

TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
January 11, 2021

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 and Lewis Rose. Also present were planning consultant Michele Greig and Planning Board Clerk Kathleen Flood.

Lew Rose moved to accept the draft minutes for the December 7 meeting. Brian Kelly seconded, and all members, by roll call, voted in favor.

PUBLIC HEARINGS

Cost Certificate of Appropriateness – 116 Station Hill Road

Public hearing on application to modify the entrance to a garage in Barrytown.

Applicant Bruce Cost was present. Mr. Phelan read the public hearing announcement that was published in the Poughkeepsie Journal.

Lew Rose moved to open the public hearing. Brian Kelly seconded, and the motion passed unanimously.

Mr. Cost gave an overview of his project. He noted that the Hamlet Design Review committee had approved of his plan.

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

Kristina Dousharm moved to close the hearing. Brian Kelly seconded, and all members voted in favor.

The Board reviewed a draft approval resolution. Brian Kelly moved to adopt it. Kristina Dousharm seconded, and all members, by roll call, voted in favor.

Hutchins Cottage Special Use Permit– 230 Linden Avenue

Public Hearing on application to construct a 26' x 26' cottage on 10.22-acre parcel in the R1.5 Zoning District.

Applicant Paul Hutchins was present. Mr. Phelan read the public hearing announcement that was published in the Poughkeepsie Journal. Lew Rose moved to open the public hearing. Brian Kelly seconded, and the motion passed unanimously.

Mr. Hutchins gave an overview of the project.

Mr. Phelan asked if there were any questions or comments from the public. There were none. Mr. Phelan asked if there were any questions or comments from Board Members. Mr. Rose asked if all the neighbors had been notified. Kathleen Flood said all neighbors within 200 feet of the project had been notified by certified mail. Mr. Phelan asked about lighting. Mr. Hutchins said there was only one outside light proposed, on the front of the cottage. Kristina Dousharm asked if maintenance of the landscaping had been addressed in the draft approval. Michele Greig said that Mr. Hutchins had provided a statement for the file, and landscape maintenance was noted as a condition of approval.

Kristina Dousharm moved to close the public hearing. Lew Rose seconded, and all members voted in favor.

The Board reviewed a conditional Approval Resolution. Brian Kelly moved to adopt it. Kristina Dousharm seconded, and all members by roll call, voted in favor.

Old Rhinebeck Aerodrome Hangar Replacement Site Plan- 16 Norton Road

Public Hearing on application to demolish two existing storage hangars with one new one in the RD3 Zoning District.

Mr. Phelan read the public hearing announcement that was published in the Poughkeepsie Journal. Lew Rose moved to open the public hearing. Brian Kelly seconded, and the motion passed unanimously.

Applicant's representatives Andy Howard and Scott Cruikshank were present. They gave an overview of the project, including the proposed colors of the building.

Mr. Phelan asked if there were any comments from the public. There were none. He asked if Board members had any questions or comments. There were none. Michele Greig asked is it was still planned to have a name on the building. Mr. Cruikshank said that there would not be any lettering on the building.

Lew Rose moved to close the hearing. Kristina Dousharm seconded, and all members voted in favor.

The Board reviewed a conditional Approval Resolution. Kristina Dousharm moved to adopt it. Brian Kelly seconded and all members, by roll call, voted in favor.

NEW BUSINESS

Schultz Cottage Special Use Permit – 16 Echo Valley Road

Presentation of application to convert a workshop above a garage to a 620-Square Foot cottage on a 3.7-acre parcel in the R1.5 Zoning District.

Applicant Lindsay Schultz was present. She gave an overview of the project. Michele Greig said she had verified the square footage. Mr. Phelan asked if the downstairs would remain a garage. Ms. Schultz replied yes. Mr. Rose asked if the exterior of the building, as per the elevations submitted, would remain the same. Ms. Schultz replied yes. Ms. Grieg asked about exterior lighting. Ms. Schultz said the gooseneck lights would be replaced. Ms. Greig said the new light fixtures proposed are too bright. Ms. Schultz said she would keep the gooseneck lamps and submit cut sheets for them. Ms. Schultz provided

a photo of the project under construction, and the Board viewed the subject parcel on the County Parcel Access website.

