

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
OCTOBER 15, 2018**

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, Kallie Robertson, Brian Kelly and Kristina Dousharm. Lisa Foscolo was absent.

Kallie Robertson made a motion to adopt the minutes of October 1. Bill Hamel seconded and the motion passed unanimously.

PUBLIC HEARING

Rose Hill Farm – 19 Rose Hill Farm Road – Minor Site Plan

Public Hearing on application to construct a new housing and equipment barn and to reconstruct an existing barn for conversion into a cider mill and associated tasting room, and related improvements to parking and septic system on 114.58 acres in the Agricultural Business District.

Applicants Holly and Bruce Brittain and engineer Dan Proper were present. Sam Phelan read the public hearing announcement that was published in the Poughkeepsie Journal. Christina Dousharm moved to open the public hearing. Brian Kelly seconded and all members voted in favor.

Ms. Brittain gave an overview of Rose Hill Farm and the project proposed. Mr. Phelan asked if there were any questions or comments from the public. Phil Seymour, a neighbor to the east, commented that the Brittain's have significantly improved the historic property. Mr. Phelan asked if there were any additional question or comments. There were none.

Kristina Dousharm made a motion to close the public hearing. Bill Hamel seconded and all members voted in favor. The Board reviewed comments from the planning consultant dated 10-8-18. The proposed dwelling units were reviewed. Mr. Proper indicated the proposed parking areas and described the proposed lighting. Ms. Brittain confirmed that the egress to Feller Newmark Road would be closed off.

Bill Hamel recommended that Rose Hill employees and owners look into Alcoholic Beverage Training offered by New York State.

The Board reviewed a draft approval resolution for site plan. Kallie Robertson moved to adopt it. Brian Kelly seconded and all members voted in favor.

OLD BUSINESS

LA Commons – 268 Rockefeller Lane – Special Use Permit, Site Plan

Continued discussion of application to construct a multi-family dwelling on a 5.845 acre parcel in the R 1.5 district.

Applicant Lindsay Schultz was present. She said that Michelle Kelly, an engineer from the County Health Department had recommended that the septic and reserved septic field be switched back to the way it

was originally proposed. Sam Phelan questioned that, saying that the Planning Board's consultants had agreed that the reserve field should be located closer to the Route 9 end of the property so that the vegetative buffer would remain undisturbed. Ms. Schultz agreed to construct it as the Board had directed.

The Board reviewed comments from the town planning consultant dated Oct. 9 and the engineering consultant dated Oct. 3. A draft approval Resolution for Special Permit was reviewed. Bill Hamel made a motion to adopt it. Kristina Dousharm seconded and the motion passed unanimously. The Board then reviewed a draft Approval Resolution for Site Plan. Brian Kelly moved to adopt it Kallie Robertson seconded and all members voted in favor.

NEW BUSINESS

Hurley Accessory Apartment – 119 West Kerley Corners Road – Special Use Permit, Site Plan

Presentation of application to convert a portion of an existing accessory structure into an accessory apartment on a 33.54 acre parcel in the Agricultural Business District.

Applicant Gerard Hurley was present. He gave an overview of the project. He said he has approval for the septic system from the Dutchess County Health Department.

The Board discussed comments from the planning consultant dated Oct. 8. Mr. Phelan advised Mr. Hurley to submit his County Health Department approval letter, and to submit an application for site plan since more than two dwelling units are proposed to exist on a single residential premises.

Kristina Dousharm made a motion to adopt a SEQR Resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Kallie Robertson seconded and all members voted in favor.

OTHER BUSINESS

Hoffman Residential Development – 19, 25 and 45 Old Farm Rd. – Major Subdivision, Site Plan

Discussion with applicant's representatives concerning the status of meeting the conditions of final approval.

Applicant Richard Rang, engineer Rod Morrison and attorney Jennifer Van Tuyl were present. Ms. Van Tuyl reviewed the discussion that took place at the last meeting. She explained that in the Planning Board's conditional approval calls for a conservation easement for public access to the walking trails. She said an easement was offered to the town, which the town declined. She said Winnakee Land trust has been approached. She added that public access to the central square will be provided by a Declaration, which can be enforced by the town.

