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Town of Red Hook Planning Board
Meeting Minutes
May 16, 2005

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:33 p.m. and a quorum determined present for the conduct of business.

Members present — Jennifer Fier, John Hardeman, Charles Laing, Sam Phelan, Paul Telesca, David Wright, and Chair Christine Kane. Planning Consultant Michele Greig was also present.

BUSINESS SESSION

The Chair confirmed the meeting agenda as published.

The minutes of the May 2, 2005 meeting had been sent to the Members and reviewed. David Wright made a motion to accept those minutes. Jennifer Fier seconded the motion, and all members present voted in favor.

PUBLIC HEARINGS

Wise/ Potamkin—Norton Road—Subdivision Plat/ Lot Line Alteration

Marie Welch, L.S., was present with an application for Subdivision Plat Approval/ Lot Line Alteration to authorize the conveyance of 7.15 acres from the land of Donald Wise Limited Partnership to the adjacent land of Marshall and Rosik Potamkin, located on Norton Road in the RD3 District.

The Chair read the public hearing notice that appeared May 10, 2005 in the Kingston Freeman. She then opened the hearing for public comment.

Ms. Welch explained the project to the Board and to the public.

The Chair then read the Agricultural Advisory Committee's referral response.

Jennifer Fier asked whether the Board could require no further subdivision of the parcel as a condition of approving the application. The Chair said no, that if the Board wished to restrict further subdivision, a different mechanism would have to be put in place. Ms. Welch said that Mr. Potamkin wished a visual buffer of open space in front of his house and that the parcel in question would gain rather than lose protection from development by this lot line alteration. In addition, any further subdivision of the resulting parcel would have to come before the Planning Board.

The Board and Ms. Welch generally discussed the fact that Mr. Wise owned most of the parcels surrounding this parcel, either individually or in partnership with others. In its referral response, the Agricultural Advisory Committee asked why these parcels were not included in the discussion of subdivision and farmland protection. Ms. Welch said that Mr. Potamkin's parcel and this lot line alteration were not part of an overall subdivision or development plan.

The Chair reviewed part 1 of the EAF and, with input from the Board, completed part 2. John Hardeman made a motion to issue a Negative Declaration under SEQR for the project. David Wright seconded the motion, and all members were in favor.

Since there was no comment by the public, Sam Phelan made a motion to close the public hearing, and Charles Laing seconded the motion. All members voted in favor, and the Chair closed the hearing.

David Wright made a motion to adopt an offered resolution granting final approval to the proposed Subdivision Plat/ Lot Line Alteration. Paul Telesca seconded the motion. The motion was carried by a vote of 6 in favor to 1 opposed. A copy of that resolution is attached to, and made part of, these minutes.

TGS Associates/ Hardscrabble Commons – NYS Rte 9 and Metzger Rd. – Site Plan & Special Permit
Art Brod of Planners East, Tom Cummings, P.E., and Todd Baright were present in support of applications for Site Plan Approval and Special Use Permit to authorize modifications to the existing site, construction of a 2-story, mixed retail and apartment building and a 2-story self-storage facility within an undeveloped portion of the 13.159-acre Hardscrabble Plaza site.

The Chair read the public hearing notice that appeared May 10, 2005 in the Kingston Daily Freeman. She then opened the hearing for public comment.

Mr. Brod submitted a memo which responded to reviews by GreenPlan, the Agricultural Advisory Committee and the Town Engineer. He said that his goal at this meeting was to schedule work sessions with GreenPlan, Planning Board members, the Town Engineer, and Town Board members in order to address zoning issues and to refine the technical aspects of Phase 1 of the project.

In explaining the history of the project and its current status, Mr. Brod said that M&T Bank held a legal access easement to Route 9 through the Hardscrabble parcel. He said that during Phase 1, some site improvements would be made around the existing building, a two story, mixed-use building would be built to the east of that building, and a two story self-storage facility would be built at the southeastern edge of the parcel. The mixed-use building would contain office or retail space and one apartment for the handicapped on the first floor plus 10 apartments on the second floor. The self- storage building would contain an office for the rental of the storage units and for the development of the site.

