

**TOWN OF RED HOOK PLANNING BOARD**  
**APPROVED MEETING MINUTES**  
**October 19, 2015**

**CALL TO ORDER / DETERMINATION OF QUORUM**

Christine Kane called the meeting to order at 7:30 pm and noted that the Teviot project had asked to be removed from the agenda. A quorum was determined present for the conduct of business. Members present: Chairperson Christine Kane, Kallie Robertson, Brian Kelly, Charlie Laing and Sam Phelan. Brian Walker and Sam Harkins were absent. Also present were Planning Consultant Michele Greig and Engineering Consultant Amy Haight.

Charlie Laing made a motion to adopt the minutes of October 5. Brian Kelly seconded and all members voted in favor.

Ms. Kane announced that the Dutchess County Planning Federation is holding a training workshop at the Dutchess County Farm and Home Center on Wednesday Oct. 28.

**PUBLIC HEARING**

**Rosenquist / Pfaff Lot Line Alteration**

Public hearing on application to convey approximately 0.32 acres of land from the Rosenquist parcel located on Freeborn Lane to the Pfaff parcel located on West Kerley Corners Road. Both parcels are located in the RD3 Zoning District.

Christine Kane read the Public Hearing Announcement. Surveyor Marie Welch was present to represent the applicants. She explained the purpose of the action, which was for the Pfaff party to gain additional land in order to have adequate room to install a septic system.

Ms. Kane asked if there were any comments or questions from the public. There were none.

The Board reviewed the EAF parts two and three. At the conclusion, Kallie Robertson made a motion to adopt a SEQRA draft Negative Declaration. Charlie Laing seconded and all members voted in favor.

Ms. Kane asked if there were any comments or questions from the audience. There were none. Sam Phelan made a motion to close the public hearing. Ms. Robertson seconded and all members voted in favor.

The Board reviewed a draft approval resolution. Sam Phelan made a motion to adopt the resolution. Brian Kelly seconded and all members voted in favor.

**OLD BUSINESS**

**Lawrence Suda – 102 Station Hill Road, Barrytown – Certificate of Appropriateness**

Continued discussion of application to replace two retaining walls.

Mr. Suda was present.

Christine Kane asked Mr. Suda what the walls would be finished with and what color they would be. Mr. Suda said the walls will have a stucco finish, and that the front of the wall will be brown and the back will be green, coordinating with the colors of the house.

The Board reviewed a draft SEQRA Type II resolution. Charlie Laing made a motion to adopt it. Brian Kelly seconded and all members voted in favor.

Kallie Robertson made a motion to adopt the Certificate of Appropriateness as amended to include a clause that the colors of the wall will coordinate with the house. Charlie Laing seconded and all members voted in favor.

**Nancy A. Coenen, 59 Old Post Road North – Certificate of Appropriateness**

Presentation of application to construct a 12 x 20 garden shed/utility/studio on 2.2 acres in the hamlet of Upper Red Hook.

Ms. Coenen was present. She described her project and distributed some visual images of the proposed building, which is within the 15 foot setback requirement to the adjacent property, which she also owns.

Christine Kane said that the application would be submitted to the Hamlet Review Committee, and that a public hearing would be held November 2 assuming the Board would have comments from the Committee by then.

**Claykill - Peter Sweeny, 28 Stonybrook Road, Tivoli – Minor Subdivision and Lot Line Alteration**

Presentation of application to subdivide a 26.9 acre parcel into two parcels of 3.002 and 15.745 acres; lot line alteration to combine remaining 8.25 acres with adjoining Sweeny lands at 28 Stonybrook Road.

Peter and Sarah Sweeny and engineer Mark Graminski were present. Mr. Sweeny described the proposed project, which lies in two separate zoning districts; Ag Business (AB) and Limited Development (LD). He submitted new maps of the wetlands, flood plains and soils and a revised plat that addressed a density issue identified by Michele Grieg in her comments dated Oct. 16 in which she noted that the 18.75 acre proposed parent parcel would be insufficient for a subdivision into two parcels since a minimum of 20 acres would be required.

Michele Grieg said she would need to carefully review the proposed project against the various zoning district requirements and primary resources of the land, which she identified as wetlands, the Sawkill Creek and areas within 100 feet of the high water mark, other streams and water bodies and areas within 50 feet of them, steep slopes and acreage subject to conservation or other easements; and secondary conservation areas, which she identified as important farm land, mature trees, woodlands along roadways and property lines, riparian areas and agricultural features, stone walls, hedgerows, historical or cultural resources, the presence of endangered or threatened species, scenic view shed and trails. She suggested that the Board conduct a site visit.

Ms. Grieg's comments thus far also included the following considerations:

- The proposed project is a Type I action under SEQR since the properties are located within the National Historic Landmark District, which is listed on the State and National Registers of Historic Places. A full EAF and coordinated review is required for Type I actions.

- The subdivision of lands located within the AB District are proposed under the "limited development option" of the zoning code, which permits a density of 1 dwelling per 10 acres and requires specific siting standards.

- The process for conservation subdivisions is a four step design process.

- A conservation easement to permanently protect the required 80% of open space for the proposed conservation subdivision in the AB District would be required.

