

TOWN OF RED HOOK PLANNING BOARD
DRAFT MEETING MINUTES
May 4, 2020

Chairman Sam Phelan called the meeting to order at 7:30 pm. Mr. Phelan read a statement of compliance with the NYS Open Meetings Law regarding the use of videoconferencing the meeting utilizing the Zoom internet platform.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Brian Kelly, Vanessa Kichline, Kristina Dousharm Kallie Robertson and Lisa Foscolo. Also present were planning consultant Michele Greig, engineering consultant Michelle Mormile and the Board's attorney Joel Sachs.

Mr. Phelan described the procedure that would be followed for the public hearings scheduled. Lisa Foscolo explained how members of the public could comment during the public hearings. Mr. Phelan said that questions and comments could also be emailed to the Planning office at planning@redhook.org, or mailed to the Board at 7340 South Broadway for those hearings that the board decides to continue.

PUBLIC HEARINGS

Bard College Blythewood vista Special Use Permit

Public hearing on application for the removal of approximately 86 plants within a 30' x 60' swath to restore an historic scenic vista in the Waterfront Conservation (WC), Scenic Corridor Overlay (SC-O), and Historic Landmarks Overlay (HL-O) Districts within 1000 feet of the Hudson River.

Applicant's representative Amy Parrella was present. Mr. Phelan read the public hearing announcement. Brian Kelly moved to open the hearing. Vanessa Kichline seconded and all members voted in favor.

Ms. Parrella gave an overview of the project referring to a 1947 photo to indicate the vista to be restored, and described the cutting and trimming that would be necessary to reestablish the 'keyhole' vista.

Ms. Parella introduced representatives Nate Nardi Cyrus from the Cornell Hudson River Estuary program; program manager Emily Gardener of Saratoga Associates, and Pamela Governale, director of preservation at the Garden Conservancy, who were in attendance to support the project.

Ms. Parella said that a full Environmental Assessment Form (EAF) had been submitted. She added that the Department of Environmental Conservation (DEC) has committed to conduct a bald eagle survey over the summer, and that Bard has agreed to waive the 62-day Planning Board decision requirement until such time as the eagle survey is completed and reviewed by the Board. She said the project will probably begin in November.

Mr. Phelan asked about significant trees that might be removed. Ms. Parrella said very few specimen trees would be removed, however some would be pruned.

Mr. Phelan asked if any Board members had questions or comments. There were none. Mr. Phelan asked if there were any questions or comments from the public. There were none.

Kristina Dousharm moved that the Board adopt a resolution on intent to act as SEQR Lead Agency. Brian Kelly seconded and all members, by roll call vote, voted in favor.

Michele Grieg said all of her comments of her 4-29-20 memo had been addressed. She recommended that the public hearing remain open until the eagle survey was completed and reviewed. Mr. Phelan agreed to leave the hearing open, and re-notice it with a future time and date to continue the hearing.

Bear Special Use Permit, 398 Spring Lake Road

Public hearing on application to construct a two car, detached garage, less than 100 feet from a NYSDEC wetland, on a 0.6-acre parcel, in the Institutional Zoning District.

Sam Phelan read the public hearing notice. Lisa Foscolo moved to open the hearing. Kristina Dousharm seconded and all members voted in favor.

Applicant's representative Tim Lynch was present. He gave an overview of the project. The Board viewed the site plan and architectural renderings for the garage, and the proposed rain garden designed to capture storm water runoff from the proposed garage roof and the driveway. Mr. Phelan asked how the second story of the garage would be used. Mr. Lynch replied storage and studio space. He added that no plumbing would be installed other than a hose bib on the outside of the building.

Mr. Phelan asked if there were any comments from Board members. There were none. He asked Michelle Mormile if she had any comments or concerns. Ms. Mormile replied that possible septic expansion areas had been an issue. Mr. Lynch said there is nothing to indicate that the continued use of the property as it is, is restricted in that regard. He indicated the location of the existing septic system, and an area that could be used for system expansion if needed.

Mr. Phelan inquired about the capacity of the rain garden. He asked Ms. Mormile is it was acceptable that, if the rain garden is at capacity, runoff would flow to Spring Lake. Ms. Mormile replied that the calculations for the rain garden submitted by Mr. Lynch were in compliance the DEC regulations. She said the quantities of plants proposed for the rain garden should be included in the detail.

Ms. Greig reviewed her comments dated 5-4-20. Mr. Phelan asked if there were any questions or comments from the Board or the public. There were none. Brian Kelly moved to close the public hearing. Kristina Dousharm seconded and all members voted in favor.

The Board reviewed a draft approval resolution. The Board generally agreed that the shed designated to be removed by the Zoning Board of Appeals (ZBA) could remain until the applicant applies for a Certificate of Occupancy, so the the applicant can use it until the garage is built. Ms. Greig said she would amend the draft to reflect that. Vanessa Kichline moved to adopt the approval resolution as amended. Brian Kelly seconded and the motion passed unanimously.

