

**TOWN OF RED HOOK PLANNING BOARD**  
**Draft MEETING MINUTES**  
**August 19, 2019**

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

A quorum was determined present for the conduct of business. Chairperson Robertson confirmed the agenda, and noted the Shafer's Hudson Valley Extension Request was taken off the meeting's agenda, and would be placed on the September 16, 2019 Planning Board Agenda. Members present: Kallie Robertson, Brian Kelly, Vanessa Kichline, and Lisa Foscolo. Members absent: Sam Phelan, Kristina Dousharm, and Bill Hamel. Also present was planning consultant, Michele Greig.

Chairperson Robertson asked for a motion to approve the 8-5-19 meeting minutes. Brian Kelly so moved, Lisa Foscolo Seconded, and all Board members present voted in favor of approving the 8-5-19 meeting minutes.

**NEW BUSINESS**

**Centerline Communications AT&T Amended Site Plan 2019-5**

The applicant proposes to replace 9 existing antennas with 6 new antennas; replace 6 existing Tower Mount Amplifiers (TMA), with 3 new TMAs; replace 8 existing Remote Radio Unit (RRU) with 15 new RRUs; and install one new surge arrestor on an existing telecommunications facility located on a ± 2.0 acre parcel at 33 Twin Towers Drive, in the RD3 and Historic Landmark Overlay (HL-O) Districts.

Chairperson Robertson invited the applicant's representative, Brenda Lewis, to present the changes made to the project for which the Board had granted an approval, several months prior to submitting the present application. Ms. Lewis stated informed the Board the replacement of the 9 existing antennae with 6 new ones, and the other new equipment on the Tower, would result in a decrease in weight on the structure. Lisa Foscolo asked Ms. Lewis if this was possible because the new equipment was smaller and more powerful than the existing installation, to which Ms. Lewis replied it was.

Planning consultant, Michele Greig noted from the GreenPlan Memo, she prepared, a Structural Analysis Report, dated April 10, 2019, and revised May 14, 2019, was prepared for the project by Hudson Design Engineering, PLLC. Ms. Greig also noted, since the Town owns the property, the structural analysis will be reviewed by the Town Engineer on behalf of the Town Board. Ms. Greig confirmed the applicant had submitted an owner consent form. Ms. Greig also noted the property is in the Historic Landmarks-Overlay district, and would ordinarily require a Certificate of Appropriateness. Ms. Greig also noted the Building Department had determined the proposed project involves routine maintenance and repair, and so a Certificate of Appropriateness is not needed in this case.

Ms. Greig also informed the Board it could consider administratively determining that the project is limited in scope with compatible land use, site and building design characteristics, and thus require no site plan review pursuant to § 143-114 C(1) of the Zoning Law. Ms. Greig also informed the Board if it were to determine Site Plan review is required, the Action would be considered Type II under SEQR, and stated this was because the action involves a replacement of a facility, in kind, on the same site. Ms. Greig also noted a public hearing on the amended site plan would be required.

Chairperson Robertson commented the Board had held a public hearing for the original project, at which no members of the public attended, or submitted comments. Chairperson Robertson asked the Board if there were questions or comments, on the present application, and there were none. She then read the *Resolution Determining the Project is Limited in Scope, and Requires No Further Review Under Article VII Of The Zoning Law* and asked the Board for a motion to approve it. Brian Kelly so moved, Lisa Foscolo seconded, and all Board members present voted in favor.

**Sky Park Minor Subdivision 2019-2, 438 Route 199**

Presentation of application to subdivide a 107.27 acre parcel into four residential building lots, 9.35 acres, 30.179 acres 37.517 acres and 30.216 acres in size, proposed to be accessed by two shared driveways in the RD3, Waterfront Conservation (WC), Scenic Corridor Overlay (SC-O) and Environmental Protection Overlay (EP-O).

The applicant, Tom Mangione, and his representative, Warren Replansky, presented the Board with a letter from Pete Setaro, PE, of CPL, who stated therein, the proposed subdivision is for lots larger than 5 acres, that, as a non-realty subdivision, would not require DCBCH [sic] approval. Mr. Mangione noted the letter also states Mr. Setaro's office oversaw the excavation of several test holes for potential sewage disposal system locations. The Board and Mr. Mangione reviewed the plan submitted by Mr. Mangione, and Chairperson Robertson suggested the Board and the applicant, and his representative go through the GreenPlan Memo prepared by Ms. Greig, prior to addressing questions from the applicant. Michele Greig commented the letter from Pete Setaro needs to address the water supply, as well as the sewer.

Michele Greig noted the following with regard to SEQR: a list of changes to the EAF, and commented involved agencies may include the Town of Red Hook Zoning Board of Appeals, and the New York State Department of Environmental Conservation.

The Board, the planning consultant, the applicant, and his representative review the map submitted by the applicant. The Board, the planning consultant, the applicant, and his representative agree to review the GreenPlan memo, drafted by Ms. Greig, before discussing possible solutions to issues that may arise.

Ms. Greig noted the classification of the project as a Minor Subdivision may be incorrect, since to be classified as such, each lot must have frontage on an existing street, not involving any new public or private road. Ms. Greig commented, since the proposed subdivision does not comprise four lots, each fronting an existing street, the project should be classified as a major subdivision. . Mr. Replansky confirmed with Ms. Greig, if the project were modified to comprise four flag lots, each with 50' of frontage, the classification of the project would be a minor subdivision.