Ms. Van Tuyl said that the approval resolution also reads that prior to the issuance of the first building permit for the first section, the Homeowners Agreement (HOA) shall be approved by the Attorney General (AG). She said that the appropriate milestone for obtaining a building permit is *submission* to the AG. The AG never approves, she said, but rather gives permission to file.

Mr. Phelan read from a letter from the Planning Board's attorney dated Oct. 15 in which he stated that he did not believe that any additional action by the Board is necessary before signing the subdivision plat regarding issues related to the language in the HOA documents, the Memorandum of

Understanding with the Dutchess County Wastewater Authority, the Common Use and Maintenance Agreement, and Public Assess.

However, Mr. Phelan said he is concerned about ensuring public access to the recreational facilities provided in lieu of a recreation fee which are to be accessible to the public. He asked what would happen if the HOA let these areas go into disrepair, particularly the proposed multi-use playing fields.

Ms. Van Tuyl said that mutuality of benefit should ensure that the recreational areas will be well maintained. Mr. Phelan said that the proposed playing fields will require good maintenance practices in order to be useful to the community, and he was concerned that exclusivity of costs could offset the mutuality of benefits. He asked if any standards for maintenance had been set.

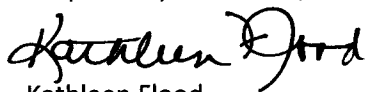
Ms. Van Tuyl read parts of an extensive recreation narrative specifying allowed uses and HOA control that is attached to the approval resolution. She said that this text also was included in the HOA documents. Kristina Dousharm asked if specific maintenance practices have been incorporated into the documents, and how they would be enforced. Mr. Phelan asked what could be done to ensure that the HOA does not neglect the field, and what happens if they do.

The applicants agreed to look into developing maintenance standards and incorporating them into the HOA documents, and to consider possible enforcement measures that would spare the Town the possibility of having to sue the HOA to settle any disputes about the maintenance of the field.

ADJOURNMENT

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

Respectfully submitted,



Kathleen Flood
Clerk for the Board

Resolution Granting Site Plan Approval to Rose Hill Farm Site Development

Name of Project: Rose Hill Farm Site Development

Name of Applicant: Rose Hill Farm 1798 LLC

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Rose Hill Farm 1798 LLC for a cider mill with a tasting room and meeting space, a two-bedroom apartment for farm employees, and a one-bedroom retained farmstead dwelling unit on a \pm 114.58 acre parcel (Tax Map Parcel No. 134889-6373-00-170225-0000) located at 19 Rose Hill Farm in the Agricultural Business (AB) District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Site Plan entitled “Rose Hill Farm Site Development” prepared by Proper & O’Leary Engineering (Sheets C1.0, C2.0, C2.1, C4.0, C4.1, B1.1, and B1.2 dated 2/21/18 and last revised 8/17/18; Sheets A1.0, A1.1, A2.0, A2.1, and A2.2 dated 8/1/17 and last revised 5/9/18; Sheets B1.0, B2.0, and B2.1 dated 2/21/18 and last revised 10/25/17 [*sic*]); and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of § 143-39.1 and Article VII of the Town of Red Hook Zoning Law and has found that the proposal complies with all applicable sections of the Zoning Law; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on March 19, 2018 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(2) and (3) and, therefore, SEQR does not apply; and

Whereas, due to the location of the property within 500’ of farm operation in a New York State certified agricultural district (Agricultural District 20), the site plan application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated October 10, 2018 stating that the project is a matter of local concern; and

Whereas, the parcel is located within 500’ of a New York certified Agricultural District (Ag District 20) and the applicant submitted an Agricultural Data Statement dated September 24, 2018, which the Planning Board duly forwarded to all owners of farm operations within 500’ of the subject parcel; and

Whereas, the property is encumbered with a conservation easement held by The Scenic Hudson Land Trust, Inc. which was filed with the Dutchess County Clerk’s Office on July 7, 1998 and;

Whereas, the applicant submitted a copy of the conservation easement and correspondence from The Scenic Hudson Land Trust, Inc. dated September 13, 2017 stating that the proposed activity is allowed within the “Farmstead Complex;” and

