

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
DECEMBER 3, 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, Lisa Foscolo, Kallie Robertson and Brian Kelly. Also present was planning consultant Michele Grieg.

Brian Kelly moved to adopt the minutes of November 5. Bill Hamel seconded and all members voted in favor.

PUBLIC HEARING

AT&T / New Cingular Wireless – 31-33 Twin Towers Drive – Amended Site Plan

Presentation of application to replace 6 existing antennas with 6 new antennas; replace 6 existing tower mount amplifiers with 3 new tower mount amplifiers; replace 1 existing remote radio unit with 1 new remote radio unit; install 9 new remote radio units; install 1 new surge arrestor with 1 fiber and 2 DC lines in a new 2" conduit on an existing water/telecommunications tower in the RD3 District.

Applicant's representative Brenda Blask-Lewis of AT&T was present. She gave an overview of the project. Mr. Phelan asked if there was any comment from the public. Town Board member Christine Kane said that the project would also need to be reviewed in terms of the lease agreement with the Town. The additional weight of the equipment, estimated by Ms. Blask-Lewis at 300 lbs., was noted. Mr. Phelan asked if there were any further questions or comments from the public. There were none. Bill Hamel moved to close the hearing. Lisa Foscolo seconded and all members voted in favor.

The Board reviewed a resolution classifying the project as a Type II, meaning no further review under SEQR is required. Kristina Dousharm made a motion to adopt it. Brian Kelly seconded and all members voted in favor.

Mr. Phelan said that the structural integrity of the tower, with the added equipment, and whether or not the additional equipment is consistent with the lease agreement between AT&T and the Town is being evaluated by the town engineer and attorney respectively. Mr. Phelan explained that the Board's draft Amended Site Plan Approval would need to be revised to add a condition that the PB receives certification from the Town that the project conforms to the lease agreement.

The Board reviewed an Amended Site Plan Approval Resolution. Kallie Robertson moved to adopt the revised Approval. Bill Hamel seconded and all members voted in favor.

OLD BUSINESS

Pfaff Lot Line Alteration – 283 West Kerley Corners Road

Continued discussion of application to convey ± 1.432 acres of land from the ± 8.982 acre Cider Studios, Inc. parcel to the adjacent ± 0.768 acre West Kerley, LLC parcel. The resulting parcels will be ± 7.55 acres and ± 2.2 acres in size. Both parcels are already developed with a single family home and individual water and sanitary sewage disposal systems.

Applicant's representative Marie Welch was present. She distributed a new plat that was modified to conform with setback regulations after the applicant decided where she wants to site her new storage building. She noted, however, that the project acreage remains the same. Ms. Welch said she had modified the environmental forms according to comments from the planning consultant at the last meeting.

Kallie Robertson made a motion to rescind the SEQR Lead Agency Resolution that was adopted Nov. 3 and adopt a new Lead Agency Resolution since the project had changed. Kristina Dousharm seconded and all members voted in favor.

The Board reviewed parts 2 and 3 and a draft SEQR Negative Declaration. Lisa Foscolo made a motion to adopt the Negative Declaration. Brian Kelly seconded and all members voted in favor.

A public hearing was scheduled for December 17, 7:35 pm.

OTHER BUSINESS

Extension Request – Hoffman TND

Bill Hamel made a motion to grant a 30 day extension to satisfy conditions of approval. Lisa Foscolo seconded and the motion passed unanimously.

Discussion – Escrow Policy

Mr. Phelan informed Board members that although the town attorney and Town Board are not against raising site plan, minor subdivision and special permit applicant's initial escrow advance from \$500.00 to \$1,000.00, the town attorney advised the Planning Board to be flexible with escrow fee-setting, and carefully monitor of the use of applicant's escrow funds.

Mr. Phelan suggested generating a list of project characteristics that trigger review by Planning Board consultants, and consider how many of these characteristics apply to each new project when setting initial escrow advances, which will ultimately be determined by the Planning Board.

The Board discussed various procedural options that meet the objective, comply with town law, and contribute to Board / applicant transparency.

Mr. Phelan said that the Board's objections to Red Hook Terminal + Bottini site plan compliance had been brought to the attention of the Zoning and Building administrators. He encouraged the Board to give them time to address the Board's concerns.

