

TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
March 8, 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, Karen Smythe and Lew Rose. Also present were planning consultant Michele Greig, engineering consultant Brandee Nelson, and Planning Board Clerk Kathleen Flood.

Mr. Phelan announced one change to the agenda: Panorama Schoolhouse was removed to April 5 because a response from the County Planning Department had not yet been received.

NEW BUSINESS

Bard College Expansions: Kline, Fisher and USC MI – Site Plan

Presentation of application for retroactive approval for Kline Commons, a proposed 510 SF addition to the Fisher Studio Arts Building and a proposed 1,800 SF addition to the US-China Music Institute.

Bard representatives Randy Clum, Pete Setaro and Peter Sweeny were present.

Mr. Clum said the first order of business is to obtain site plan approval for the existing Kline Commons addition. He said two other projects are new and smaller in scope.

Mr. Setaro said that the Kline Commons site plan submitted was an incorrect version. Mr. Sweeny displayed a different, more accurate version, and described the work that was done. New drawings, including elevations, and plans showing the original building, and lighting cut sheets will be submitted.

For the benefit of new Board Members, Mr. Phelan explained that the Town Building department had not directed the College to obtain site plan approval for the Kline Commons addition because it was included on the College's master plan, which had been approved by the Planning Board in 1999. Since the anomaly is essentially an existing violation, granting retroactive approval to the addition is a necessary formality before the College can move forward with other projects.

Karen Smythe asked if a copy of the College's Master Plan is available for viewing. Michele Greig said she did not think an electronic copy exists within the town but perhaps Mr. Setaro could find one in the archives of Morris Associates, who prepared the original and several subsequent amendments. Mr. Setaro agreed to investigate that.

Mr. Sweeny presented the small addition proposed to the Fisher Studio Arts building to be used as a nature lab and studio. It was generally agreed that the visual impact of the addition would be minimal.

Mr. Sweeny presented the US/China Music Institute (USC MI) 1800 Square-foot addition for open performance practice, and which includes exterior changes to add 3 parking spaces, relocate the sidewalk to add a Chinese garden.

The Board and applicants reviewed comments from Michele Greig dated 2/25/21. She noted that Certificates of Appropriateness for each of the projects will be required, and the County Planning Department will have to review the projects.

Brian Kelly moved classify the three projects combined as Type II under SEQR. Karen Smythe seconded, and all members voted in favor.

The applicants will prepare another submission for the Board.

OLD BUSINESS

Mighty Donuts Site Plan – 7269 South Broadway

Continued discussion of application to establish a donut and coffee shop in the Traditional Neighborhood Commercial Center Zoning District.

Kristina Dousharm recused herself. Applicant's representative Ayaka Hale was present.

Brandee Nelson reviewed her comments dated 3/8/21. She suggested one change to an Environmental Assessment Form question relating to increased traffic.

Ms. Nelson said that a potential issue was that the proposed dumpster enclosure is blocked by 4 parking spaces. She recommended that the highway entrance to the site be reviewed by the NYS Department of Transportation.

Ms. Nelson commented in the proposed LED tape lighting proposed and recommended that the Board evaluate whether LED tape lighting is equivalent to neon trim lighting, which is not allowed in the Zoning District.

Regarding the conceptual utility plan, Ms. Nelson said that the location of the existing former Bottini building septic system should be shown on the plans and the proposed on-site wastewater treatment system must meet the requirements of the County Health Department, specifically the setback requirements and expansion areas.

Ms. Hale responded that grading and drainage and septic system plans are being prepared, and the parking comments made by Ms. Nelson will also be addressed. Regarding the dumpster enclosure, Mr. Hale said that the applicants planned to coordinate trash pick-up times when the shop is closed. Ms. Nelson recommended placing the dumpster enclosure at a 45-degree angle to the parking spaces. Ms. Hale asked if a sign could be placed limiting parking in front of the enclosure. Ms. Nelson and Mr. Phelan were skeptical about whether that would be efficient and enforceable.

Ms. Hale continued that she is currently working with the NYS DOT and has had verbal approvals for the entrance.

Ms. Hale asked if lighting is required in the parking lot. Mr. Phelan said a lot would depend on what the use of the former Bottini building would be. Michele Greig said there is no requirement for parking lot lighting in the Zoning code.