Whereas, on October 15, 2018, the Planning Board opened a duly noticed public hearing on the Site Plan application at which time all interested persons were given the opportunity to speak, and the Planning Board closed the public hearing on October 15, 2018; and

Whereas, the Planning Board had 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 Site Plan approval to Rose Hill Farm Site Development in accordance with the plans and specifications enumerated above upon the following conditions:

A. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Planning Board Chairman or his authorized designee:

(1) The Site Plan shall be revised as follows:

- (i) To include the name and address of the applicant/property owner.
- (ii) To correct discrepancies between the number of off-street parking spaces shown on the plan and listed in the Zoning Summary Table.
- (iii) To delete the tree planting detail on Sheet C4.1.
- (iv) To verify the final revision date for Sheets B1.0, B2.0, and B2.1.
- (v) To replace references to “accessory apartment” with the term “retained farmstead dwelling unit,” and to list the total number of retained farmstead dwelling units on the site before and after construction.
- (vi) To include a signature block for the Planning Board.

(2) Approval from the Dutchess County Department of Health (DCDOH) for water supply and sewage disposal facilities.

(3) Submission of a permit from DCDOH for food services.

(4) Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town’s Zoning Law.

(5) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.

(6) Payment of any and all outstanding escrow balances for consultant review.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chairwoman endorsement. One (1) set shall be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set

will be provided to the Building Department. The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

(B) The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy:

(1) The farm labor housing shall be in compliance with the applicable provisions of the NYS Uniform Fire Prevention and Building Code and all other applicable laws, ordinance and regulations applicable to other building construction or the operation and maintenance of farm labor/migrant housing pursuant to § 143-41E(2) of the Zoning Law.

(2) A Certificate of Occupancy will not be issued unless all proposed improvements have been completed in accordance with the approved Site Plan.

C. The following are general conditions which shall be fulfilled throughout the construction and operation of the project:

(1) The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

On a motion by Kallie Robertson, seconded by Brian Kelly, and a vote of 5 for, 0 against, 1 absent, and 1 vacant seat this resolution was adopted on October 15, 2018.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

10-16-18
Date

Resolution Granting Special Permit Approval to LA Commons Multifamily Dwelling

Name of Project: LA Commons Multifamily Dwelling

Name of Applicant: Lindsay Ann Schultz

Whereas, the applicant, Lindsay Ann Shultz, has submitted an application for Special Permit to the Town of Red Hook Planning Board to construct a three-unit multifamily dwelling on a vacant \pm 5.84 acre parcel (Tax Map Parcel No. 134889-6373-00-050558-0000) located at 268 Rockefeller Lane in the R1.5 District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board reviewed a Site Plan entitled "Site Plan for Multi Family Residence Lands of Lindsay Ann Schultz" prepared by David Rider, PE, PLLC (2 Sheets dated February 13, 2018 and last revised August 13, 2018); and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on April 16, 2018 determined that the proposed project is a Type II Action that meets the threshold found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply; and

Whereas, the parcel is located within 500 feet of a New York State certified Agricultural District (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated January 7, 2018, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcel; and

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

Whereas, the Planning Board has reviewed the application for Special Use Permit against the general standards for a special use permit found in § 143-51 of the Town of Red Hook Zoning Law and has found that the proposal complies with all of the general standards, including but not limited to: the location and size of the use, and the nature and intensity of the operations involved are in harmony with the orderly development of the R1.5 District; the size of the site in relation to the use, the location, nature and height of buildings, walls and fences, the nature and intensity of intended operations will not discourage the appropriate development and use of adjacent land and buildings, nor impair the value thereof; proposed traffic access ways will be adequate and the curb cut will be approved by the Town of Red Hook Highway Superintendent; safe and accessible off-street parking will be provided and parking will be screened at all seasons of the year from the view of adjacent residential lots and streets; the general landscaping of the site will be in character generally prevailing in the neighborhood; all structures will be readily accessible for fire and police protection; the character and appearance of the proposed use and all of its buildings and structures will be in general harmony with the character and appearance of the surrounding neighborhood and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or flashing lights as there will be minimal noise associated with a multifamily dwelling, and no fumes, vibration, or flashing lights will be associated with the project; the use meets the prescribed area and bulk requirements for the R1.5 District and no area variances are required; adequate water and sanitary sewage facilities will be provided to serve the use and will be reviewed and approved by the Dutchess County Department of Health (CDOH); and the use will be carried out in a manner

compatible with its environmental setting and with due consideration to the protection of natural resources; and

