

## **APPROVED**

### **Town of Red Hook Planning Board Meeting Minutes October 23, 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, Charles Laing, Sam Phelan, Paul Telesca and Chair Christine Kane. David Wright and John Hardeman were absent. Planning Consultant Michele Greig was also present.

#### **BUSINESS SESSION**

Christine Kane confirmed the agenda for the evening.

The minutes from the September 18, 2006 meeting had been sent to the members and reviewed. Sam Phelan made a motion to approve those minutes. Jennifer Fier seconded the motion, and four members present voted in favor. Charlie Laing abstained. Consideration of the minutes from the October 2, 2006 meeting was tabled, since only three of the members present had attended that meeting.

Christine Kane announced conference entitled 'How to Create Workforce Housing', to be held Thursday, November 16, 2006 in Yonkers, NY. She also reminded the Board about a conference entitled 'Preservation Under Pressure', to be held Saturday, October 28, 2006 at the Wallace Center in Hyde Park.

Two new maps were presented, one denoting the soils in the Town and the other denoting steep slopes. Small copies of these maps were given to each member.

Since at least two members will definitely be away for the November 6, 2006 meeting, the clerk will poll all the members to determine whether a quorum would be available for that date or whether the meeting should be rescheduled or cancelled.

#### **REGULAR SESSION (OLD BUSINESS)**

##### **Raython Merrihew – U.S. Route 9 – Subdivision Plat**

Marie Welch, L.S., was present for the discussion of an application for subdivision (sketch plan) plat approval to create two new residential building lots of 1.82 acres and 3.24 acres and one remaining lands lot of 1.825 acres from a 6.88-acre parcel in the R 1.5 Zoning District.

Ms. Welch presented two maps, one created by engineer David Queen showing possible septic system locations for the proposed new lots as well as a layout for the proposed shared driveway and the other showing the topography of the Merrihew parcel in the vicinity of the proposed houses. Ms. Welch explained that if the shared driveway were approved, the existing driveway to the existing house would be removed. Jennifer Fier said that she would prefer to see the driveway running along the rear of the parcel.

Ms. Welch replied that in that case, the driveway would encroach on the proposed septic systems.

Christine Kane reviewed a referral response from the Agriculture and Open Space Committee dated July 10, 2006 which said that any new houses should be clustered in a location as far as possible from a working farm to the west of the parcel and that proposed Lot A3 should instead be considered a buffer between the residences and that farm.

Ms. Welch said that this parcel was not a working farm as defined in the Town Code and that therefore the project should not be subject to the Important Farmlands Law. Christine Kane replied that the Law applies to those parcels where prime soils or soils of Statewide importance are present, as they are in this case.

Ms. Welch reminded the Board that the applicants were entitled to apply for four (4) lots and were just asking for three (3).

The Board generally discussed several concerns raised about proposed Lot 3, which is composed almost entirely of prime agricultural soils. Asked whether she could move the proposed house to the southeast, leaving most of that lot open and useful as a buffer for the farm to the west, she said that the applicant preferred the house location to stay where it was since he wished some distance between the house and the restaurant to the east. The Board also discussed the fact that prime soils are not well suited to successful septic systems, since the soil drains so quickly that groundwater could become contaminated.

The Board and Ms. Welsh agreed that the common driveway as proposed, while only requiring one curb cut, would seriously compromise the vistas on Route 9, a designated scenic road. They agreed that the existing house should keep its existing driveway and that proposed Lots 2 and 3 would share a driveway. Ms. Welsh agreed that a draft driveway maintenance agreement was necessary and that a note about the shared driveway should appear on the plat.

The Board asked Ms. Welsh to: 1) relocate the proposed house on Lot 2 so that it was tucked behind a ridge rather than sitting on top of it, 2) discuss with the engineer the feasibility of moving the shared driveway access to the northern end of the parcel 3) add notes to the plat concerning the shared driveway and also concerning the maintenance of existing vegetation and land forms on the eastern side of the parcel, so as to retain the scenic qualities of the road 4) review with the engineer the risks of locating the Lot 3 septic system on prime soils and 5) look into re-locating the house and septic system on Lot 3 to leave more contiguous open space.

