

APPROVED

Town of Red Hook Planning Board Meeting Minutes April 3, 2006

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:42 p.m. and a quorum determined present for the conduct of business.

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

BUSINESS SESSION

Charles Laing said that the public hearing for the Glen Pond Office buildings project would be continued and that both the 7 Pines project and the Eye Associates project would be postponed.

The minutes from the March 20, 2006 meeting had been sent to the members and reviewed. Jennifer Fier made a motion to approve the minutes. Sam Phelan seconded the motion, and all members voted in favor.

PUBLIC HEARINGS

7:35 p.m.

Rondack Construction/ Glen Pond Road Office Buildings – Glen Pond Road - Site Plan

At the request of the applicant, the public hearing was continued to April 17, 2006.

REGULAR SESSION (OLD BUSINESS)

Leonard & Trilby Sieverding – Yantz Road – Subdivision Sketch Plan

Leonard and Trilby Sieverding were present to discuss their application for Subdivision Plat Approval (Sketch Plan Endorsement) to authorize the creation of four (4) residential building lots from a 46.12-acre parcel in the RD3 Zoning District and the Certified Agricultural District.

Mr. Sieverding reviewed the submitted project plans, saying that, as suggested by the Planning Board in February 2005, he had studied the writings of Randall Arendt and had followed those guides in configuring his proposed conservation subdivision plans. He presented a 12-lot subdivision plan with a loop road to access the house sites and also a 7-lot subdivision plan with two private driveways to access the house sites. He said that both plans set aside conservation areas and met the requirements for a farmland protection plan. He also said that he had contacted the Natural Heritage Program and had been advised that there were no endangered species habitats on the parcel.

Charles Laing read a referral response from the Agricultural and Open Space Advisory Committee. The Committee said that it had reviewed Mr. Sieverding's plans for 7 and 12 lots and also his original plan for 4 lots. The Committee said that it was unclear exactly which plan Mr. Sieverding was proposing. The Committee also asked for a combined site visit with the Planning Board.

The Board said that the full build-out plan was simply to show that a conservation subdivision for the maximum number of lots was possible, even if Mr. Sieverding should choose to subdivide fewer lots at the present time. Mr. Sieverding asked whether, should he decide to subdivide his parcel into fewer lots now, he could be guaranteed the right to further subdivide at a later time even if new zoning regulations went into effect. The Board said that there could be no such guarantees because the new zoning regulations would prevail.

The Board further said that if Mr. Sieverding chose to now increase the number of proposed lots to either 7 or 12, he would be proposing a major subdivision, which would entail a new application, EAF, and SEQR review.

The applicant and the Board discussed the advantages and disadvantages of a cul-de-sac, a private road, and multiple driveways to access the proposed lots. Both agreed that the driveway to proposed Lot 4 would involve two wetlands crossings. The Board also requested that proposed Lot 4 be moved to avoid soils of Statewide importance.

Mr. Sieverding stated that he would stay with his original proposal for four lots—three new residential lots and a remaining lands lot. The three new lots would be located at the southern end of the property and would be accessed by a single shared driveway. He also agreed to restrict the remaining property from further development by means of a conservation easement.

The Board generally endorsed his plan and reminded him that his next submission would be documents for final subdivision plat approval.

7 Pines, LLC – Norton Road – Subdivision Plat

At the request of the applicant, this discussion was postponed until April 17, 2006.

Eye Associates – Glen Pond Road – Lot Line Alteration

At the request of the applicant, this discussion was postponed until April 17, 2006.

REGULAR SESSION (NEW BUSINESS)

Michael Lueck – Locust Hill Drive & Budds Corner Road – Special Permit

Michael and Vicky Lueck were present with an application for a special permit to create a two bedroom, one bath apartment above an existing three bay garage at 1 Locust Hill Drive in the RD3 Zoning District.

Mr. Lueck explained the project and added that the Dutchess County Department of Health would likely approve engineer Michael Duval's design for the apartment's septic system within a week. He said that the apartment would be rented out and that there was adequate parking space and outdoor lighting.

The Board questioned the dimensions of the apartment, noting that the Zoning regulations restrict the size of an accessory apartment to 650 sq. ft. Mr. Lueck said that he had understood that closets, hallways, the bathroom and the kitchen should not be included in that calculation. The Board asked him to research that question, noting that he might need a variance if any one of those spaces had to be included in the total area.

The Board classified the project as an Unlisted Action under SEQR. David Wright made a motion to establish the Board as the Lead Agency for the SEQR review. Jennifer Fier seconded the motion, and all members present voted in favor.

The Board then set a public hearing date for May 1, 2006.

OTHER BUSINESS

Deadlines and escrow accounts

Paul Vosburgh said that the words 'before noon' were not included in the submission deadline described in the Planning Board's 'Policies and Procedures', published on the internet. The Board said that these words were included at the end of every agenda, but it thanked Mr. Vosburgh for his observation and said that this oversight would be corrected.

Mr. Vosburgh also said that he believed that the Planning Board's published 'Fee Schedule' did not show that an escrow account was required for a minor subdivision. Acting Chair Charles Laing said that the Board had intended that an escrow account be set up for every subdivision application, major or minor. He said that the Board would try to clarify that section of the 'Schedule'.

Clarification of 'recommendation'

Planner Michele Greig suggested that the Board request from its land use attorneys a legal clarification of section 143-47(h)[4] [a] of the Town's Zoning Code regarding the Board's approval of a farmland protection plan. Specifically, the Board should ask what is meant by the phrase 'upon recommendation of the Town's Agricultural Advisory Committee.'

Recusal of a member

Ms. Greig said that the NYS Attorney General had recently said that if a Board member must recuse himself or herself from involvement in an application, that member must not only leave the table, he or she must leave the room to avoid inadvertently influencing the discussion.

ADJOURNMENT

Since there was no further business to come before the Board, David Wright made a motion to adjourn. Jennifer Fier seconded the motion, and all members present voted in favor. The meeting was adjourned at 9:20 p.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk