

draft
**Town of Red Hook Planning Board
Meeting Minutes
April 4, 2005**

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:35 p.m. and a quorum determined present for the conduct of business.

Members present — Jennifer Fier, John Hardeman, Charles Laing, Paul Telesca, David Wright, and Acting Chair Sam Phelan. Christine Kane was absent. Planning Consultant Ted Fink and Town Board liaison Jim Ross were also present.

BUSINESS SESSION

The Acting Chair said Christine Kane had been appointed Planning Board Chair by the Town Board at its March 22, 2005 meeting. He also said that the Town Board had appointed two new Planning Board members, Jennifer Fier and Charles Laing, at that same meeting. He welcomed those two new members.

The Acting Chair confirmed the meeting agenda with the exception of the continued presentation of applications by the Red Hook Boat Club, which had asked to be rescheduled to a later date.

The minutes of the March 21, 2005 meeting had been sent to the Members and reviewed. John Hardeman made a motion to accept those minutes. The motion was seconded by David Wright, and all members present voted in favor.

PUBLIC HEARINGS

Firehouse Productions/ Bryan Olson – 12 Glen Pond Road – Site Plan

Leonard Sieverding, architect, and Bryan Olson appeared before the Board for the public hearing on an application for Site Plan Approval for the modification of an existing 17,991 sq. ft. storage building for mixed use office and storage space on a 3.04-acre parcel, partially in the Village of Red Hook and partially in the B2 District of the Town.

Mr. Sieverding explained the project to the Board, saying that the only exterior modifications planned for the building were repainting and replacing the siding. He said that Site Plan Approval was necessary because the use would be changed from simply storage to mixed storage and office use.

The Acting Chair read the public hearing notice that appeared in the Kingston Daily Freeman on March 29, 2005. He then opened the hearing for public comment.

Linda Keeling, 238 Pitcher Lane, asked what signage the applicant planned to display. Mr. Olson said there would be no signage. She also asked if the facility would be handicapped accessible. Mr. Olson said it would.

The Acting Chair then read a letter dated April 4, 2005 from Jay Trapp, Chair of the Village of Red Hook Planning Board, in which several concerns were expressed. First,

Mr. Trapp asked if an increase in the volume of traffic was expected, what type of trucks would be entering and leaving the facility, and whether those trucks could be routed south upon returning to Route 9 from the facility instead of north toward the Village center. Mr. Olson said that no increase from the current number of trucks was expected. He said that box trucks and occasionally tractor-trailers were used to transport the audio equipment. Third, he agreed to instruct the truck drivers to head south away from the Village upon returning to Route 9, as requested by the Village.

Second, Mr. Trapp asked about the type and intensity of any outside lighting. Mr. Olson said that one outside light was planned above each door, shielded to direct light downward, and limited to a 100-watt bulb.

Third, Mr. Trapp asked if any additional paving was planned. Mr. Olson said no.

Fourth, Mr. Trapp said the Village asked that the proposed parking area be adequately screened and landscaped to diminish the visual impact of the vehicles and their headlights. Mr. Olson said that an existing hedgerow, which would shield the parking lot, would be retained.

Jennifer Fier asked if the number of employees planned for the proposed facility would be an increase over the number of people employed during the building's previous use. Mr. Sieverding said that the previous number of employees was unknown and that Mr. Olson anticipated a total of five employees at the proposed facility.

Since there were no further comments or correspondence, the Acting Chair closed the public hearing.

The Acting Chair then read the short EAF part 1 and, with input from the Board, completed part 2. David Wright made a motion to issue a Negative Declaration under SEQR. Paul Telesca seconded the motion, and all members voted in favor.

The Chair then read an offered resolution granting Site Plan Approval to the project. After the Board generally agreed to add the words "including office space" in paragraph 1 and to delete the words "the application for" in paragraph 8, John Hardeman made a motion to adopt the corrected resolution. David Wright seconded the motion, and all members present voted in favor. A copy of that resolution is attached to, and made part of, these minutes.

Common Fire Foundation – West Kerley Corners Road – Subdivision Plat

Mark Graminski, P.E. and L.S., was present for a continuation from March 7, 2005 of the public hearing on an application to authorize creation of three (3) residential building lots ranging from 8.05 acres to 35.98 acres from an approximately 52-acre parcel in the RD3 District.