The Board and applicant reviewed comments from Michele Greig. Ms. Schultz was directed to update the proposed lighting, provide a letter from the County Board of Health to document the size of the existing septic, and certification from her engineer that the existing well has adequate capacity to supply the cottage; to show two 9 x 18-foot parking spaces, provide a statement that there will be only one accessory dwelling on the property, and provide a photo of the garage as built.

Brian Kelly moved to declare the project a Type II under SEQR. Kristina Dousharm seconded, and the motion passed unanimously.

A public hearing will be held February 1.

Nieuwenhuizen Amended Minor Subdivision – 5 Moxie Lane

Presentation of application to amend the Lexanne Acres Minor Subdivision, approved in 2009, to relocate the driveway entrance for lot #4 in the Agricultural Business Zoning District.

Applicant Robert Nieuwenhuizen was present. He said that since most of his frontage is on Middle Road, they would like to have the driveway off Middle Road instead of Moxie Lane, as shown on the approved subdivision.

Mr. Phelan remarked that there are several existing driveways on that busy stretch of Middle Road.

Ms. Greig said she did not see anything in the town's subdivision regulations that would prohibit a driveway on Middle Road since the Nieuwenhuizen lot is not a flag lot, but she could not determine whether the change would comply with the town highway department specifications. She recommended that the plans be submitted to the Planning Board's engineer.

Mr. Rose inquired about the common use and maintenance agreement for Moxie Lane. Mr. Nieuwenhuizen said he would comply with the agreement even if he could move the driveway. Ms. Greig said that if approved, Mr. Nieuwenhuizen would need to have an engineer modify the approved plat and submit it to the County.

The project will be submitted to the Planning Board's engineer, and the applicant will return before the Board Feb. 1.

OTHER BUSINESS

Preserve at Lakeskill – extension request

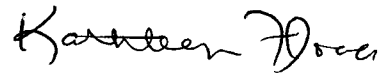
Applicant's attorney John Wagner and Engineer Mike Bodendorf were present. The Board reviewed progress on the conditions of approval. It was agreed that the only outstanding conditions are a road opening permit, and the acceptance of the conservation easement. Mr. Wagner said both were before the Town Board.

Brian Kelly moved to grant a 90-day extension. Kristina Dousharm seconded, and all members voted in favor.

ADJOURNMENT

There being no further business before the Board, Lew Rose made a motion to adjourn. Brian Kelly seconded, and all members voted in favor.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathleen Flood".

Kathleen Flood
Planning Board Clerk

Town of Red Hook Planning Board

CERTIFICATE OF APPROPRIATENESS

January 11, 2021

Bruce Cost and Kavitha Reddy
Tax Parcel #028859

The applicant, whose property is located at 116 Station Hill Road, Red Hook, has applied to modify the entrance to their two-car garage with a new entryway and deck on a 1.1-acre parcel in the Hamlet of Barrytown.

The Hamlet Design Review Committee reviewed the application and related documents and on Dec. 3, 2020, the Committee recommended that the Planning Board grant a Certificate of Appropriateness to the applicant.

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 in the district and that there will be no visual negative impact. Therefore,

On a motion By Brian Kelly , seconded by Kristina Dousharm, and a vote of 4 for, 0 against and 3 seats vacant, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Bruce Cost and Kavitha Reddy for the proposed construction described above.

Certified by: Kathleen Flood 1-12-21
Kathleen Flood, Planning Board Clerk Date

Resolution Granting Special Permit Approval to Hutchins Cottage

Name of Project: Hutchins Cottage

Name of Applicant: Paul Hutchins

Whereas, the Town of Red Hook Planning Board has received an application for Special Permit approval from Paul Hutchins to construct a cottage on a \pm 10.22 acre parcel (Tax Map Parcel No. 134889-6273-00-295435) located at 230 Linden Avenue in the R1.5 Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a plan prepared by the applicant stamped received by the Planning Board on December 14, 2020; a floorplan prepared by the applicant stamped received by the Planning Board on October 27, 2020; front and rear building elevations, stamped received by the Planning Board on October 27, 2020; manufacturers cut sheets of an outdoor lighting fixture stamped received by the Planning Board on May 4, 2020; a plan for sanitary systems prepared by David Rider P.E., PLLC dated November 12, 2020; a Statement for the Planning Board dated December 11, 2020; and related file materials; and