- Since the project site is located in an area that has been identified as sensitive for archaeological resources by the NYS Office of Parks, Recreation and Historic Preservation, an archaeological survey should be prepared to assess potential impacts on cultural resources in the areas of potential disturbance.

- Since the project site is located in an area that has been identified as sensitive for rare plants and animals, the applicants must submit information from the NYSDEC Natural Heritage Program and from US Fish and Wildlife Service regarding the potential presence of species of conservation concern in the vicinity. A habitat assessment may also be necessary.

The Board and applicants discussed the logistics of preserving an agricultural field on the newly created lot in the AB district when siting the building envelope and septic area for a future residence. Mr. Graminski said the septic area could be filled and graded so that it could be hayed. Mr. Sweeney said it has never been tilled, it has only ever been hayed, and could continue to be hayed. Kallie Robertson noted that the proposed siting of the septic within the agricultural field would prohibit tilling in the future, a need for many agricultural uses including hay production. Sam Phelan suggested siting the septic someplace else.

The Board agreed to conduct a site visit at 9 am Saturday Oct. 24.

#### **Ruge's Automotive – 7293 South Broadway – Site Plan**

Continued discussion of application to construct a 6,000 square foot addition to an existing business in the TND-CC Zoning District.

Applicant Scott Hutchinson and engineer Mark Graminski were present.

The Board and applicants reviewed comments dated 10-16-15 from Town Engineer Brandee Nelson, including concerns regarding truck turning radiuses. Ms. Nelson noted that the truck turning movements show trucks leaving the property and utilizing space on the Ruge's parcel to the north which would require an easement to be granted. She also recommended that the southernmost parking spaces be relocated to the area west and southwest of the existing southerly spaces.

Mr. Hutchinson said tractor trailers do not deliver to the site very often. Ms. Grieg asked how many deliveries were made at 4 am. Mr. Hutchins said about three. Christine Kane asked whether the board would be comfortable approving a plan that requires truck turning movements on a neighboring property, even though, in this case, that property is also owned by Ruge's. Mr. Graminski said he was trying to keep the project as far back from Old Farm Road as possible, and that keeping the trucks entirely on the property would mean shifting the parking outward.

Mr. Graminski described the additional landscaping proposed. Mr. Hutchinson said that his understanding was that the landscaping was for screening purposes. Ms. Kane said that the new information about early morning truck deliveries is significant, and could create noise and lights that were not previously anticipated.

Ms. Nelson suggested that the applicants consider using the materials left over from digging the footings to create a berm and put the plantings on top of it and around it, including trees and understory shrubs to create screening on all levels. Sam Phelan said it would only be needed in the rear of the project and suggested the landscaping could be moved inward from the perimeter.

The Board generally agreed that an easement to allow truck turning on the adjacent property would be acceptable. Regarding lighting, the applicants agreed to install motion lights on the building because all night lighting would not be allowed.

Since there was no other business to come before the board Kallie Robertson made a motion to adjourn. Brian Kelly seconded and all members voted in favor.

Respectfully submitted,



Kathleen Flood  
Clerk to the Board

617.7

**State Environmental Quality Review (SEQR)**

**Negative Declaration**

Notice of Determination of Non-Significance

**Date of Adoption:**    **OCTOBER 19, 2015**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:**    Rosenquist/Pfaff Lot Line Alteration

**SEQR Status:**    Type I              
                         Unlisted          

**Conditioned Negative Declaration:**        YES  
       NO

**Description of Action:**    The applicants propose to convey approximately 0.32 acres of land from the Rosenquist parcel located on Freeborn Lane to the Pfaff parcel located on West Kerley Corners Road. Both parcels are located in the RD3 Zoning District. No development is proposed as part of this action.

**Location:**    283 W. Kerley Corners Road and 51 Freeborn Land, Town of Red Hook, Dutchess County, New York

**Reasons Supporting This Determination:**

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form (EAF) dated September 25 for the project, the Planning Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The proposed project is located on land with boundaries within 500 feet of lands that are in a NYS certified Agricultural District. An Agricultural Data Statement dated September 24, 2015 has been submitted by the applicant, forwarded to all owners of farming operations within 500 feet of the site, and such Statement has been considered by the Planning Board in its review of the action. Based on the foregoing, the Planning Board has determined that no significant adverse environmental impacts to agricultural resources will occur.

