

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
MARCH 4, 2019**

Kallie Robertson called the meeting to order at 7:30 pm.

A quorum was determined present for the conduct of business. Members present: Kallie Robertson, Bill Hamel, Kristina Dousharm and Brian Kelly. Also present were planning consultant Michele Grieg and engineering consultant Michelle Mormile.

Kristina Dousharm made a motion to approve the draft Feb. 4 minutes. Brian Kelly seconded and all members voted in favor.

OLD BUSINESS

Donald Sperry – 276 Metzger Road – Lot Line Alteration

Continued discussion of application to convey 1.693 acres of land from a 6.974 acre parcel to an adjacent 7.240 acre parcel resulting in a 5.280 acre parcel and an 8.933 acre parcel in the RD3 Zoning District.

Applicant's representative Dana Sperry was present.

Michele Greig reviewed her comments dated 2-26-19. She noted that the home site was not quite within the recommended 200 foot agricultural setback. Mr. Sperry said that moving the house further east might interfere with the septic system, and there would be a garage on the east side of the house. He added that the terrain is quite steep along with the border of the neighboring agricultural lands.

Ms. Robertson said she felt comfortable with the proposed location of the home, but would like to see the proposed garage and driveway configuration on the plat. The rest of the Board members agreed.

Ms. Grieg said that typically two flag lots are required to share one driveway entrance. Mr. Sperry said that the highway superintendent had approved the location his separate driveway, and agreed to provide a copy of the permit to the Planning Board.

Michelle Mormile discussed her comment letter dated 3-1-19, which focused specifically on the driveway. She noted that in cases where the driveway exceeds a grade of 6% or more and drains to a town road, the entire driveway must be paved unless waived by the Superintendent of Highways. Ms. Mormile said that the Superintendent should provide documentation to the Board that she will not require paving the driveway.

Ms. Mormile continued that the diameter of the culvert should be shown on the plat, and turnouts and turnarounds for emergency vehicles need to be provided and shown as well.

The Board reviewed EAF parts 2 and 3 and a draft SEQR Negative Declaration. Bill Hamel made a motion to adopt the Negative Declaration. Kristina Dousharm seconded and the motion passed unanimously.

A public hearing was set for March 18.

MC Acres / Treu / Weckesser Minor subdivision and Lot Line Alteration – Middle Road

Continued discussion of sketch plan application. MC Acres, Inc. proposes to transfer 2.513 acres to lands of Weckesser; Weckesser proposes to transfer .145 acres to MC Acres. MC Acres proposes to transfer 1.212 acres to lands of Treu, and subdivide the remaining MC Acres lands into 2 parcels 22.218 acres and 38.829 acres in size.

Applicant’s engineer Mark Graminski and applicant David Vosburgh were present.

Ms. Robertson said that very recently it had been brought to the Board’s attention that the Treu property has significant zoning violations that the town has been trying to address since 2012, and the Planning Board’s attorney has advised that the Board not discuss applications with unresolved zoning violations.

Mr. Graminski asked if the Treu parcel were excluded from the project, could the Board continue to review the project. Ms. Robertson replied yes, but the application would have to be officially revised and resubmitted. The applicants expressed disappointment in not being able to continue discussions with the Board. Kristina Dousharm said she was agreeable to continuing some discussion. Bill Hamel said he was not, due to the fact that the Treu violations have been a long standing problem with the town. Brian Kelly agreed, saying his opinion was the Board should not make exceptions to existing rules under these circumstances. Ms. Robertson reiterated that she had been advised by the Planning Board’s attorney as well as the Zoning Enforcement Officer and the Building Inspector not to discuss the application as it is any further, and she was inclined to follow their advice. The Board generally agreed, therefore, to suspend further discussion until the project was re-submitted.

The applicants were given comments from Michele Grieg dated 3-4-19 to review and consider, and invited to resubmit the project for the March 18 meeting.

OTHER BUSINESS

Cookingham minor subdivision – Village of Red Hook – SEQR Lead Agency Circulation

Applicant’s representative Mark Graminski was present. He explained that the application is being considered by the Village Planning Board. He described the subdivision, which is entirely within the Village. However since the lands being subdivided extend into the Town, the County Clerk will require that the Town also approve the subdivision.

Ms. Grieg said she will prepare a resolution for the Board to adopt in anticipation of signing the plat when it is approved by the Village.

The Village Planning Board had circulated to the Town Planning Board for SEQR Lead Agency. Kristina Dousharm moved to consent that the Village be designated Lead Agency for SEQR. Bill Hamel seconded and all members voted in favor.

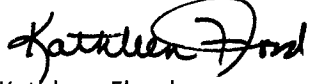
Town Board referral – Local Law B 2019 –Extension of a moratorium on large scale commercial extractive operations in the Town of Red Hook

The Board reviewed a referral from the Town Board. It was generally agreed that the Planning Board has no opposition to an extension of the moratorium.

ADJOURNMENT

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

Respectfully submitted,

A handwritten signature in black ink that reads "Kathleen Flood". The signature is written in a cursive style with a large, prominent initial 'K'.

Kathleen Flood
Clerk for the Board

Project: SPERRY LLADate: 3-4-19

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

ORIGINAL**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: SPERRY ULA
 Date: 3-4-19

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The parcels are located within 500' of the boundary of a farm operation in a New York State certified Agricultural District (Agricultural District 20). An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcel. The Planning Board considered the Agricultural Data Statement in its review of the application. The subdivision plat identifies the 200' agricultural buffer pursuant to § 120-201 of the Town Code, and proposed development of the vacant parcel will locate buildings outside the 200' agricultural buffer to the extent practicable. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on agricultural resources.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Red Hook Planning Board

Name of Lead Agency

3.4.19
Date

~~Sam Phelan~~ Kallie ROBERTSON
 Print or Type Name of Responsible Officer in Lead Agency

Chairman

[Signature]
 Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: March 4, 2019

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: Sperry Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative YES
 NO

Description of Action: The applicant proposes to convey ± 1.693 acres of land from a ± 6.974 acre parcel to an adjacent ± 7.239 acre parcel. Both parcels are owned by the applicant and located in the RD3 District.

Location: Metzger Road, 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 Short Environmental Assessment Form (EAF) for the action dated January 21, 2019 and revised February 4, 2019, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

3. The parcels are located within 500' of the boundary of a farm operation in a New York State certified Agricultural District (Agricultural District 20). An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcel. The Planning Board considered the Agricultural Data Statement in its review of the application. The subdivision plat identifies the 200' agricultural buffer pursuant to § 120-20I of the Town Code, and proposed development of the vacant parcel will locate buildings outside the 200' agricultural buffer to the extent practicable. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on agricultural resources.
4. The Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk
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)