Whereas, on November 9, 2020, the Planning Board classified the proposed action as a Type II action pursuant to 6 CRR-NY Part 617.5(c)(11); and

Whereas, the Planning Board has reviewed the application for Special Permit against the general standards for a special use permit found in § 143-51 and has found that the proposal complies with all of the general standards, including: the location and size of the use, and the nature and intensity of the operations involved are in harmony with the orderly development of the R 1.5 District; the size of the site in relation to the use, the location, nature and height of the building in which the use will be located, and the nature and intensity of intended operations will not discourage the appropriate development and use of adjacent land and buildings, nor impair the value thereof; proposed traffic accessways will be adequate, and safe and accessible off-street parking will be provided; the general landscaping of the site is in character generally prevailing in the neighborhood and the owner of record will maintain an evergreen buffer between the proposed cottage and the adjacent property to the east to serve as a buffer; all structures will be readily accessible for fire and police protection; the character and appearance of the proposed cottage will be in general harmony with the character and appearance of the surrounding neighborhood and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or flashing lights; and the use will be carried out in a manner compatible with its environmental setting and with due consideration to the protection of natural resources; and

Whereas, the Planning Board has reviewed the application for Special Permit against the specific standards for a cottage found in § 143-68 and has found that the proposal complies with all of the specific standards, including: the maximum gross floor area devoted to the cottage will be less than 650 square feet; the cottage will be supported by water supply and sanitary sewage disposal facilities deemed suitable by the Dutchess County Department of Behavioral and Community Health (DCDBCH) as certified by David Rider P.E., PLLC in correspondence dated October 23, 2020, and the proposed sanitary sewage disposal system will be approved by the DCDBCH; there are no other cottages or accessory apartments on the property; the cottage satisfies all of the setback requirements for a principal structure and for off-street parking in the R 1.5 District; and the cottage

will be located on a lot that is greater than the minimum three acres required for a cottage in the R 1.5 District; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, on January 11, 2021, the Planning Board opened a duly noticed public hearing on the Special Permit application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on January 11, 2021; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board has determined that no new residential building lots or principal dwelling units will be created, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Special Permit approval to Paul Hutchins for a cottage in accordance with the application materials and specifications heretofore enumerated upon the following conditions:

- A. The following conditions shall be fulfilled prior to the applicant obtaining a Building Permit for the proposed project:
 - (1) The applicant shall obtain approval from DCDBCH for the proposed sanitary sewage disposal system.
 - (2) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.
 - (3) The applicant shall pay any and all outstanding escrow balances for consultant review.
- B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy for the cottage:
 - (1) The building shall be in compliance with all provisions of the New York State Uniform Fire Prevention and Building Code pursuant to § 143-68D of the Zoning Law.
 - (2) All proposed improvements shall have been completed in accordance with the approved Special Permit.
- C. The following are general conditions which shall be fulfilled throughout the operation of the project:
 - (1) This permit authorizes one (1) cottage a maximum of 650 square feet in gross floor area.
 - (2) Two off-street parking spaces for the accessory apartment, in addition to two parking spaces for the single-family dwelling on site, shall be provided at all times.

- (3) The owner of record shall maintain a row of evergreen plantings between the cottage and the adjacent property to the east to serve as a buffer throughout the duration of the use.
- (4) The owner of record shall continue to comply with all requirements of § 143-68 of the Zoning Law and with all conditions imposed by any outside agencies in their permits.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Brian Kelly, seconded by Kristina Dousharm, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting: Aye
Deputy Chairman Brian Kelly	Voting: Aye
Member Kristina Dousharm	Voting: Aye
Member Lew Rose	Voting: Aye
and three vacant seats	

Resolution was declared adopted on January 11, 2021.