Whereas, the Planning Board has reviewed the application for Special Use Permit against the specific standards for new construction of multifamily dwellings in the R1.5 District found in § 143-56; and

Whereas, § 143-56A of the Zoning Law outlines how density shall be calculated for new construction of multifamily dwellings and the Planning Board determined that a maximum of three (3) dwelling units are permitted and three (3) dwelling units are proposed; and

Whereas, § 143-56B requires that adequate water supply and common sewage disposal facilities shall be provided in accordance with the requirements of the Town of Red Hook and the DCDOH and the applicant has submitted information regarding water supply and sewage disposal facilities that has been reviewed by the Town Engineer and will be approved by the DCDOH as a condition of Site Plan approval; and

Whereas, § 143-56C limits the maximum number of dwelling units within a multifamily development to 40 and only three (3) dwelling units are proposed; and

Whereas, § 143-56D limits the maximum number of dwelling units within a single structure to six (6) and only three (3) dwelling units are proposed within the structure; and

Whereas, the Planning Board has found that the proposal complies with all of the specific standards for a special permit for new construction of a multifamily dwelling found in § 143-56; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, on August 6, 2018, the Planning Board opened a duly noticed public hearing on the Special Permit application, at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board closed the Public Hearing on August 6, 2018; and

Whereas, the project also requires a Site Plan approval; 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 hereby finds that the action will create a need for recreational land and facilities due to the generation of approximately eight (8) new residents of the Town including two (2) new school age child (based on multipliers provided by Rutgers University, Center for Urban Policy Research “Residential Demographic Multipliers,” June 2006). When considering the cumulative demands of all recently approved and pending subdivision applications on Town recreational facilities, there may be a need to expand such facilities in the near future as a result of this and other subdivisions. Based on the present and anticipated future need for park and recreational opportunities in the Town, and the recreation

demands that will arise from the future population of this project, parklands should be reserved as a condition of approval of this subdivision. However, the Planning Board has examined the feasibility of locating a park on the subject parcel and has determined that the site is not suitable. Therefore, pursuant to New York State Town Law § 277, the Planning Board has appropriate grounds to require that the applicant deliver payment in lieu of parkland dedication in an amount established by the Town Board, sufficient to allow for expansion of the Town's recreational facilities.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Special Permit approval to Lindsay Ann Shultz for a three-bedroom multifamily dwelling located at 268 Rockefeller in accordance with the plans and specifications heretofore submitted, subject to the provisions of the Town Code, and subject to the following conditions and modifications:

- A. The applicant shall obtain Site Plan approval for the proposed project from the Planning Board.
- B. This permit authorizes a multifamily dwelling with a maximum of three (3) dwelling units.
- C. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.
- D. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
- E. Payment of any and all outstanding escrow balances for consultant review.

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 Bill Hamel, seconded by Kristina Dousharm, and a vote of 5 members for, 0 against, 1 absent, and 1 vacant seat, this resolution was adopted on October 15, 2018.

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



Kathleen Flood, Clerk to the Board

10-16-18

Date

Resolution Granting Site Plan Approval to LA Commons Multifamily Dwelling

Name of Project: LA Commons Multifamily Dwelling

Name of Applicant: Lindsay Ann Schultz

Whereas, the applicant, Lindsay Ann Schultz, has submitted an application to the Town of Red Hook Planning Board for Site Plan approval to construct a three-unit multifamily dwelling on a vacant \pm 5.84 acre parcel (Tax Map Parcel No. 134889-6373-00-050558-0000) located at 268 Rockefeller Lane in the R1.5 District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Site Plan entitled "Site Plan for Multi Family Residence Lands of Lindsay Ann Schultz" prepared by David Rider, PE, PLLC (2 Sheets dated February 13, 2018 and last revised August 13, 2018); and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on April 16, 2018 determined that the proposed project is a Type II Action that meets the threshold found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply; and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of Article VII of the Zoning Law and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, the parcel is located within 500 feet of a New York State certified Agricultural District (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated January 7, 2018, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcel; and

