

**TOWN OF RED HOOK PLANNING BOARD  
APPROVED MEETING MINUTES  
May 6, 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 Kallie Robertson. Lisa Foscolo was absent. Also present was planning consultant Michele Greig.

Brian Kelly moved that the draft minutes for April 23 be approved. Kristina Dousharm seconded and all members voted in favor.

**PUBLIC HEARING**

**Ruge's Red Hook Holding LLC – 7293 South Broadway – minor subdivision**

Public Hearing on application to convey ± 0.361 acres from a ± 2.381 acre parcel to an adjacent ± 0.915 acre parcel, and to combine the resulting ± 1.276 acres with an adjacent ± 1.143 acre parcel. In the Traditional Neighborhood District – Commercial Center District.

Applicant's representative Mark Graminski was present. Mr. Phelan read the public hearing announcement that was published in the Poughkeepsie Journal. Mr. Graminski gave an overview of the project.

Mr. Phelan asked if there were any questions from the public. Christine Kane asked what the reasoning was behind the Route 9 entrance to what is now Green Mountain Electric. Mr. Graminski said the application is for lot line revision and subdivision as opposed to a site plan, which would address ingress and egress. Mr. Phelan added that the Board and applicant had discussed various alternative configurations to improve the Traditional Neighborhood District (TND) condition of the corner lot at the April 1 meeting. He said the Board had concluded that the application is not a site plan, and that the most important issue was to ensure the creation of a viable lot that might work within the TND.

Mr. Phelan asked if there were any other questions or comments. There were none. Bill Hamel made a motion to close the public hearing. Kristina Dousharm seconded and all members voted in favor.

Board members discussed the limitations and potential of the site a bit more and generally agreed that the proposed project does close off some options for future development but creates some opportunities as well.

The Board reviewed a conditional approval resolution and made some revisions. Kristina Dousharm moved to adopt it as revised. Brian Kelly seconded and the motion passed unanimously.

**NEW BUSINESS**

**Savona's Restaurant – 7249 South Broadway- site plan**

Presentation of application to install an 865 Sq. Ft. seasonal outdoor patio in front to the building and related landscaping.

Applicant's representative Rob Dupont was present. He gave an overview of the project. He presented calculations for lot coverage to the board. The Board and applicant reviewed comments from Michele Greig dated 5-6-19. The Board generally agreed to waive the requirement for trash receptacles outside.

Kristina Dousharm made a motion to adopt a SEQR Type II Resolution signifying no further review under SEQR is required. Bill Hamel seconded and all members voted in favor.

A Public Hearing was scheduled for May 20.

**NYS DEC – Tivoli Kayak Launch – LWRP**

Review proposal for compliance with the Town LWRP

Michele Greig described the DEC's kayak and canoe launch project. The Board reviewed the project for consistency with the Local Waterfront Revitalization Program (LWRP).

Brian Kelly moved that the project is consistent with the LWRP. Bill Hamel seconded and the motion was carried unanimously.

**OTHER BUSINESS**

**Request for extension – Preserve at Lakeskill**

Project engineer Mike Bodendorf and attorney John Wagner were present. Bill Hamel recused himself. The Board reviewed a memo from Mr. Wagner dated April 26 outline outstanding issues.

Regarding the road opening permit requirement, the applicants said they had applied for a permit from the Town Highway Superintendent but have not had a response. Mr. Phelan said that the problem is that the Planning Board's engineering consultant does not think that the proposed retaining wall and road improvements can be completed successfully without encroaching on private property, and the Highway Superintendent is relying of the engineer's approval of the plan before issuing a permit.

Mr. Wagner said that the applicant hired an engineer who determined that the work could be done. Mr. Phelan suggested that the applicant share the report with the Planning Board's engineer.

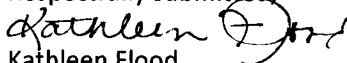
Mr. Wagner said he would ask Planning Board attorney Joel Sachs to set up a meeting including Mr. Wagner, Mr. Sachs and the Planning Board's engineering consultant to try and resolve the issue.

Mr. Phelan asked for a motion to grant a 90 day extension. Kristina Dousharm said she would abstain because she did not have enough information. Because four votes are needed to grant the extension, the matter was tabled until the next meeting.