Mr. Brod also said that during Phase 1, approximately 300 feet of the proposed road stretching from the Hannaford Supermarket property across the rear of Hardscrabble Commons would be built. He went on to say that TGS Associates would commit to moving the northern portion of the proposed road off the Lore property and onto Hardscrabble property and would further commit to completing that road to intersect Metzger Road at a future date. This commitment, he said, would reduce the developable land in Phase 3 of the project by about 25%.

Mr. Brod said that another proposed road, running from opposite Old Farm Road east to the Lands of Domkowski, could serve buildings contemplated for Phase 2 and 3 of the project. He said that the mixed-use building proposed for Phase 1 would serve as a model for possible development during Phase 2 and 3.

Mr. Brod then outlined plans for the stormwater drainage and sewage disposal systems and said that water for the Commons would be supplied by the Village.

Mr. Brod addressed some previous concerns by saying that TGS Associates was generally agreeable to the Greenway guide and that the proposed self-storage facility was being modified to complement the proposed mixed-use building.

Mr. Brod finished by saying that TGS was pursuing subdivision application for financial and other reasons and that the proposed subdivision line would lie just north of the existing parking area and extend straight east from Route 9.

Robert McKeon, 163 Crestwood Rd., said that he was supportive of the project and that TGS Associates had incorporated many of the concepts proposed by Scenic Hudson. He said that the Agricultural and Open Space Advisory Committee, of which he was the Chair, would like to see that area defined as a receiving site and allowed more density, leaving open space in other areas of the Town.

Melissa Levy, 30 Metzger Road, was concerned that Metzger Road was too narrow and too poorly maintained to be a successful rear access to or exit from the Hardscrabble and Hannaford parcels. She said that there was already too much traffic for a residential area. She also said that since her property adjoins the Hardscrabble parcel, she would like to know exactly where the sewage disposal systems would be located during Phase 2 and 3 of the project. Finally, she was concerned that pollutants from the site would leach into the large aquifer beneath the parcel and wanted to know if measures would be taken to prevent such leaching. Mr. Brod said that no engineering had been done for Phase 2 or 3, so he could not pinpoint the locations for the sewage systems for the possible buildings near her home. He also said that TGS was engineering to prevent contamination of the aquifer. Finally, he added that the TGS team was considering planting a line of trees on the northeastern edge of the parcel soon so that by the time Phase 2 and 3 of the project began, those trees would have matured and would provide screening for the Levy property.

Sam Lore, who owned the parcel at the intersection of Route 9 and Metzger Road, said he had no objections to Phase 1 of the development, but he did not want the proposed north-south road from Hannaford's crossing his land. Mr. Brod said that TGS was agreeable.

Michael Levy, 30 Metzger Road, said that moving the proposed road off the Lore property and onto TGS property would not solve the road problem. He said that people might exit onto Metzger Road but would then try to enter Route 9 at the intersection, which had no traffic light.

Mr. Brod said that the proposed road from Hannaford's to Metzger Road had been in the Town's plan since Hannaford's was built and was seen as an effort to take traffic off Route 9. He said that the Town, the residents, and TGS were all aware of the Metzger Road conditions and that a Traffic Impact Study would be part of the Phase 2 and 3 development, when continuing the proposed road to intersect with Metzger would be considered.

Ann Domkowski, 79 Metzger Road, said that she agreed that Metzger Road was not adequate for increased traffic. She also asked about a proposed road stretching from Route 9 east to the Lands of Domkowski. Mr. Brod said that drafting that conceptual road was standard planning practice, providing access in case the Domkowski land was ever developed. He said that TGS would not build that road unless requested by the Domkowskis or a future owner of the parcel.

Mark Mondello, 56 Rokeby Road, said that some previous studies had indicated the presence of endangered species of wildlife in that area. Mr. Brod said that TGS had checked with DEC's Natural Heritage Program. To date, no endangered species had been identified.

Michael Levy asked about the conceptual plan. Mr. Brod replied that the Planning Board had requested TGS to provide a conceptual full build-out plan, even though the present goal was only completion of Phase 1. Mr. Levy then said that some years ago, the Town had proposed converting Metzger Road into a cul-de-sac and asked if that notion was being considered. The Board generally replied that it was not. Finally, Mr. Levy pointed out that the traffic light at the intersection of Route 9 and Hannaford Road provided a controlled access to and exit from the proposed road at the rear of the parcels.

