

**TOWN OF RED HOOK PLANNING BOARD
APPROVED SPECIAL MEETING MINUTES
April 23, 2019**

Chairman Sam Phelan called the meeting to order at 7:30 pm.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Bill Hamel, Kristina Dousharm, Brian Kelly and Lisa Foscolo. Kallie Robertson was absent.

Brian Kelly moved that the draft minutes for March 18 and April 1 be approved. Kristina Dousharm seconded and all members voted in favor.

Chairman Phelan updated the Board on the status of the MC Acres minor subdivision application. He said he had inquired with Planning Board attorney Joel Sachs whether the Board was on firm ground requiring an easement for the Huckleberry Rail Trail, and Mr. Sachs affirmed that they were, due to the fact that that trail is specifically called out by the Towns of Red Hook and Rhinebeck and the Winnakee Land Trust. However, Mr. Phelan said that the applicant, Dave Vosburgh, had indicated to him that he may withdraw the application.

Kristin Dousharm commented that she thought the Board was overstepping with the requirement. Discussion followed on the pros and cons of requiring the easement. Mr. Phelan noted that the costs associated with the subdivision was another issue for the applicant.

Town Board referral – Local Law D 2019

The Town Board requests that the Planning Board review the proposed law which amends Local Law 3 2018, and make a recommendation regarding consistency with the Local Waterfront Revitalization Plan.

Mr. Phelan gave an overview of Local Law D 2019, which amends Local Law C 2018. He said the Board was charged with making sure that the amendment is consistent with the Town Local Waterfront Revitalization Plan (LWRP).

The Board reviewed the proposed Local Law filing for Local Law C 2018 and the amendment, which proposes that all projects that received Planning Board conditional approval for site plan or special permit prior to May 30, 2018 be exempt from the law, as the Planning Board had recently recommended to the town.

The Board reviewed a draft LWRP. Bill Hamel moved that the amended law was consistent with the Town LWRP. Brian Kelly seconded and all members voted in favor.

The Board reviewed a Resolution authorizing the Planning Board Chairman to make a positive recommendation to the town for Local Law D 2019. Kristina Dousharm moved to adopt it. Lisa Foscolo seconded and all members voted in favor.

In other Business, the Board reviewed a request from Rose Hill Farm for a 90 day extension to satisfy the conditions of approval. Lisa Foscolo moved to grant the extension. Bill Hamel seconded and all members voted in favor.

Mr. Phelan updated Board members on the status of the Bard Master Plan application. He said the college has hired a consulting attorney and a meeting has been scheduled May 9 to discuss a path forward. Mr. Phelan said he was attending and asked if any other Board members could attend. Brian Kelly Said he would attend as well.

ADJOURNMENT

There being no further business before the board, Lisa Foscolo made a motion to adjourn. Bill Hamel seconded and all members voted in favor.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathleen Flood". The signature is written in black ink and is positioned above the printed name.

Kathleen Flood
Clerk for the Board

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE
TOWN OF RED HOOK PLANNING BOARD TO SIGN A LETTER TO
THE RED HOOK TOWN BOARD RECOMMENDING ADOPTION OF
LOCAL LAW D OF 2019**

Town of Red Hook Planning Board

WHEREAS, the Town Board of the Town of Red Hook referred to the Town of Red Hook Planning Board Local Law D (Proposed) of 2019, entitled “LOCAL LAW NO. D (PROPOSED) OF 2019; A LOCAL LAW TO AMEND SECTION 143-146 OF THE ZONING LAW REGARDING PROJECTS, RECEIVING SITE PLAN AND SPECIAL PERMIT APPROVAL PRIOR TO MAY 30, 2018”; and

WHEREAS, Local Law D of 2019 amends Chapter 143 of the Town of Red Hook Code (the “Zoning Law”) to exempt projects that have received conditional approval prior to the adoption of Local Law 3 of 2018 from the regulations in Local Law 3 of 2018; and

WHEREAS, Local Law 3 of 2018 amended the Zoning Law to, among other things: 1) expressly define Drive-In, Drive-Thru and Drive-In Window and Formula Businesses and to prohibit them in all zoning districts in the Town; 2) delete definitions and regulations for fast-food restaurants in the B-1 District; 3) replace the B1 District in Upper Red Hook with a Hamlet Business (HB) District with amended uses and design standards; and 4) amend the Use Table to permit food trucks in various districts and establishes a new Chapter 79 of the Town Code to include provisions for food trucks; and

WHEREAS, when the Planning Board recommended approval of Local Law 3 of 2018 it did not believe it would impact projects that had already received Planning Board approval; and

WHEREAS, the exemption set forth in Local Law D of 2019 would maintain the status quo for projects that received approval prior to the enactment of Local Law 3 of 2018, and not result in any new impacts to the coastal area; and

WHEREAS, the Planning Board duly considered and discussed Local Law D of 2019 at its special meeting on Tuesday, April 23, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Red Hook Planning Board hereby authorizes the Chairman of the Planning Board to sign a letter to the Town Board setting forth the Planning Board’s positive recommendation for adoption of Local Law D of 2019 consistent with this Resolution and the Board’s discussions at its April 23, 2019 meeting.

On a Motion by Kristina Dousharm, seconded by Lisa Foscolo, and a vote of 5 for, 0 against and 1 absent, this Resolution declared adopted on April 23, 2019.

Resolution Certified and Filed with the Town Clerk

Kathleen Flood
Kathleen Flood, Clerk for the Board

4-24-19
Date