Mr. Graminski explained some progress had been made in the subdivision process and some minor changes made in the plan. He said that the Department of Public Works had approved the conceptual entrance to the property. He also said that all required materials had been submitted to the NYS DEC for a Wetlands Disturbance Permit. In order for DEC to continue, he said, the Planning Board must close the public hearing and issue a Negative Declaration under SEQR. Finally, he said that the third party independent verification of the Corps of Engineers Federal wetland had taken place that

morning and that the wetland had been found to be somewhat larger than previously measured. He said that this latest measurement would add approximately 480 sq. ft. of wetland to the amount disturbed but that this amount would still be less than the one acre allowed.

Describing the wetlands in detail, Mr. Graminski said that the entrance to the parcel impinged on the buffer of a DEC wetland located across the street, necessitating the DEC Wetlands Disturbance Permit. Another DEC wetland lay within an area proposed to be held in a conservation easement. The DEC wetlands themselves would not be disturbed by the proposed subdivision plan, he said.

Mr. Graminski went on to explain that the Corps of Engineers wetland lay near the proposed common driveway. When verified that morning, the total area was found to be 4180 sq. ft., more than the previously thought 3700 sq. ft., but, at 0.96 acres, still under the one acre cut-off. Mr. Graminski added that he had relocated the flags after the most recent measurement.

The Acting Chair asked about the shared driveway width of 16 feet. Mr. Graminski said that 16 feet was the width commonly used. He agreed that a draft of the maintenance agreement for the shared driveway must be submitted before final approval could be granted.

Charles Laing asked what progress had been made in securing a conservation easement. Mr. Graminski said that the applicants had spoken to both the Dutchess Land Conservancy and Winnikee Trust but had found the costs prohibitive.

Richard Biezynski, 185 West Kerley Corners Road, Tivoli said that the DEC had offered to hold some easements for land determined to be a habitat for the Blandings turtle. Ted Fink added that the DEC did hold some easements within the Town. Mr. Graminski said he would mention this possibility to the applicant. The Acting Chair said that the applicant should submit a statement detailing whom he has contacted about an easement and what he has found out. The applicant should also investigate combining with a neighbor who might also be interested in placing land in an easement.

Mr. Biezynski said that he had concerns about the applicant's intent for the parcel after reading a proposal for cooperative housing on the Common Fire Foundation website. Mr. Graminski said that this subdivision was residential and must comply with zoning. The Acting Chair added that the current application was for subdivision only and that the applicant must return to the Planning Board for any use other than residences.

Linda Keeling noted that the proposed lots contained enough land to be further subdivided. Mr. Graminski said that lots 2 and 3 did not have enough road frontage to be further subdivided and that lot 1 did not have enough width at the building line to subdivide into legal lots.

Jennifer Fier asked if the Fire Department was agreeable to the 16 ft. wide common driveway. Mr. Graminski said he had installed two other common driveways of the same width and that those driveways had been inspected by and found agreeable to the Fire Chief. He added that if a hydrant was to be installed, it must be a dry hydrant.

Asked about showing the engineering for the common driveway in light of its proximity to the wetlands, Mr. Graminski said that he had provided a profile of the driveway on the plat drawing. He added that the utilities would be buried alongside the driveway. As there were no further comments from the public, the Acting Chair closed the public hearing.

The Acting Chair then read the short EAF part 1 and, with input from the Board, completed part 2. John Hardeman made a motion to issue a Negative Declaration under SEQR. Jennifer Fier seconded the motion, and all members voted in favor.

Charles Laing asked if Mr. Graminski had done perk tests on the parcel. Mr. Graminski said that he had, although such tests were usually not needed on lots over 5 acres. He said that since this was a non-realty subdivision, he was not allowed to show building envelopes, proposed wells, or proposed septic on the submitted plan. The Board generally agreed that some control should be placed on the location of the buildings, wells and septic.