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

Kathleen Flood
 Kathleen Flood, Clerk to the Planning Board

1-12-21
 Date

Resolution Granting Site Plan Approval to Old Rhinebeck Aerodrome Museum Hangar Replacement

Name of Project: Old Rhinebeck Aerodrome Museum Hangar Replacement

Name of Applicant: Old Rhinebeck Aerodrome Museum

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Old Rhinebeck Aerodrome Museum to demolish two existing airplane hangars totaling \pm 6,468 square feet in size and replace them with one \pm 6,000 square foot hangar on a \pm 123.23 acre parcel (Tax Map Parcel No. 134889-6271-00-820860) located at 16 Norton Road in the RD3 Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Site Plan entitled “Old Rhinebeck Aerodrome Museum Hangar Replacement” prepared by Stantec (Sheets 1 to 3 dated November 19, 2020 and revised November 25, 2020), and Building Elevations, 3D Views, and Building Colors prepared by Consigli (undated); and

Whereas, on November 16, 2020, the Code Enforcement Officer determined the new hangar will not increase the degree of nonconformity and therefore does not require an area variance, and that the proposed project does not require a Special Permit; and

Whereas, on November 17, 2020, the Code Enforcement Officer determined the proposed lettering on the hangar does not constitute a sign; and

Whereas, on December 7, 2020, the Planning Board, in consideration of the Short Environmental Assessment Form (EAF) submitted by the applicant dated October 29, 2020 and the ‘criteria for determining significance’ set forth in 6 CRR-NY Part 617.7(c), determined that the proposed action will not cause any potential significant adverse impact on the environment, and issued a Negative Declaration determining that an environmental impact statement need not be prepared; and

Whereas, the parcel is located within 500 feet of a New York State certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated November 10, 2020, which the Planning Board duly forwarded to all owners of farm operations within 500’ of the subject parcel; and

Whereas, the Planning Board considered the Agricultural Data Statement in its review of the application; and

Whereas, due to the location of the property within 500’ of a municipal boundary and within 500’ of a farm operation in a New York State certified Agricultural District, the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department determined in its review dated December 31, 2020 that the project was a matter of local concern; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, pursuant to General Municipal Law § 239-nn, the Planning Board notified the Clerk of the Town of Rhinebeck of the public hearing on the site plan application; and

Whereas, on January 11, 2021, the Planning Board opened a duly-noticed public hearing on the Site Plan application, at which time all interested persons were given the opportunity to speak and the Planning Board closed the Public Hearing on on January 11, 2021; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board has determined that no new residential building lots or principal dwelling units will be created, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Site Plan approval to Old Rhinebeck Aerodrome Museum for a replacement hangar in accordance with the plans and specifications heretofore enumerated upon the following conditions:

- A. The Planning Board authorizes the Chairman or his authorized designee to sign the Site Plan after compliance with the following conditions:
 - (1) The applicant shall submit samples of proposed building colors.
 - (2) The Site Plan, Building Elevations, 3D Views, and Building Colors shall include a signature block for the Planning Board.
 - (3) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.
 - (4) The applicant shall pay any and all outstanding escrow balances for consultant review.
 - (5) The applicant shall submit Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required stamps and signatures.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for endorsement by the Planning Board Chairman or his designee. One (1) set will be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Department. The applicant must return to the Planning Board for approval of any desired changes from the endorsed plans.

- B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO):
 - (1) All proposed improvements shall have been completed in accordance with the approved Site Plan.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Kristina Dousharm, seconded by Brian Kelly, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting: Aye
Deputy Chairman Brian Kelly	Voting: Aye
Member Kristina Dousharm	Voting: Aye
Member Lew Rose	Voting: Aye
and three vacant seats	

Resolution was declared adopted on January 11, 2021.

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

Kathleen Flood
Kathleen Flood, Clerk to the Planning Board

1-12-21
Date

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

Name of Action: Schultz Cottage

Whereas, the Town of Red Hook Planning Board is in receipt of a Special Permit application by Lindsay Schultz to convert the second story of an existing garage into a \pm 620 square foot accessory cottage on a \pm 3.6 acre parcel located at 16 Echo Valley Road in the R1.5 District in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated December 15, 2020 was submitted at the time of application; and

Whereas, after comparing the thresholds contained in 6 CRR-NY 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the threshold found in 6 CRR-NY 617.5(c)(11) 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 Brian Kelly, seconded by Kristina Dousharm, and a vote of 4 for, 0 against, and 3 vacant seats this resolution was adopted on January 11, 2021.