

**TOWN OF RED HOOK PLANNING BOARD
DRAFT MEETING MINUTES
June 1, 2020**

Chairman Sam Phelan called the meeting to order at 7:30 pm. Mr. Phelan assured 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, Kristina Dousharm, Kallie Robertson, Lew Rose and Lisa Foscolo. Also present were planning consultant Michele Greig, engineering consultant Michelle Mormile and the Board's attorney Joel Sachs.

Brian Kelly moved to accept the draft minutes for the April 6 and May 4 meetings. Lisa Foscolo seconded and all members voted in favor.

CONTINUED PUBLIC HEARING

Sky Park Minor Subdivision, 438 Route 199

Continued 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.

Applicant's representative Tom Mangione was present.

Sam Phelan asked Mr. Mangione if anything had resulted from the comment by a neighbor at the public hearing about industrial refuse or contamination on the property. Mr. Mangione said he had reached out to the neighbor but received no response.

Mr. Mangione said that the Red Hook Building department has documentation that underground storage tanks were properly removed. The Board generally agreed that any issues had been addressed.

Joel Sachs said he would feel more comfortable if the Board would consider asking the building department to consult the DEC and the Health Department databases to ensure that there is no contamination on the site.

Mr. Mangione said that the deed restrictions for lot 1 had been revised to the Planning Board and applicant's attorneys' satisfaction. Mr. Sachs wanted to review some minor changes to the document and agreed to review those changes with Mr. Phelan before finalizing them.

Lisa Foscolo moved to close the public hearing. Lewis Rose seconded and all members voted in favor.

The Board and applicants reviewed a draft final approval resolution. Language in the conditions of approval concerning the requirement of State Pollutant Discharge Elimination System (SPDES) permits and investigating any possibility of site contamination was revised. Kristina Dousharm moved to adopt the approval resolution as amended. Lisa Foscolo seconded and all members, by roll call, voted in favor. (Kallie Robertson left the meeting before the vote.)

NEW BUSINESS

Ferguson Barn Special Use Permit, 32 Vosburgh Road

Presentation of application to construct a barn for personal and veterinary use on a 12-acre parcel in the RD3 Zoning District.

Applicant Gillian Ferguson and her representative Phillip Williams were present. Mr. Williams gave an overview of the project, and Ms. Ferguson described the structures that currently exist on the property.

Lewis Rose asked Mr. Ferguson approximately what percentage of the new barn would be used for her to treat animals. Ms. Ferguson discussed the way haul-in services work, and said she does not do much of that type of treatment currently, but she anticipates when the barn is built, possibly two to three animals per week.

The Board reviewed the site plan submitted, and an aerial photo to determine the location of the proposed driveway and the neighbor's house. Also reviewed were elevations and floor plan for the proposed barn.

Kristina Dousharm moved to adopt a Type II SEQR resolution. Lisa Foscolo seconded and all members voted in favor.

Mr. Phelan said an application for site plan should be submitted, and a revised site plan that clearly shows the driveway, parking, trees to be removed, and lighting and signage if applicable.

OTHER BUSINESS

Curran Open Development Area, Read Road

Request for comments from the Planning Board from the Town Board.

Applicant's representative Warren Replansky was present.

Mr. Phelan explained that the applicant's lot has adequate frontage on Read Road, but they want to access their lot off of Westview Lane, which serves four lots, but is not a town road.

Mr. Replansky said that the topography of the property would make it difficult and expensive to build a driveway off Read Road. Lewis Rose asked for clarification about the topography. Mr. Replansky said he had no details. Mr. Rose asked if West Road is a private road or a driveway. Mr. Replansky said it is listed as a private road that accesses four lots, two of which have houses.

Mr. Phelan said that a private road should comply with the specifications of a town road, and driveways may not access more than 4 parcels. Mr. Replansky asked where the driveway information was in the

zoning code. Michele Grieg said it was in the subdivision regulations. Mr. Replansky said the application is not for a subdivision. Ms. Greig said that regardless, there is a limit to the number of dwellings that can be served by a shared driveway. A private road may serve more than 4 homes, she said, but it would need to be documented that West Road is a private road.

Mr. Replansky said the applicants also own a vacant 10.95-acre parcel on Westview Lane, and a 1.1-acre parcel with a residence on it. Mr. Phelan asked if it was correct, then, that the applicant owns four parcels on Westview Lane, and there is one parcel that Westview Lane via easement that is not owned by the applicant for a total of 5 lots. Mr. Replansky replied that four lots access Read Road over Westview Lane. Considerable discussion ensued about the history of the homesites being served by Westview Lane. Brian Kelly noted that there actually are 3 existing homes on Westview Lane, rather than 2.

Ms. Grieg said that some documentation of the creation of the road should be submitted. Joel Sachs offered to meet with Mr. Replansky and Ms. Grieg before the next meeting to determine the legal status of Westview Lane and the number of lots allowed to use it for access to Read Road. The matter was tabled pending further clarification.

ADJOURNMENT

There being no further business before the Board, Kristina Dousharm made a motion to adjourn. Lisa Foscolo seconded and all members voted in favor.

Respectfully submitted

Kathleen Flood
Clerk for the Board