The Board then generally agreed on the following conditions to be incorporated in the Preliminary Plat Approval and to be met before application for Final Plat Approval was made:

1. The plan must be reviewed by the Town Engineer with special attention paid to the driveway engineering.
2. There must be a more concerted effort by the applicant to find and obtain a conservation easement. The applicant must submit documentation of his search.
3. A common use and maintenance agreement for the shared driveway must be submitted for review by the Town Attorney
4. Mr. Graminski must add a notation to the plats stating that prior to the issuance of any building permit, Board of Health approval for the water supply and septic disposal system must be obtained.

John Hardeman made a motion to grant Preliminary Subdivision Plat Approval with the above conditions. Charles Laing seconded the motion, and all members present voted in favor.

REGULAR SESSION (OLD BUSINESS)

TGS Associates/ Hardscrabble Commons – NYS Route 9 and Metzger Road – Site Plan & Special Permit

Todd Baright, Gary Baright, and Tom Cummings, P.E. were present to continue presentation of applications for Site Plan Approval and Special Use Permit to authorize modifications to the existing Hardscrabble site, construction of a 2-story, mixed retail and apartment building and a 2-story, 24,000 s.f. total floor area, self-storage facility within an undeveloped portion of the 13.159-acre Hardscrabble Plaza site located in the B1 District.

Mr. Baright said that he had begun perk tests on the property and that his engineer was formulating a storm water drainage plan. He added that he had also joined the Town committee charged with planning the future of St. Margaret's Home, the historic building located on the adjoining Hannaford property. He said that he would include consideration of the building in his plans for Hardscrabble Commons.

Mr. Baright said that he had received GreenPlan's review of his applications just a few days before and needed some time to digest and respond to the comments. He asked to be placed on the April 18, 2005 agenda.

The Acting Chair asked that the Board discuss GreenPlan's suggestions to help Mr. Baright determine which points the Board might endorse.

The Board had a mixed response to GreenPlan's suggestion that Mr. Baright change the lower level of the proposed self-storage building from unheated self-storage to retail and/or office space. GreenPlan said that as the road stretching from the Hannaford property across the rear of the Hardscrabble property toward Metzger Road was developed, office or retail uses for the building would be more appropriate to a pedestrian-friendly, village-style streetscape. Some members thought that the applicant had already changed his original plan to construct a car wash and, at the recommendation of Scenic Hudson and John Clarke of Dutchess County Planning, had agreed to construct in its place a multi-use building with retail and office spaces on the ground floor and apartments on the upper floor. They thought that no further changes should be required. One member, together with Ted Fink, thought that Mr. Baright could design the self-storage building in such a way that the lower level could be converted to retail and office space in the future if development warranted such a change. Others members were undecided. Mr. Baright said that this recommendation would be a major change in the plan and that he would like to discuss it further with Mr. Fink.

The Board and the applicant generally agreed with GreenPlan's recommendations for narrowing the internal roads to no more than 36 ft. in width and possibly precluding high speed driving in other ways. It also generally agreed with the recommendation to decrease the size of the parking spaces to 9 ft. x 19 ft. The Board, however, generally agreed that GreenPlan's suggestion of setting small retail shops at the front of the parcel or possibly transforming the section of NYS Rte. 9 in front of Hardscrabble into a boulevard looked too far into the future. Finally, it generally agreed to continue discussions about possible access roads and a possible traffic light. Mr. Cummings said that phase I of the development would not generate much if any additional traffic. The Board considered the traffic numbers included in the EAF and asked for clarification.

At the applicant's request, the matter was tentatively scheduled to reappear before the Board on April 18, 2005.

Devereux Foundation—NYS Route 9 and Old Post Road—Subdivision Plat

Tim Race, P.E., and John O'Keefe from Devereux were present in support of applications for an Amendment to the Foundation's Special Permit and for Subdivision Plat Approval for the creation of a 5.2-acre residential building lot and a 54.4-acre institutional lot from a 59.6-acre parcel in the (I) Institutional and Certified Agricultural Districts.

In answer to a question about adequate land remaining for the Foundation's building coverage, Tim Race said that after the proposed lot was carved off, the coverage would still comply with Town regulations. He said the coverage was currently 3.7% and would be 4.0% after the subdivision.