Mrs. Levy asked that the team consider a traffic light at the intersection of Route 9 and Old Farm Road. Further, she agreed with Mr. Mondello that wildlife was fast disappearing from the area.

The Chair then read the referral response from the Agricultural Advisory Committee.

Mr. Brod requested scheduling the work sessions he alluded to at the outset of the hearing. The Board and Mr. Brod generally agreed to consult about available dates by e-mail.

The public hearing was continued until the July 18, 2005 meeting.

Bard College/ Soccer Field Expansion – Campus Rd. (Annandale) – Site Plan
Darin DeKoskie, P.E. from the Chazen Companies, John Gall from Bard College, Jim Catella from the Clark Company, and Don Rhuda and Brian McCarty from Musco Lighting were present in support of an application for Site Plan Approval to authorize renovations to an existing 252 ft. x 400 ft. soccer field and the creation of 261 ft. x 360 ft. soccer field on the Bard Campus in the Institutional (I) District.

The Chair read the public hearing notice that appeared May 10, 2005 in the Kingston Daily Freeman. She then opened the hearing for public comment.

Brian McCarty gave a Power Point presentation showing the proposed lighting fixtures.

Asked if adequate lighting could not be provided with more poles of lesser height, Mr. Rhuda said that lights on shorter poles created glare, which was unsafe for the athletes. He said that 70 feet was the minimum height, which allowed control of the light at the center of the field. He said that the goal was to provide a uniform 50 foot-candles over the entire field.

Sam Lore was supportive of the proposed fields and lights.

Mr. Gall showed photos taken from various elevated points and historic sites during the balloon float. The Board generally agreed that the balloons could only be seen from a few points, which were all on the Bard Campus.

Charles Laing had spoken to the manager of the recreation park in Carmel, New York, where similar lighting had been recently installed. He said the manager was pleased with the result.

The Chair read a letter from the Town ZBA, which said that no variance was needed in this particular case.

Mr. DeKoskie submitted a revised EAF and the part 3 Visual EAF. The Board generally agreed that the lights would not be visible anywhere outside the Bard Campus because the field was approximately 20 feet below the elevation of Annandale Road and was also shielded by the surrounding mature trees.

Since all SEQR requirements had been met, Ms. Greig offered a draft EAF part 2 for Board consideration. Sam Phelan requested that the specific lighting units, Light Structure Green, be added to the Negative Declaration.

John Hardeman made a motion to issue a Negative Declaration with the above revision. Paul Telesca seconded the motion, and all members voted in favor.

David Wright made a motion to close the public hearing. Charles Laing seconded the motion, and all members voted in favor.

Ms. Greig said that the Board should review pertinent parts of the Local Waterfront Revitalization Plan to make sure that the project complied with the guidelines. David Wright made a motion determining that the project did comply with the Plan. Jennifer Fier seconded the motion, and all members voted in favor.

The Chair reviewed an offered resolution granting Site Plan Approval for the project. Ms. Greig said she would add a sentence about compliance with the LWRP.

Paul Telesca made a motion to adopt the resolution granting Site Plan Approval with the above revision. David Wright seconded the motion, and all members voted in favor. A copy of that resolution is attached to, and made part of, these minutes.

<u>REGULAR SESSION (OLD BUSINESS)</u>

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road – Subdivision Plat

Steve Tinkelman, architect, and Pete Setaro, P.E., were present for continued discussion of an application for Subdivision Plat Approval (Sketch Plan) to create 51 residential building lots ranging from .12 acres on up and an open space lot, all from a 65.3-acre parcel, partially in the Village of Red Hook and partially in the R1 District in the Town of Red Hook.

Mr. Tinkelman explained the project with a power point presentation. He said that the Town could take no action until the Village finished the SEQR process. He also said that the Village was in the process of changing its zoning to accommodate this type of project but that the Town was going to accomplish the same objective through the appeals to the ZBA.