**For Further Information:**

Contact Person: Kathleen Flood, Clerk to the Planning Board  
Address: 7340 South Broadway  
Red Hook, NY 12571  
Telephone: 845-758-4613

**A Copy of this Notice Filed With:**

Town of Red Hook Planning Board (Lead Agency)  
7340 South Broadway  
Red Hook, NY 12571

**Resolution Granting Final Subdivision Plat Approval to  
Rosenquist/Pfaff Lot Line Alteration**

**Name of Project:** Rosenquist/Pfaff Lot Line Alteration

**Name of Applicant:** Lynne Rosenquist and Judy Pfaff

**Whereas,** the applicant has submitted an application for Lot Line Alteration dated September 25, 2015 to the Town of Red Hook Planning Board to convey  $\pm$  0.32 acres of land from the Rosenquist parcel (Tax Map Parcel No. 134889-6274-00-522808) located at 51 Freeborn Lane to the Pfaff parcel (Tax Map Parcel No., 134889-6274-00-455781) located at 283 W. Kerley Corners Road in the RD3 Zoning District in the Town of Red Hook, Dutchess County, New York; and

**Whereas,** the applicant has submitted a Final Subdivision Plat prepared by Welch Surveying dated September 24, 2015; and

**Whereas,** on October 5, 2015, the Planning Board declared itself Lead Agency for the purpose of conducting an uncoordinated review of an Unlisted Action pursuant to SEQR; and

**Whereas,** on October 19, 2015, the Planning Board, in consideration of the Short Environmental Assessment Form and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), determined that the proposed action will not cause any potentially significant adverse impacts on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

**Whereas,** the parcel boundaries are within 500 feet of lands that are within a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated September 25, 2015, which the Planning Board forwarded to all owners of farm operations within 500' of the subject parcel; and

**Whereas,** on October 19, 2015, the Planning Board conducted a duly noticed public hearing on the Subdivision Plat application, at which time all interested persons were given the opportunity to speak and the Planning Board closed the public hearing on October 19, 2015; and

**Whereas,** the Planning Board determined that the proposed action will not create a need for recreational land and facilities, and therefore does not require the applicant to make a recreational fee payment; and

**Whereas,** the Planning Board has deliberated on the application and all matters before it.

**NOW THEREFORE BE IT RESOLVED,** that the Planning Board hereby grants Final Subdivision Plat approval to Lynne Rosenquist and Judy Pfaff for a lot line

alteration in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. The following conditions shall be fulfilled prior to the signing of the Subdivision Plat by the Planning Board Chairwoman:
  - (a) The applicant shall verify that the corners of the tract have been marked by monuments or steel rods, as approved by the Town Engineer.
  - (b) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
  - (a) Payment of any and all outstanding escrow balances for consultant review.
  - (b) Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town's Land Subdivision Regulations, including all required P.E. and L.S. stamps and signatures.
2. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant and contained in the Short Environmental Assessment Form and the negative declaration adopted by the Planning Board on October 19, 2015 shall be considered conditions of this Subdivision Plat Approval.
3. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

On a motion by **SAM PHELAN**, seconded by **BRIAN KELLY**, and a vote of **CHRISTINE KANE, CHARLIE LAING, KALLIE ROERTSON, BRIAN KELLY AND SAM PHELAN** for, **NONE** against, and **SAM HARKINS AND BRIAN WALKER** absent, this

Resolution declared **ADOPTED** on **OCTOBER 19, 2015**.

Resolution Certified, Filed with the Town Clerk and Mailed to the Applicant

  
\_\_\_\_\_  
Kathleen Flood, Clerk to the Board

10-20-15  
Date

**617.6**  
**State Environmental Quality Review (SEQR)**  
**Resolution**  
Classifying the Proposed Project as a Type II Action

**Name of Action:** Lawrence Suda retaining walls

**Whereas**, the applicant proposes to replace two failing retaining walls on his property at 102 Station Hill Road, in the Hamlet of Barrytown, Town of Red Hook, Dutchess County, New York, and

**Whereas**, an Environmental Assessment Form (EAF) dated September 25 and revised October 6, 2014 has been prepared for the proposed action, and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply.

**Now Therefore Be It Resolved**, that the Planning Board hereby classifies the proposed project as a Type II action and declares that no further review under SEQR is required.

On a motion by **CHARLIE LAING**, seconded by **BRIAN KELLY** and a vote of **CHRISTINE KANE, CHARLIE LAING, KALLIE ROBERTSON, BRIAN KELLY AND SAM PHELAN** for, **NONE** against, and **SAM HARKINS AND BRIAN WALKER** absent, this resolution was adopted on **OCTOBER 19, 2015**.

**Town of Red Hook Planning Board**  
**CERTIFICATE OF APPROPRIATENESS**

Date: October 19, 2015

For: Lawrence Suda Residence  
Tax Parcel #6172-01-067856

The applicant's property located at 102 Station Hill Road, Barrytown, contains two retaining walls that have failed. He wishes to replace them and improve the drainage design.

The application and supporting documents were sent to the Hamlet Design Review Committee September 15, 2015.

The Hamlet Design Review Committee submitted comments to the Planning Board September 21, 2015.

The project was classified as a Type II action with no further SEQR review required. No Public Hearing was held.

The Planning Board has reviewed and discussed the proposed plans and determined that the project 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 due to the fact that the colors will match the existing house. Therefore,

On a motion by **KALLIE ROBERTSON**, seconded by **CHARLIE LAING**, and a vote of **CHRISTINE KANE, BRIAN KELLY, CHARLIE LAING, SAM PHELAN AND KALLIE ROBERTSON** for, **NONE** against and **SAM HARKINS AND BRIAN WALKER** absent, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Lawrence Suda for the proposed construction described above.

Certified by: *Kathleen Flood*  
Kathleen Flood, Planning Board Clerk

Date: 10.20.15