In answer to a question about visibility, he said that the building might be slightly visible from certain portions of NYS Rte. 9 but that the large trees on the site would be retained

and would act as a screen. He also said that the double setbacks required by the Scenic Corridor Overlay District regulations would also push the building out of the public's line of sight. He said that there would be no new driveway cut and that the new facility would share a driveway with the existing institution. Finally, he said that the single-story building would be approximately 5,000 sq. ft. in size.

Charles Laing asked if the Planning Board could require plans for the demolition of the existing building on the proposed new lot and for the remediation of that site. Mr. O'Keefe said that the site of the old building would be cleaned up and returned to vegetation.

Mr. O'Keefe said that this facility would be different from the Devereux residence on Starbarrack Road, which was a family house. This facility would be comprised of several apartments, each of which would have a kitchen, a bathroom and one or two bedrooms. The residents would then gain experience in cooking and other facets of independent living while at the same time staff would be on hand at the facility to supervise at all times.

Mr. O'Keefe said that the residents of the proposed new facility would not drive. They would attend day programs, go to jobs, or go shopping by way of a van or similar vehicle. The 12-space parking lot would accommodate staff and visitors.

The Board agreed by consensus to refer the project to the Agricultural Advisory Committee with a request for an expedited review and response. The Board also scheduled a public hearing for April 18, 2005 at 7:35 p.m. The Acting Chair said that the public should understand clearly that this hearing would only pertain to the subdivision of the parcel.

REGULAR SESSION (NEW BUSINESS)

Cary Kittner – 1 Wildey Road (Barrytown) – Certificate of Appropriateness

Cary Kittner appeared before the Board with an application for a Certificate of Appropriateness to authorize an intended 107 sq. ft. extension of the porch on her residence in the (H) Hamlet District.

Ms. Kittner explained the proposed project to the Board. She said that no setbacks would be affected.

David Wright made a motion to refer the project to the Hamlet Design/Review Committee for review and comments. Charles Laing seconded the motion, and all members voted in favor.

The project was tentatively scheduled to reappear before the Board on May 2, 2005.

George & Gladys Pollard – 106 Old Post Road (Upper Red Hook) – Certificate of Appropriateness

No one was present in support of an application for a Certificate of Appropriateness to authorize the intended demolition of a 729 sq. ft. addition to the original dwelling at 106 Old Post Road in the (H) Hamlet District.

The Board reviewed the documents and photographs supplied by the applicants.

David Wright made a motion to refer the project to the Hamlet Design/ Review Committee for review and comments. Jennifer Fier seconded the motion, and all members present voted in favor.

The project was tentatively scheduled to reappear before the Board on May 2, 2005.

Old Rhinebeck Aerodrome – 9 Norton Road – Site Plan and Special Use Permit

Bill Horrigan came before the Board with applications for Site Plan Approval and Special Use Permit to authorize the establishment of and modifications to an existing museum located on approximately 126 acres in the RD3 District. He also requested a one-time waiver of Site Plan Approval in order to immediately replace a decaying storage hanger with a building of the same dimensions and for the same purpose.

Ted Fink explained that the Aerodrome was a museum that had existed before Town zoning regulations were adopted and that it was a non-conforming use within a residential and agricultural area.

Mr. Horrigan explained that David Palmquist, director of Museums for the State of New York, had informed the Aerodrome that it must protect its collection of historic airplanes and artifacts or risk losing its 501C3 museum status. Mr. Horrigan said that if the Aerodrome were to lose that status, it would no longer qualify for the grants and funding that would allow it to survive. Therefore, the immediate replacement of the storage hanger was imperative.

Ted Fink said that Town law did require the Planning Board to address Site Plan Approval for the facility in the long run. However, the Board could allow replacement of the damaged hanger under Section 143-125A(3) of the Town Zoning Law. The only requirements under that section were that the restoration commence within 12 calendar months and be completed within 2 calendar years. The proposed project would be a Type II action under SEQR and thus would not be subject to a SEQR review.

The Board generally agreed that the proposed replacement hanger would be adequately set back from all property lines and would barely be visible from the road. It also agreed that the replacement building would be of the same dimensions and cover the same footprint as the damaged storage hanger.