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

Whereas, due to the location of the property on a State Road and within 500' of a farm operation in a New York State certified Agricultural District, the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated October 10, 2018 stating that the project is a matter of local concern; and

Whereas, on August 6, 2018, the Planning Board opened a duly noticed public hearing on the Site Plan application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on August 6, 2018; and

Whereas, the Planning Board has deliberated on the application and all matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby finds that the action will create a need for recreational land and facilities due to the generation of approximately eight (8) new residents of the Town including two (2) new school age child (based on multipliers provided by Rutgers University, Center for Urban Policy Research "Residential

Demographic Multipliers,” June 2006). When considering the cumulative demands of all recently approved and pending subdivision applications on Town recreational facilities, there may be a need to expand such facilities in the near future as a result of this and other subdivisions. Based on the present and anticipated future need for park and recreational opportunities in the Town, and the recreation demands that will arise from the future population of this project, parklands should be reserved as a condition of approval of this subdivision. However, the Planning Board has examined the feasibility of locating a park on the subject parcel and has determined that the site is not suitable. Therefore, pursuant to New York State Town Law § 277, the Planning Board has appropriate grounds to required that the applicant deliver payment in lieu of parkland dedication in an amount established by the Town Board, sufficient to allow for expansion of the Town’s recreational facilities.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Site Plan approval to Lindsay Ann Schultz for a three-unit multifamily dwelling located at 268 Rockefeller Lane in accordance with the plans and specifications enumerated above upon the following conditions:

- A. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Planning Board Chairman or his authorized designee:
 1. The Site Plan shall be revised as follows:
 - i. To include the Photometric Plan as Sheet 3 of the Site Plan.
 - ii. To revise the Zoning Requirements Legend to indicate that 6 parking spaces are proposed.
 - iii. To include the Agricultural Notice from § 72-2B of the Town Code.
 - iv. To correct the Tax Map No. in the Title Block on all Sheets.
 - v. To include a signature block for the Dutchess County Department of Health.
 - vi. To include a signature block for the Planning Board.
 2. Submission of a driveway permit from the Town of Red Hook Highway Superintendent.
 3. Approval from Dutchess County Department of Health for the proposed well and septic disposal system.
 4. The applicant shall make a recreational fee payment, in an amount established by the Town Board, for two (2) residential dwelling units to allow for expansion of the Town’s recreational facilities.
 5. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 6. Payment of any and all outstanding escrow balances for consultant review.
 7. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town’s Zoning Law, including all required P.E. and L.S. stamps and signatures.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chairman endorsement. One (1) set shall be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Inspector.

Changes to the Site Plan shall require the approval of the Planning Board.

- B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO):
1. All proposed improvements shall have been completed in accordance with the approved Site Plan.
 2. In the event that a CO is requested prior to completion of all proposed landscaping, a cash bond in an amount as recommended by the Town Engineer will be posted to ensure completion of the landscaping in accordance with the approved Site Plan.
- C. The following are general conditions which shall be fulfilled throughout the construction and operation of the project:
1. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

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, 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 Brian Kelly, seconded by Kallie Robertson, and vote of 5 for, 0 against, 1 absent, and 1 vacant seat this resolution was adopted on October 15, 2018.

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

Kathleen Flood
Kathleen Flood, Clerk for the Board

10-16-18
Date

617.6

State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Hurley Accessory Apartment

Whereas, the Town of Red Hook Planning Board is in receipt of Site Plan and Special Permit applications from Gerard Hurley to create a two-bedroom accessory apartment in an existing accessory structure on a \pm 33.54 acre parcel of land located at 119 W. Kerley Corners Road in the Agricultural Business (AB) Zoning District, Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated March 21, 2018 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 may be other involved and/or federal agencies on this matter including the Dutchess County Department of Health.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

On a motion by Kristina Dousharm, seconded by Kallie Robertson, and a vote of 4 for, and 0 against, 1 absent, and 1 vacant seat this resolution was adopted on October 15, 2018.