Ms. Hale said that she interprets section 143-49.1 of the Zoning Ordinance the Planning Board has the authority to grant waivers in the TND-CC district for site hardships and strict site design standards. She noted that the absence of a sewer district is a hardship for the project. She gave examples of how the project is trying to meet Town goals for this district and asked if the Planning Board would waive the street frontage and the second story requirements of the District.

Mr. Phelan and Ms. Nelson said more data is needed, particularly about the septic system, and the possibilities for waivers will be researched to determine how much discretion the Board has. Ms. Greig suggested any requests for waivers be made in writing.

Lew Rose moved to adopt a resolution to circulate for SEQR Lead Agency for an Unlisted Action undergoing coordinated review. Brian Kelly seconded, and all members voted in favor.

OTHER BUSINESS

Ed Noseworthy, Northeast Installation manager, Tesla

Pre-Application discussion concerning the installation of a commercial electric vehicle charging station in the existing parking lot of Hannaford Grocery store, 35 Hannaford Drive.

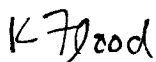
Ed Noseworthy and Shiva Krishna were present. Mr. Noseworthy described the project, an 8-post charging station for Tesla vehicles and accompanying electrical improvements for the Hannaford parking lot. He answered technical questions from Board members. Plans for ADA compliance were discussed.

Mr. Phelan said an application should be made for amended site plan for Hannaford.

ADJOURNMENT

The Board generally agreed to go back to two meetings per month until the backlog of projects is reduced. The Board will meet April 5 and 19. There being no further business before the Board, Brian Kelly made a motion to adjourn. Karen Smythe Seconded and all members voted in favor.

Respectfully Submitted,



Kathleen Flood
Planning Board Clerk

617.6

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

Name of Action: Bard College Expansions to Kline, Fisher, and USC MI

Whereas, the applicant proposes a 4,100 square foot expansion to the existing Kline Commons building, a 510 square foot expansion to the existing Fisher Studio Arts Building, and an 1,800 square foot expansion to the existing US-China Music Institute (USC MI) located on two parcels totaling \pm 417 acres that are part of the Bard College Campus located at 1400 Annandale Road and 62 Bay Road in the Institutional (I), Historic Landmarks Overlay (HL-O), and Scenic Corridor Overlay (SC-O) Districts in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated February 15, 2021 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 thresholds found in 6 NYCRR 617.5(c)(10) since the proposed project involves routine activities of an educational institution including expansion of existing facilities by less than 10,000 square feet of gross floor area 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 Karen Smythe, and a vote of 5 for, and 0 against, and 2 vacant seats, this resolution was adopted on March 8, 2021.

617.6
State Environmental Quality Review (SEQR)
Resolution Establishing Intent to be Lead Agency
Unlisted Action Undergoing Coordinated Review

Name of Action: Mighty Donuts

Whereas, the Town of Red Hook Planning Board is in receipt of a Site Plan application by Mighty Donut Company, LLC to demolish an existing 1,200 square foot single-family dwelling and construct a ± 1,671 square foot single-story donut shop on a ± 1.37-acre parcel (Tax Map Parcel No. 134889-6272-00-237238) located at 7269 South Broadway (Route 9) in the Traditional Neighborhood Development Commercial Center (TND-CC) District in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated February 18, 2021 and last revised March 8, 2021 was submitted at the time of application; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is an Unlisted action; and

Whereas, the Planning Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter including the Town of Red Hook Zoning Board of Appeals, Dutchess County Department of Behavioral and Community Health, and the New York State Department of Transportation.

Now Therefore Be It Resolved, that the Planning Board hereby declares its intent to be Lead Agency for the review of this action; and

Be It Further Resolved, that the Planning Board hereby authorizes its Chairman to circulate the attached lead agency coordination request letter(s) to all other involved agencies and to discharge any other SEQR responsibilities as are required by 6 NYCRR 617 in this regard; and

Be It Further Resolved, that unless an objection to the Planning Board assuming lead agency status is received within thirty (30) days of the date of mailing the EAF, the Planning Board will become lead agency for the review of this action.

On a motion by Lew Rose, seconded by Brian Kelly, and a vote of 4 for, and 0 against, and 1 abstention, and 2 vacant seats, this resolution was adopted on March 8, 2021.