Jennifer Fier made a motion to adopt an offered resolution determining that the replacement project was limited in scope and required no further review by the Board. Paul Telesca seconded the motion, and all members present voted in favor. A copy of that resolution is attached to, and made part of, these minutes.

The Board reminded Mr. Horrigan that the Aerodrome must proceed with the Site Plan Approval process in a timely manner.

ADJOURNMENT

Upon being advised by the Acting Chair that there was no further business to come before the Board, Paul Telesca made a motion to adjourn. David Wright seconded the motion, and all members present were in favor. The Acting Chair adjourned the meeting at 9:40 p.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk to the Planning Board

Attachments

Resolution granting Site Plan Approval to Firehouse Productions
SEQR Negative Declaration regarding Common Fire Foundation proposed subdivision
Resolution granting Preliminary Subdivision Plat Approval to Common Fire Foundation
Resolution determining Aerodrome hanger replacement to be limited in scope and to require
no further review

**Town of Red Hook Planning Board
Resolution Granting Site Plan Approval in the Matter of the Firehouse
Productions/ Bryan Olson Mixed Use Storage and Office Facility at 12 Glen Pond
Road in the B2 District**

April 4, 2005

Motion made by Member John Hardeman

Seconded by Member David Wright

Whereas, the Town of Red Hook Planning Board received an application for Site Plan approval, from Bryan Olson for a “storage facility including office space” in an existing structure in the B-2 District; and

Whereas, the ± 3.004 acre parcel is located on Glen Pond Road in the Town of Red Hook, Dutchess County, New York; and

Whereas, the proposed action requires Site Plan Approval pursuant to the Town of Red Hook Zoning Law §143-113; and

Whereas, the Planning Board reviewed the application for Site Plan approval dated January 20, 2005, a Site Plan dated February 1, 2005, and manufacturer’s cut sheets illustrating proposed lighting fixtures, for the proposed storage facility; and

Whereas, the Planning Board declared itself Lead Agency for the proposed action on March 7, 2005, reviewed a Short Environmental Assessment Form Part 1 dated January 24, 2005, and adopted a Negative Declaration for the proposed action on April 4, 2005; and

Whereas, the Planning Board held a Public Hearing on the Site Plan application on April 4, 2005; and

Whereas, the applicant proposes no changes to landscaping, signage (except a small directional sign), grading or paving, outdoor storage of equipment and materials, or exterior structural changes, and the proposed use will require less water and generate less sewage than the preceding use.

Now therefore be it resolved, that the Planning Board approves the Site Plan as submitted.

Roll Call Vote:

Member Jennifer Fier	yes
Member John Hardeman	yes
Member Christine Kane	absent

Member Charles Laing	yes
Member Paul Telesca	yes
Member David Wright	yes
Acting Chair Sam Phelan	yes

Resolution declared: **APPROVED**

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

Paula Schoonmaker, Assistant Clerk to the Board

Date

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: April 4, 2005

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: Common Fire Subdivision

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant proposes to subdivide a ±52 acre parcel into three (3) residential building lots ranging in size from ± 8.05 acres to ± 35.98 acres. The lots are to be served by individual wells and septic systems and will be accessed from a common drive. The common drive will encroach on federal jurisdictional wetlands and will be located within the regulated 100-foot buffer of a New York State Department of Environmental Conservation (NYS DEC) wetland. The application must comply with the SPDES General Permit for stormwater discharges from construction activities and the applicant will provide a Stormwater Pollution Prevention Plan for DEC review and approval.