Sky Park Minor Subdivision, 438 Route 199

Public Hearing on application to subdivide a 102.114-acre parcel into four residential building lots, 7.971 acres, 30 acres 37.517 acres and 31.508 acres in size, proposed to be accessed by two shared driveways in the RD3, Waterfront Conservation (WC), Scenic Corridor Overlay (SC-O) and Environmental Protection Overlay (EP-O) Districts.

Mr. Phelan read the public hearing announcement. Kristina Dousharm moved to open the hearing. Brian Kelly seconded and all members voted in favor. Applicant's representative's Tom Mangione was present.

Mr. Mangione gave a history of the property and overview of the project. The subdivision and accompanying worksheet plats were reviewed, including protected/restricted, scenic and environmentally sensitive areas, driveways and building envelopes proposed.

Mr. Phelan asked if there were any questions from Board members and consultants. There were none. Mr. Phelan asked if Board members were comfortable with the deed restrictions on lot one. There were no comments.

Mr. Phelan asked if there were any comments or questions from the public. Adjoining property area Jeremy Meilman asked what type of environmental considerations were employed. He said that in walking the property he has often seen various abandoned items such as discarded barrels, and wondered if there were buried oil tanks or other industrial refuse on the property. Mr. Mangione said the applicants had completed the environmental processes that the Planning Board had requested. He said several old tanks had been excavated and removed around 1999, and a licensed environmental company was hired to test the soils in and around the tanks. He said neither he nor the owners of the property were aware of any existing environmental violations. Planning Board attorney Joel Sachs added that if any contractor who works on the property discovers contamination, under state law they would be required to stop work and report the situation to the DEC. Mr. Meilman asked if the current property owner has been the owner since it was used as an airport in the 1960s. Mr. Mangione replied that the

records of ownership are available to the public, and he thought that the current owner acquired the property around 2008. He said appropriate environmental reports have been submitted to the Red Hook Building Department and the Planning Board. Mr. Meilman described where he has recently seen the items he spoke of in the woods on the property. Mr. Mangione offered his contact information and agreed to meet Mr. Meilman so he could show him.

There was no further comment from the public. The Board reviewed a draft final approval resolution. The public hearing was adjourned to June 1 at 7:35 to give the applicant time to review the draft conditions of approval and the applicant's attorney and Town attorney to come to agreement on the deed restrictions for lot 1.

Winnakee, Rose, Cohen, Trimarco, Guido, Van Nostrand, Fisher, and Tabor, Evans and Botero Lot Line Alterations

Public hearing on application to convey a total of 1.36 acres of land from a 246.63-acre parcel to seven adjacent residential parcels to address encroachments of the subject lots onto the Winnakee parcel. Project is located in the R1.5, RD3, Historic Landmarks Overlay and Scenic Corridor Overlay districts.

Mr. Phelan recused himself and Brian Kelly took over as Chairperson. Applicant's representative Warren Rosenthal was present. Mr. Kelly read the public hearing notice. Vanessa Kichline moved to open the hearing. Lisa Foscolo seconded and all members voted in favor. Mr. Rosenthal gave an overview of the project.

Mr. Kelly asked if there were any questions or comments from the Planning Board. There were none. Mr. Kelly asked if there were any questions or comments from the public. Richard Aldus of Manor Road asked Mr. Rosenthal for further clarification. Mr. Rosenthal explained that the seven landowners were being conveyed additional land from Winnakee in order to correct violations, such as a shed or a fence, encroaching on the Winnakee lands. He said many violations have existed for many years, and were either unknown to or unimportant to the previous property owner that Winnakee purchased the land from. He said that the State requires that there can be no encroachments whatsoever on the Winnakee Lands.

Kristy Klermer, of Route 9G, asked if her property was affected. Mr. Rosenthal confirmed that it was not. Ms. Klermer said there is a lot of hunting activity on the Winnakee property. Mr. Rosenthal said that no one should be on the property.

Melissa Cohen wrote in to thank Winnakee for accommodating the homeowners.

Lisa Foscolo moved to close the public hearing. Kristina Dousharm seconded and all members voted in favor. The Board reviewed a draft approval resolution. Ms. Dousharm moved to adopt it. Ms. Foscolo seconded and all members voted in favor.

OTHER BUSINESS

Town of Red Hook SEQR Lead Agency request – Curran application for Open Development Area, 26 Read Road.

Mr. Phelan resumed the position of Chairperson. The Board generally agreed that the Town Board shall serve as Lead Agency for SEQR review of the application.

ADJOURNMENT

There being no further business before the Board, Brian Kelly moved to adjourn. Kallie Robertson seconded and all members voted in favor.

Respectfully Submitted,

Kathleen Flood

Clerk for the Board