motion to grant the Certificate of Appropriateness. John Hardeman seconded the motion, and all members present voted in favor. A copy of that Certificate is attached to, and made part of, these minutes.

REGULAR SESSION (OLD BUSINESS)

Timothy Ross – Williams Road – Subdivision Plat

Tim Ross, P.E., was present for the discussion of an application for Subdivision Plat (sketch plan) approval to create two (2) new residential building lots of 5.12 acres and 2.71 acres and one (1) remaining residential building lot of 2.50 acres from a 10.33-acre parcel at 115 Williams Road in the RD3 Zoning District.

Charles Laing, whose property adjoins the applicant's, recused himself from the discussion.

Mr. Ross said that he had reviewed the sight distances from the proposed new driveway and, at 390' to the left and 365' to the right, found them to exceed the required minimum.

He then presented a new lot configuration, which he had developed after taking into account comments from the Planning Board and the Agricultural and Open Space Advisory Committee (AOSC) during their site visit on March 5, 2006. This new configuration, he said, would still be an average density subdivision, with two lots consisting of less than three acres.

The Board generally agreed that it favored the new plan which would preserve more land around the existing historic house. However, while some members were in favor of allowing two non-conforming flag lots behind that larger lot as allowed in an average density subdivision, other members argued that these were not the 'unique circumstances' outlined in the current flag lot regulations. These members preferred allowing only one flag lot, thus creating a two-lot subdivision in which both lots conformed to the zoning district.

The members did agree that there should be a note on the plat plus restrictions in the deed prohibiting any further subdivision on the largest lot. These deed restrictions would inform the neighbors that they could enforce this prohibition.

The applicant submitted a revised EAF and said he would contact the Natural Heritage Program to inquire about wildlife habitats on the parcel.

Since the property contains important agricultural soils, the Board referred the project to the Agricultural and Open Space Advisory Committee.

The project was tentatively scheduled for the April 17, 2006 agenda.

Tim & Irene Hourihan – Crestwood Road – Subdivision Plat

Tim Ross, P.E., was present for the discussion of 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.

Christine Kane read a referral response from the AOSC which encouraged the applicants to apply to the PDR (Purchase of Development Rights) program instead of subdividing and developing the parcel. If that was not possible, the Committee said that the applicant should cluster the homes on the soils least suitable for agriculture. Christine Kane also read a letter from Robert McKeon, 163 Crestwood Road, a farmer and neighbor of the applicant. Mr. McKeon urged the Board not to approve this or any similar residential subdivision adjoining an active agricultural parcel. To do so, he said, would be contrary to the stated goals of the Town's Comprehensive Plan and Zoning Code.

The Board generally agreed that the current lot configuration was too suburban for that rural and agricultural area. Mr. Ross agreed to meet with Christine Kane and Planner Michele Greig for a sketch conference on March 28, 2006.

REGULAR SESSION (NEW BUSINESS)

Richard Hansen – Hapeman Hill Road & James Court – Subdivision Plat

Ray Jurkowski, P.E. was present with an application to create one new approximately 14-acre residential lot and an approximately 9-acre remaining lands lot from an approximately 23-acre parcel in the RD3 Zoning District and the Certified Agricultural District.

Mr. Jurkowski said that this unusual parcel had three frontage locations: two on Hapeman Hill Road and one on James Court, which is a Town road.

The Board questioned the unusual proposed lot line. Mr. Jurkowski said that Mr. Hansen wanted a buffer for his garage and some land on which to pasture his horses.

The Board generally agreed: 1) that should the subdivision be approved, there could be no further subdivision of either new lot, 2) that the new house and septic disposal system must be located away from the soils of Statewide importance, and 3) that the applicant should revise his plan to include the soils and wood line.

The Board said it would refer the application to the AOAC when it received the revised maps.

The Board further classified the project as an unlisted action under SEQR. Charles Laing made a motion to establish the Board as Lead Agency for the SEQR review. Sam Phelan seconded the motion, and all members voted in favor.

The project was tentatively scheduled for the April 3, 2006 agenda.

OTHER BUSINESS

The Board reviewed the eleven applications submitted for the Conservation Easement program and the environmental assessments completed by the Conservation Advisory Committee. The Board then considered the building potential of each lot and its location within the overall development plan for the Town.

John Hardeman made a motion to approve all eleven applications. Jennifer Fier seconded the motion, and all members present voted in favor.

ADJOURNMENT

Since there was no further business to come before the Board, Jennifer Fier made a motion to adjourn. Charles Laing seconded the motion, and all members present voted in favor. The meeting was adjourned at 10:40 p.m.

Respectfully submitted,

Paula Schoonmaker
Assistant Clerk to the Board

Attachments

Certificate of Appropriateness granted to John and Susan Pelosi

Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS

Date: March 20, 2006

For: John & Susan Pelosi Tax Parcel # 6373-01-256825-0000

The applicants own 0.33 acres at 48 Old Post Road in the Hamlet of Upper Red Hook. They wish to construct a 14' x 15' addition (a 14' x 30' exterior modification) to the dwelling at this site in order to move the kitchen from the basement to the first floor.

This application, survey, architectural drawings and photographs were sent to the Hamlet/Design Review Committee on January 8, 2006.

The Hamlet/Design Review Committee met on February 22, 2006, reviewed the proposed changes, and submitted its comments to the Planning Board on February 23, 2006. The Committee recommended that the Planning Board issue the Certificate of Appropriateness

A public hearing was held February 27, 2006 and March 20, 2006.

The Planning Board reviewed a variance granted by the Zoning Board of Appeals on March 8, 2006.

The Planning Board has reviewed and discussed the proposed plans and determined that the addition 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,

The Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to John and Susan Pelosi for the proposed addition as described above.

Certified by: _____ Date: _____
Paula Schoonmaker, Asst. Clerk