Mr. Tinkelman described the proposed development as a traditional neighborhood model with approximately 12 feet from the front of each home to the sidewalk. Delivery and maintenance vehicles would access the homes from the rear, and there would be a common recreation building, which would also contain the mailboxes. Although there would be no basements, the garages had been designed with extra storage space, and each home would have at least a one-car garage. Each dwelling would be an energy star unit, and a homeowners association would be in charge of snow removal, care of the landscaping and other common upkeep tasks.

Mr. Setaro said that soil tests had been completed and that the team was finalizing septic and stormwater drainage designs. He would consult with the Town Engineer on both. He had discussed a traffic impact study with the traffic consultants and had asked them to include other nearby development projects such as the Perx property, Hardscrabble Commons, and the multi-family development proposed on the parcel behind the Old Soap Factory. Finally, he said that the archaeologist was in the process of reviewing the site.

Charles Laing asked if the team had estimated the impact of the development on the school system. Mr. Tinkelman said that the development was designed for adults 55 and over. He said that there would be no play facilities, that there would be no more than two bedrooms per residence, and that the homeowners' association would be able to encourage an adult community while restricting amenities which might encourage families with children. The Board generally agreed that while empty nesters were the targeted age group, the Town and the developers must look at alternate scenarios. Ms. Greig said that the Town could estimate the potential impact of such scenarios on the school but that the Village would be considering those impacts in depth as part of its SEQR review.

The Chair said that she would like to see different architectural options. Mr. Tinkelman said that homes with the same exterior would not be located next to each other. The Chair suggested that a variety of ornamentation and porch design options be offered.

Sam Phelan said that the views down the access road be looked at carefully, since such areas can easily become unsightly. Mr. Tinkelman said that the situation could be handled through the homeowners' association.

Bard College/ Center for Science and Computation

Pete Setaro of Morris Associates was present with an application for Site Plan Approval for a 54,600 s.f. building and associated site improvements on an approximately 3.0-acre project site within the Institutional (I) and Hudson River National Historic Landmarks Districts.

Mr. Setaro said that the project had not changed from when it was originally presented to the Board in November 2004. He said that Campus Road would be relocated in order to group various buildings together and that a geothermal well field would be situated near the proposed building. He said that the proposed building would tie into the College's existing water and sewer systems and that he would submit an application to the Dutchess County Board of Health. Finally, he said that stormwater would drain into existing basins and that the archaeologist had begun his report.

The Chair said that the SEQR process was begun in December 2004 and that the NOI's had been sent out at that time. The project could now be referred to Dutchess County Planning, and the Board generally agreed to make that referral.

Ms. Greig said that since the building was largely glass and since it would be located on a ridge, GreenPlan was concerned about large amounts of light potentially emanating from the building at night. Mr. Setaro said that classrooms would not normally be in use at night but that the team would look into the matter. He said that probably the trees around the building would act as a buffer, but he acknowledged that a number of the larger trees were slated for removal to make room for the building. Ms. Greig said that various photo simulations and a photometric plan be submitted.

Ms. Greig also asked that the applicant clarify whether the project would entail additional parking and reminded the Board that it must consider whether the project was consistent with the Local Waterfront Revitalization Plan.

Mr. Setaro said that the building would be staked out during the upcoming week and that Board members were welcome to take a look.

REGULAR SESSION (NEW BUSINESS)

Rose Marie Reid—78 Walker Hill (Tivoli)—Special Use Permit

Rose Marie Reid appeared before the Board with an application for Special Use Permit to authorize the establishment of a bed and breakfast at her residence on a 6.32-acre parcel in the RD3 District.

Ms. Reid said that she wished to rent out one or two of her bedrooms on an occasional basis, possibly during Bard College special events or during the summer. She said that her home contained three bedrooms, and she supplied documentation showing adequate water and sewage for those bedrooms. She said that existing parking and lighting were sufficient for the proposed use and that she would not display any signage. She said that she shared a driveway with neighbors, however she also owned the adjoining lot to the north.

Ms. Greig said that no handicapped provisions were needed because the project was so small. She added that since the parcel was within the National Historic Landmarks District, however, a long EAF and a coordinated review was necessary. After Lead Agency was established, the project should be referred to Dutchess County Planning for review.