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 Amended Site Plan Approval to Cingular (AT&T) Telecommunications (Red Hook West)

Name of Project: Cingular (AT&T) Telecommunications (Red Hook West)

Name of Applicant: Brenda Blask-Lewis of Centerline Communications, as Agent for AT&T

Whereas, the Town of Red Hook Planning Board has received an Application for Amended Site Plan Approval from Brenda Blask-Lewis of Centerline Communications, as Agent for AT&T, to replace six existing antennas with six new antennas; replace six existing Tower Mount Amplifiers (TMA) with three new TMAs; replace one existing Remote Radio Unit (RRU) with one new RRU; install nine new RRUs; and install one new surge arrester on an existing telecommunications facility on a \pm 2.0 acre parcel (Tax Map Parcel No. 134889-6173-00-802677-0000) in the RD3 and Historic Landmark Overlay Districts located at 31-33 Twin Towers Drive, Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Site Plan prepared by Hudson Design Engineering PLLC dated September 12, 2018 and revised October 30, 2018; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on December 3, 2018 determined that the proposed project is a Type II Action that meets the threshold found in 6 NYCRR 617.5(c)(1) and (2) and, therefore, SEQR does not apply; and

Whereas, the proposed facility is a collocation on a previously approved telecommunications tower and the project therefore does not require a special permit pursuant to § 143-103B(2)(b); and

Whereas, the proposed project consists of routine maintenance and repair of an existing regulated structure that does not constitute an "alteration" as defined in § 143-45C of the Zoning Law, and therefore a Certificate of Appropriateness is not required; 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, on December 3, 2018, the Planning Board opened a duly noticed public hearing on the Amended Site Plan application, at which time all interested persons were given the opportunity to speak and the Planning Board closed the Public Hearing on December 3, 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 has determined that no new residential building lots or 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 Amended Site Plan approval to Cingular (AT&T) Telecommunications (Red Hook West) 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 to include a note stating, "Approval by the Planning Board does not constitute approval of the proposed improvements by the Town under the terms and conditions of the Lease Agreement between the Town and the applicant."
 - 2. The applicant shall submit confirmation from the Red Hook Town Board that the project conforms with the lease agreement between the Town of Red Hook and the applicant.
 - 3. 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.
 - 4. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 - 5. 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 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. The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

- B. The following condition shall be fulfilled prior to the issuance of a Certificate of Compliance (CC):
 - 1. All proposed improvements shall 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 Bill Hamel, and a vote of 6 for, 0 against, 0 absent, and 1 vacant seat, this resolution was adopted on December 3, 2018.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

12-4-18
Date

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 convey \pm 1.432 acres of land from the \pm 8.982 acre Cider Studios, Inc. parcel to the adjacent \pm 0.768 acre West Kerley, LLC parcel 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 and last revised December 3, 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 no other involved and/or federal agencies on this matter.

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 Callie Robertson seconded by Kristina Dousharm, and a vote of 6 for, and 0 against, 0 absent, and 1 vacant seat. this resolution was adopted on December 3, 2018.

Project: **PFAFF LLA**Date: **12-3-2018**

**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?"

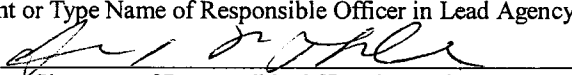
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity 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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

Project: PF AFF. LLA

Date: 12-3-2018

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	
Name of Lead Agency	Date
Sam Phelan	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
 Signature of Responsible Officer in Lead Agency	 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: December 3, 2018

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: Cider Studios, Inc./West Kerley, LLC Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative YES
 NO

Description of Action: The applicant proposes to convey ± 1.432 acres of land from the ± 8.982 acre Cider Studios, Inc. parcel to the adjacent ± 0.768 acre West Kerley, LLC parcel located in the RD3 Zoning District.

Location: 281 and 283 West Kerley Corners Road, Town of Red Hook, Dutchess County, New York

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 action dated October 12, 2018 and last revised December 3, 2018, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

3. The parcels are located within 500' of the boundary of a farm operation in a New York State certified Agricultural District (Agricultural 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 parcel. The Planning Board considered the Agricultural Data Statement in its review of the application. The project consists of a lot line alteration only; no development is proposed as part of this action. The subdivision plat identifies the 200' agricultural buffer and a note has been included on the plat stating that future buildings on the Cider Studios, Inc. parcel will be located a minimum of 200' from the property boundary to the west and north pursuant to § 120-20I of the Town Code, and there will be no clear cutting of existing vegetation in this area, which serves as a buffer between the buildings on the Cider Studios, Inc. parcel and the adjacent farm operation. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on agricultural resources.
4. The 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)