

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
NOVEMBER 5, 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, Kristina Dousharm AND Lisa Foscolo. Kallie Robertson and Brian Kelly were absent. Also present was planning consultant Michele Grieg.

Bill Hamel made a motion to adopt the minutes of October 15. Kristina Dousharm seconded and the motion passed unanimously.

OLD BUSINESS

Hurley Accessory Apartment – 119 West Kerley Corners Road – Special Use Permit, Site Plan
Continued discussion 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 said that the County Health Department has approved the septic system and will inspect the tanks within a week. He gave an overview of the proposed apartment and the other uses in the barn where the apartment will be situated. He said that he would add some landscaping and a cedar deck later.

The Board and applicant reviewed comments from Michele Grieg dated Oct. 8. Ms. Grieg asked about the lighting on the barn containing the apartment. Mr. Hurley said there were typical shielded barn lights existing there, as well as security motion lights. The Board directed Mr. Hurley to revise the site plan to show the driveway and parking for the apartment, the location of outside lights, and the names of the adjoining property owners.

The Board reviewed the EAF part 2 and a draft SEQR Negative Declaration. Kristina Dousharm moved to adopt the Negative Declaration. Bill Hamel seconded and all members voted in favor.

A public hearing was scheduled for Nov. 15.

NEW BUSINESS

Pfaff Lot Line Alteration – 283 West Kerley Corners Road – Lot Line Alteration
Presentation of application to combine a 4.608 acre parcel and a .768 acre parcel, and convey an additional .061 acres from an adjacent 4.374 acre parcel, resulting in two parcels, 4.313 acres and 5.437 acres in size. All parcels are owned by the applicant.

Applicant's representative Marie Welch was present. She said that the plat has been revised from what was originally submitted. She said it was simplified to add 1.432 acres from Cider Studios, Inc. land to the adjoining West Kerley LLC parcel. Both parcels are owned by the applicant.

Ms. Welch and the Board reviewed building coverage for both lots and discussed lot coverage and the common driveway. She said she would submit a revised plat for review.

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

A public hearing was tentatively scheduled for November 15. Ms. Greig was directed to prepare a SEQR Negative Declaration for the public hearing.

OTHER BUSINESS

Wild Hive Farm – Pre Application discussion

Don Lewis was present. He said he had reviewed the Zoning Administrator's determination that the uses that he is proposing for the approximately 6 acre site now known as Leo's Apples on Route 199 are agricultural. He said he is currently looking for funding and partners for the project.

The Board recommended Mr. Lewis meet with Bob Fennell, the Zoning Enforcement Administrator, and review what approvals would be required.

Extension request - Hoffman TND Major Subdivision

Request for 30 day extension

Sam Phelan made reference to an email dated 11-5-18 which he had forwarded to Board members regarding the following language that will appear as a note on all future subdivision plats:

"Maintenance of the recreational amenities in the project on Open Space parcels B, C, and D and on Open Space Parcel A are to be maintained by the Homeowners Association in perpetuity and the Town may institute enforcement proceedings against the Homeowners Association in the event that the Homeowners Association fails in its responsibility to maintain the recreational amenities in accordance with the approved site plan drawings."

The applicant has requested further 30 day extension to satisfy the conditions of approval for site plan. Bill Hamel made a motion to grant the extension. Lisa Foscolo seconded and all members voted in favor.

Extension request – Podolsky Lot Line Alteration

Bill Hamel made a motion to grant a retroactive 45 day extension to satisfy the conditions of approval. Kristina Dousharm seconded and all members voted in favor

Extension request – Shafer's Hudson Valley Site Plan

Lisa Foscolo made a motion to grant a 180 day extension to satisfy conditions of approval for site plan. Kristina Dousharm seconded and all members voted in favor.

ADJOURNMENT

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

Respectfully submitted,

Kathleen Flood
Clerk for the Board

Project: HUrley Accessory Apt.

Date: 11-5-18

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Red Hook Planning Board <hr/> Name of Lead Agency Sam Phelan <hr/> Print or Type Name of Responsible Officer in Lead Agency <hr/> Signature of Responsible Officer in Lead Agency	<hr/> Date Chairman <hr/> Title of Responsible Officer <hr/> Signature of Preparer (if different from Responsible Officer)

PRINT FORM

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: 11-5-18

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Hurley Accessory Apartment

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
 NO

Description of Action: The applicant proposes to convert a portion of an existing accessory structure into an accessory apartment on a ± 33.54 acre parcel (Tax Map Parcel No. 134889-6274-00-104982-0000) in the Agricultural Business (AB) District. The apartment will be served by an existing well and a new subsurface sanitary disposal system.

Location: 119 West Kerley Corner Road, Town of Red Hook, Dutchess County, NY

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Short Environmental Assessment Form (EAF) for the proposed project, the Planning Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The property is located adjacent to lands within a New York State certified Agricultural District (Ag. District 20). An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcels. The Planning Board considered the Agricultural Data Statement in its review of the application. No significant adverse

environmental impacts will result to agriculture from converting an existing building into an accessory apartment. Based on the foregoing, the Planning Board has concluded that no significant adverse environmental impacts to agricultural resources will occur.

4. The Town Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)

617.6
State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Pfaff Lot Line Alteration

Whereas, the Town of Red Hook Planning Board is in receipt of a Subdivision application by Cider Studios, Inc. and West Kerley, LLC to combine a 4.608 acre parcel and a 0.768 acre parcel, and convey an additional 0.061 acres from an adjacent 4.374 acre parcel, resulting in two two parcels, \pm 4.313 acres and \pm 5.437 acres in size located on West Kerley Corners Road in the RD3 District in the Town of Red Hook, Dutchess County, New York;

Whereas, an Environmental Assessment Form (EAF) dated October 12, 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 are other involved and/or federal agencies on this matter including the Town of Red Hook Zoning Board of Appeals.

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 Lisa Foscolo seconded by Kristina Dousharm, and a vote of 4 for, and 0 against, 2 absent, and 1 vacant seat. this resolution was adopted on November 5, 2018.