The Board generally agreed that Ms. Reid must submit the full EAF and a more detailed site plan which better located her residence, the parking facilities, existing lighting, and setbacks from neighboring property boundaries. Once Ms. Reid submitted these documents, the application, SEQR and referral processes could continue.

Bard College/ Village Dorm Expansion—Annandale Rd. and Cruger Island Rd. – Site Plan

Pete Setaro and Peter Reynolds of Ashokan Architecture were present with an application for Site Plan Approval for dormitory buildings, approximately 4,600 sq. ft. each, to be built in two phases, two buildings in the initial phase and two at a later time, with associated site improvements, within the Institutional (I) and Hudson River National Historic Landmarks Districts.

Mr. Reynolds said that because of unanticipated freshmen acceptance numbers, the College would like to have the new dorms finished by the first of September, 2005. He said that five buildings had been planned but that only two would be built during the upcoming summer. Each building would house twenty (20) students. He said that the interior floor plans of the buildings would be the same as those of the Village Dorms built in 2000 but that the exteriors would be different and would complement the exteriors of neighboring buildings in Annandale.

Pete Setaro said that while the buildings would be visible from Annandale Road, the area was planned to be a wooded site. He said that the archaeological review had begun and that he knew approval must be obtained from the Dutchess County Board of Health. He said that access from Annandale Road would be limited to emergency vehicles. He asked that the Board initiate the SEQR process.

Ms. Greig recommended that the applicants submit documentation from the Natural Heritage Program regarding the presence of endangered species. She said that the project must also be referred to the Agricultural Advisory Committee due to the presence of valuable soils. Finally, she said that the Board must consider whether the project is consistent with the Local Waterfront Revitalization Plan.

Ms. Greig said that although the dorms were not exactly as those projected in the Bard Master Plan Update approved in February 2005, they were not so different as to require a revision to the Master Plan or a Special Use Permit.

Sam Phelan asked that the applicants provide documentation of architecture in the immediate area for the Board's review. Mr. Setaro agreed.

John Hardeman made a motion to establish the Board as Lead Agency for the SEQR review. Jennifer Fier seconded the motion and all members voted in favor. The Board agreed by consensus to endorse the sketch plan and to refer the project to the Town Engineer for review. Mr. Setaro and Mr. Reynolds were asked to provide building elevations for inclusion in the referral to Dutchess County Planning.

The project was tentatively scheduled for a return to the agenda on June 20, 2005.

<u>OTHER BUSINESS</u>

Robert McKeon, Chair of the Agricultural and Open Space Committee, presented a plan to provide graduated tax relief to certain landowners who agreed to retain their land as open space for a specified number of years. He said that the plan was based on programs in place in several other Towns (Clifton Park and Perinton) in New York and had been presented at a public hearing on May 10, 2005. He stated that the Ag Committee believed that the Town had made a very good start toward protecting agriculture with its bond program but that the community must continue to investigate and use other tools to improve its protection program. He said that the public hearing had been continued to June 7, 2005.

Each member of the Board received a copy of the proposed law for review, and the Chair suggested that it be an agenda item at the next meeting on June 6, 2005. The Board agreed. Mr. McKeon said that the Agricultural and Open Space Committee would welcome opinions by Planning Board members, either individually or as a Board.

ADJOURNMENT

Upon being advised by the Chair that there was no further business to come before the Board, Sam Phelan made a motion to adjourn. David Wright seconded the motion, and all members voted in favor. The meeting was adjourned at 11:10 p.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk to the Planning Board

Attachments

Resolution granting Subdivision Plat Approval to the Wise/Potamkin Lot Line Alteration

Resolution granting Site Plan Approval to the Bard College Soccer Field Expansion

Town of Red Hook Planning Board
Resolution Granting Final Approval in the matter of the Donald Wise Subdivision Plat/ Lot Line Alteration on Norton Road in the RD 3 District

May 16, 2005

Motion made by David Wright
Seconded by Paul Telesca

Whereas, the Town of Red Hook Planning Board received an application for subdivision approval for a proposed lot line alteration to convey a ±7.15 acre parcel to an adjoining landowner;

Whereas, the subject parcel is located on Norton Road in the RD3 District in the Town of Red Hook, NY; and