### **REGULAR SESSION (NEW BUSINESS)**

#### **Harkins (JAMS)/Wolfson – Crestwood Road – Lot Line Alteration**

Sam and Arlene Harkins were present with an application for Lot Line Alteration to convey 4.25 acres from the 16.02-acre Lands of OAOA, LLC to the adjoining 1.00-acre Lands of Wolfson, in the RD3 Zoning District and partially in the Certified Agricultural District.

Mr. Harkins explained the reasons Mr. Wolfson wished to add the 4.25 acres to his adjoining lot. Mr. Harkins also said that both neighbors agreed that the hay field on that 4.25 acres should not be divided. He added that the shared driveway on that lot, which currently has no house, would remain. Finally, he said that the action would bring Mr. Wolfson's 1.0-acre substandard-sized lot into conformance with zoning but would not be enough to allow any further subdivision in the future.

Christine Kane said that notes on the original 2003 subdivision plat for the Fraleigh farm, the Planning Board's subdivision approval resolution of September 2003 and the deed restrictions submitted as a condition of approval all prohibit further subdivision of that lot, Lot #3. Mr. Harkins said he had asked then Planning Board chair Marcella Appell at the time whether he would still be able to change the lot lines. He said she had replied that he could change the lot lines as long as no new lots were created. Charles Laing said that nothing on the submitted documents or in the Planning Board minutes reflects that opinion.

The Board generally agreed to submit all the documents to Keane & Beane for a legal opinion.

#### **Willms/Treibel(Red Hook Mobile Home Park) – NYS Route 9 – Lot Line Alterations**

Neither applicant appeared for this discussion, so it was deferred to a future agenda.

### **OTHER BUSINESS**

#### **Voski Site Visit**

Responding to the AOSC's request for a joint site visit to the proposed Voski subdivision on Kidd Lane, the Board generally agreed to ask the AOSC to decide on a date that was convenient both for the Committee and Mr. Graminski and then to inform the Board of that date. Planning Board members would be contacted by e-mail.

#### **Conservation Easement Tax Abatement application – Marion Greig & Carolyn Greig – Hapeman Hill Road.**

The Board reviewed the submitted application, the data compiled by the Conservation Advisory Committee and that Committee's recommendation to the Town Board to approve the application. Jennifer Fier made a motion that the Planning Board also approve the application and recommend to the Town Board that the parcel on Hapeman Hill Road be included in the Town's Conservation Easement program. Charlie Laing seconded the motion, and all members present voted in favor.

#### **Scenic Roads**

The Board reviewed the draft regulations, part of the current Town of Stanford, NY scenic road regulations, recommended by the CAC. The members generally discussed whether the Highway Department should get some sort of sign-off from the Planning Board before going ahead with improvements such as widening, paving, mature tree removal, etc. on a designated scenic road, as is required in Stanford. Jennifer Fier suggested that plans for relocating a driveway should also be reviewed.

The Board also discussed the designation of a scenic road; specifically, whether a proposed road through a proposed development could be required to be constructed in a way that would employ elements that contribute to scenic roads, such as narrower lanes, changes in elevation such as small dips, rounded curves and tree planting.

Including these could allow new roads to better match the surrounding community and possibly be considered 'scenic' in the future.

The Board generally agreed that regulations concerning development along already existing and proposed scenic roads were most urgently needed and that the guidelines suggested in the CAC memo were helpful but needed fleshing out. The Board then generally agreed to ask Ms. Greig to draft some regulations incorporating and/or modifying the CAC's suggestions so that they would accurately reflect the Town's needs and current situation.

### **ADJOURNMENT**

Since there was no more business to come before the Board, Charlie Laing made a motion to adjourn. Jennifer Fier seconded the motion, and the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Paula Schoonmaker  
Assistant Clerk