Ms. Greig further noted even if the project is classified as a minor subdivision, the fact that there are many overlay districts, including the EP-O, WC, and Scenic Corridor Overlay, US Army Corps of Engineer Wetlands, steep slopes, Ms. Greig advised the Board to require a natural resources analysis map, the requirements of which are listed in § 120-23 of the Town Code. Ms. Greig noted the subject parcel is included in the Town's Open Space Plan as having Scenic Vistas. Ms. Greig identified features of particular interest regarding the project as: the Sawkill Creek, soil types, streams, wetlands and required adjacent areas, woodlands over half an acre in area, rock outcrops, potential wildlife habitats, and viewsheds.

Ms. Greig noted, with regard to the scenic corridor, in particular, the applicant should indicate the proposed house locations on the map. Tom Mangione noted an August 6<sup>th</sup> letter indicating possible septic system locations, which, he stated, would have to avoid the steep slopes and the wetland buffers, and further commented the proposed house locations would be limited by the septic system locations, further noted there would be deed restrictions limiting additional construction to something like fences. Warren Replansky asked the Board if the applicant could indicate a large building envelope on the map, within which there would be a variety of house sites. Michele Greig replied this proposal would not work for the front lot, since, she further stated, the housing location on that parcel would potentially have the greatest impact on the scenic corridor and viewshed. Ms. Greig commented the applicant would preferably choose a house location as far back from the road as possible, on that parcel, and further noted the applicant could even move the parcel line farther back to preserve the viewshed.

The applicant and his representative agreed to submit the documentation, requested in the GreenPlan memo, by the submission deadline for the next meeting, which is September 6, 2019. The applicant's representative, Warren Replansky confirmed with Michele Greig, the application would still be in the Sketch Plan Phase for the September 16, 2019 meeting.

Chairperson Robertson asked if there were sufficient restrictions in zoning to limit how many homes can be constructed, and the lot coverage on each parcel, and suggested the Board review the requested, natural resources map, and determine the building envelope based on that. Chairperson Robertson also requested that the applicant flag the front parcel in order that the Board can visit the site, and better understand its location. Mr. Mangione asked the Board how a site visit works. Chairperson Robertson replied it would be preferable for the Board members to visit the site individually, or not in a quorum. Mr. Mangione noted there is a gate and fence, and the Board members agreed to make arrangements with him to visit the site.

Ms. Greig further noted the Sketch Plan should identify the location of the Zoning District boundaries, the overlay districts, and also stated a legend should include the proposed area and bulk standards for each lot. Ms. Greig informed the applicants of the requirement to state the permissible density and buildable acreage, and also noted this determination must be provided by a licensed land surveyor. Ms. Greig reviewed the lot frontage requirements, noting the frontage of the subject parcel would allow for three lots, not four. Ms. Greig also reviewed the requirements for flag lots, and noted the Board may not waive frontage requirements, and further noted the applicant could seek a variance from § 280-a of the Town Law, from the ZBA. Mr. Mangione commented the project proposes to remove some 2600 SF of the old runway, and replace it with gravel, and also preserve the meadow area. Chairperson Robertson commented a shared driveway is preferable, even with flag lots.

Ms. Greig further noted there would be a recreation fee for the three additional lots. Ms. Greig also noted for any shared driveways, a Common Use and Maintenance Agreement would need to be filed with the Dutchess County Clerk, and proof of recordation presented to the Building Department, in order to seek a building permit for any lot served by the shared driveway. Ms. Greig also stated the engineer would have to certify the project for water and sewer. Ms. Greig reviewed the Agricultural Notice and Conditions, and Agricultural Data Statement requirements with the applicant and his representative. Ms. Greig stated lot 2 should be labelled on the plat. Ms. Greig finally noted a public hearing is required for the Subdivision application.

## **OTHER BUSINESS**

### **LWRP Determination, Sawkill Project**

Michele Greig indicated the area of the proposed Sawkill Easement, which, she stated, would comprise a conservation easement and a trails easement, on the Town of Red Hook Zoning Map. Ms. Greig noted the area would include the new Recreation Park Lands, and all of the smaller leftover areas along the Sawkill Creek, which have been purchased by the Town. Ms. Greig further noted the Coastal Boundary Area, for which the Local Waterfront Revitalization Program Consistency Determination (LWRP), is indicated, includes a 500' area east of the centerline of Route 9G. Ms. Greig stated the Board needs to review the applicable list of policies to determine if they are consistent with the Program, and to determine if they protect the area from development.

Chairperson Robertson read the description of the LWRP, the name, and description of the action, and the Consistency Determination, and the applicable Development Policies and comments in the document. These are **A. Development Policies** 1A, and 5; **C. Flooding and Erosion Hazards Policies**, 11; **G. Historic Resource Policy** 23, 23A; **H. Scenic Quality Policies**, 24, 24A, 24B, 25, 25A, 25B; and **I. Agricultural Lands Policy**, 26A. All Board members present agreed the policies and comments listed protected the area of the easements from development.

Lisa Foscolo moved to adopt the LWRP Consistency Determination for the Sawkill Easement. Vanessa Kichline seconded, and all Board members present voted in favor.

### **Extension Request – Shafer’s Hudson Valley**

Chairperson Robertson informed the Board Sam Phelan had recommended this request be discussed at the September 16, 2019 Planning Board meeting. The Planning Office received the extension request from Vanessa Shafer on August,

## **ADJOURNMENT**

There being no further business before the Board, Brian Kelly made a motion to adjourn. Lisa Foscolo seconded and all members present voted in favor. The next Planning Board Meeting will take place on September 16, 2019. The submission deadline for this meeting is noon, Friday, September 06, 2019.

Respectfully submitted,

Anne Rubin, Assistant to  
Kathleen Flood  
Clerk for the Board