Whereas, the parcel is located within a certified agricultural district, the applicant submitted an Agricultural Data Statement, and the Planning Board forwarded said statement to all owners of farm operations within 500' of the subject parcel; and

Whereas, the application is subject to the Town's Important Farmlands Law and the Planning Board forwarded the application to the Town's Agricultural and Open Space Advisory Committee for its review and comments; and

Whereas, the Planning Board considered the comments on the Agricultural Data Statement and review responses from the Agricultural and Open Space Advisory Committee in its review of the application; and

Whereas, the Planning Board declared itself Lead Agency for the proposed action on May 2, 2005, reviewed the EAF Part 1 dated February 11, 2005, and adopted a Negative Declaration for the proposed action on May 16, 2005; and

Whereas, the Planning Board held a Public Hearing on the Subdivision application on May 16, 2005.

Now therefore be it resolved, that the Planning Board approves the subdivision plat.

Roll Call Vote:

Member Jennifer Fier	no
Member John Hardeman	yes
Member Charles Laing	yes
Member Sam Phelan	yes
Member Paul Telesca	yes
Member David Wright	yes
Chairman Christine Kane	yes

Resolution declared: **APPROVED**

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

______________________________________ _________________
Paula Schoonmaker, Assistant Clerk to the Board Date

Town of Red Hook Planning Board
Resolution Granting Site Plan Approval in the matter of the Bard College Soccer Field Expansion and Renovation on Woods Road within the Bard College Campus

May 16, 2005

Motion made by Paul Telesca
Seconded by David Wright

Whereas, the Town of Red Hook Planning Board received an application for Site Plan approval from Bard College to construct a new soccer field, reconstruct an existing soccer field, and install stadium lighting for the reconstructed soccer field on ± 5.4 acres of land on the Bard College campus in the Institutional (I) District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board reviewed the application for Site Plan approval dated March 11, 2005, a Site Plan dated April 6, 2005, a Project Summary (undated) including details on the proposed stadium lighting, a Stage 1 Background Research and Archaeological Reconnaissance Report dated April 23, 2005, a balloon test conducted on May 6, 2005, and a view shed analysis presented on May 16, 2005 for the proposed soccer fields; and

Whereas, the proposed action conforms with the depiction within the Bard College Master Plan Update dated February 2005 for which an amended Special Use Permit was issued by the Planning Board in February 2005, and therefore a new application for a special use permit is not required and only site plan review and approval by the Planning Board in accordance with the requirements of Article VI of the Zoning Law is required.

Whereas, the Planning Board requested that the Town Zoning Board of Appeals interpret the Zoning Law's provisions regarding the height of lighting fixtures to determine whether the proposed stadium lights would require an area variance; and

Whereas, on May 11, 2005, the Zoning Board of Appeals interpreted the provisions of the Zoning Law as not applicable to the proposed stadium lighting and therefore an area variance is not required; and

Whereas, the Planning Board has reviewed the site plan application against the requirements of Article VI of the Zoning Law and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, the Planning Board has reviewed the Town's Local Waterfront Revitalization Program (LWRP) plan in accordance with Section V.C.1 of the LWRP and has determined that the proposed action is consistent with the coastal policies; and

Whereas, the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal

Law § 239m and the Planning Department determined the project was a matter of local concern; and

Whereas, the Planning Board declared its intent to be Lead Agency for the proposed action and duly circulated to all Involved Agencies on May 2, 2005, reviewed a Full Environmental Assessment Form (EAF) dated April 22, 2005 and a Visual EAF Addendum dated May 16, 2005, and adopted a Negative Declaration for the proposed action on May 16, 2005; and

Whereas, the Planning Board held a Public Hearing on the Site Plan application on May 16, 2005.

Now therefore be it resolved, that the Planning Board approves the application for Site Plan approval.

Roll Call Vote:

Member Jennifer Fier	yes
Member John Hardeman	yes
Member Charles Laing	yes
Member Sam Phelan	yes
Member Paul Telesca	yes
Member David Wright	yes
Chairman Christine Kane	yes

Resolution declared: **APPROVED**

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

_______________________________________ _______________
Paula Schoonmaker, Assistant Clerk to the Board Date