**ADJOURNMENT**

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

Respectfully submitted,



Kathleen Flood  
Clerk for the Board

## Resolution Granting Final Subdivision Approval to Ruge's Lot Line Alterations

**Name of Project:** Ruge's Lot Line Alterations

**Name of Applicant:** Ruge's Red Hook Holdings LLC

**Whereas,** the applicant, Ruge's Red Hook Holdings LLC, has submitted an application for Final Subdivision Plat approval dated March 22, 2019 to the Town of Red Hook Planning Board to convey  $\pm 0.361$  acres from a  $\pm 2.381$  acre parcel (Tax Map Parcel No. 134889-6272-00-230310) to an adjacent  $\pm 0.915$  acre parcel (Tax Map Parcel No. 134889-6272-00-220324), and to combine the resulting  $\pm 1.276$  acres with an adjacent  $\pm 1.143$  acre parcel (Tax Map Parcel No. 134889-6272-00-222345) located at 7293 and 7313 South Broadway (US Route 9) in the Traditional Neighborhood Development Commercial Center (TND-CC) in the Town of Red Hook, Dutchess County, New York; and

**Whereas,** the applicant submitted a Final Subdivision Plat prepared by Mark R. Graminski PE, LS, PC entitled "Minor Subdivision—Lot Line Alteration Prepared for Ruge's Red Hook Holdings LLC" dated March 22, 2019; and

**Whereas,** after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on April 1, 2019 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(16) and, therefore, SEQR does not apply; and

**Whereas,** the parcels are located within 500 feet of a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement, dated March 22, 2019, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcels; and

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

**Whereas,** on May 6, 2019, the Planning Board opened a duly noticed public hearing on the Subdivision Plat, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on May 6, 2019; and

**Whereas,** the Planning Board has reviewed and 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 final approval to the subdivision plat for Red Hook Land Holdings LLC in accordance with the plans and specifications enumerated above upon the following conditions:

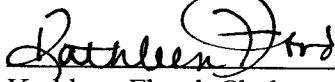
- A. The Planning Board authorizes the Chair or his authorized designee to sign the Subdivision Plat after compliance with the following conditions:
- (1) The applicant shall revise the Subdivision Plat as follows:
    - (i) To adjust the lot line between the two proposed lots to include the "sight line area" of proposed Lot 1 as part of proposed Lot 2.
    - (ii) To show the approved access to proposed Lot 2 from Old Farm Road.
  - (2) Submit correspondence from the Town Highway Superintendent approving the curb cut on proposed Lot 2.
  - (3) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
  - (4) Payment of any and all outstanding escrow balances for consultant review.
  - (5) Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town's Land Subdivision Regulations, including all required P.E. and L.S. stamps and signatures.
  - (6) The applicant shall verify that the corners of the tract have been marked by monuments or steel rods, of a type approved by the Town Engineer as required by § 120-24B(2) of the Town Code.

**BE IT FURTHER RESOLVED**, that pursuant to § 72-2C of the Town Code, prior to the initial sale, purchase or exchange of any real property within the subdivision, the applicant shall deliver to the prospective grantee a typewritten document containing the agricultural notice set forth in § 72-2B of the Town Code. Further, the applicant shall incorporate the agricultural notice of the Town Code in any deeds wherein title to any property is to be initially conveyed to a grantee. Appropriate documentation shall be provided to Town Building Department.

**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 vote of 5 for, 0 against, 1 absent, and 1 vacant seat this resolution was adopted on May 6, 2019.

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

  
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Kathleen Flood, Clerk to the Board

5-7-19  
Date

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

**Name of Action:** Savona's Trattoria Patio

**Whereas**, the applicant proposes to install an 865 sq. ft. patio for an existing restaurant located at 7249 S. Broadway in Traditional Neighborhood Development Commercial Center (TND-CC) in the Town of Red Hook, Dutchess County, New York; and

**Whereas**, a Short Environmental Assessment Form (EAF) dated April 26, 2019 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 a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9), 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 Kristina Dousharm, seconded by Bill Hamel, and a vote of 5 for, and 0 against, and 1 absent, this resolution was adopted on May 6, 2019.