Location: West Kerley Corners 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 Environmental Assessment Form (EAF) for the action dated December 23, 2004, 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. Federal jurisdictional wetlands are located on the project site. The wetlands were field delineated and the delineation was verified by an independent third party. A Licensed Professional Engineer has certified that the total area of wetland disturbance, including all grading, will be 4,180 square feet or 0.96 acres. Since the area of disturbance will be less than one-tenth (1/10) of an acre, the proposed action will be covered by Nationwide Permit #39. The applicant will comply with all conditions and thresholds of the Nationwide Permit #39. During construction, implementation of soil erosion and sediment control practices will eliminate or reduce impacts to wetlands. The Planning Board finds that these measures will mitigate impacts to federal wetlands to the greatest extent practicable.
4. NYS DEC wetlands and regulated buffers are located on the project site. The wetlands were field delineated and the delineation was verified by NYSDEC staff. The proposed common drive will infringe on the buffer of a NYS DEC wetland, which is located across West Kerley Corners Road. The existing road, from which the property will be accessed, currently infringes on this buffer area. The applicant has applied to the NYS DEC for a Wetlands Disturbance Permit for infringement on the regulated buffer. Another NYS DEC wetland lies within an area of the subject property that is proposed to be held in a conservation easement. No disturbance to NYS DEC wetlands themselves will occur as a result of the action. The Planning Board finds that impacts to the NYS DEC wetlands have been minimized to the greatest extent practicable.
5. The project site is located within a certified agricultural district and is subject to the Town of Red Hook's Important Farmlands Law. 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 forwarded the application to the Town of Red Hook Agricultural and Open Space Advisory Committee for its review. The Planning Board considered comments on the Agricultural Data Statement and review responses from the Agricultural and Open Space Advisory Committee in its review of the application. The project site possesses Dutchess Complex soils (DwB), which are class 3 soils of statewide importance, and other moderate or poorer quality soils, including hydric soils. Development constraints preclude locating the building lots on the poorer soils. The proposed building lots have been located, as far as practical, so as to

maximize the protection of agricultural lands, within woodland areas or adjacent to woodland areas, and in a manner such that the common boundary between the new residential lots and the farmland on an adjacent parcel is minimized in length so that the buffer zone between the house sites and the adjacent active farm field is sufficient to prevent interference with the existing farm operation. In addition, the house sites will be located in areas least likely to block or interrupt scenic vistas as seen from public roadways. The remaining agricultural soils on the subject property will be permanently protected by a conservation easement. The protected farmland has been depicted on the subdivision plat and will not be further subdivided for building lots. The Planning Board finds that that these measures will mitigate impacts on agricultural lands and adjacent farm operations to the greatest extent practicable.

For Further Information:

Contact Person: Betty Mae Van Parys, 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)

Marirose Blum Bump, Town Supervisor

Town of Red Hook Town Board

Dutchess County Department of Health

Dutchess County Department of Public Works

New York State Department of Environmental Conservation (Division 3)

**Town of Red Hook Planning Board
Resolution Granting Preliminary Plat Approval in the Matter of the Common Fire
Foundation Minor 3 Lot Subdivision on West Kerley Corners Road in the RD3
District**

April 4, 2005

Motion made by John Hardeman
Seconded by Charles Laing

Whereas, the Town of Red Hook Planning Board received an application for Subdivision Approval from the Common Fire Foundation to subdivide a $\pm$ 52 acre parcel into three (3) residential building lots; and

Whereas, the parcel is located on West Kerley Corners Road in the Town of Red Hook, Dutchess County, New York; and

Whereas, parcel is located within a certified agricultural district and the applicant submitted an Agricultural Data Statement, which the Planning Board forwarded 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

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, reviewed a Short Environmental Assessment Form Part 1 dated December 23, 2004, and adopted a Negative Declaration for the proposed action on April 4, 2005; and

Whereas, the Planning Board held a Public Hearing on the Subdivision application on March 7, 2005, which hearing was continued to April 4, 2005 and closed on that date.

Now therefore be it resolved, that the Planning Board approves the preliminary subdivision plat subject to the following conditions:

1. The plan must be reviewed by the Town Engineer with special attention paid to the driveway engineering.
2. The applicant must make a more concerted effort to find an entity to hold and monitor the proposed conservation easement and must submit documentation of this search.
3. The applicant must submit a Common Use and Maintenance Agreement to be reviewed by the Town Attorney.
4. The applicant's Engineer must add a notation to the plat stating that prior to the issuance of any building permit, the applicant will obtain

approval for the water supply and septic disposal system from the Dutchess County Department of Health.

Roll Call Vote:

Member Jennifer Fier	yes	
Member John Hardeman	yes	
Member Christine Kane	absent	
Member Charles Laing	yes	
Member Paul Telesca	yes	
Member David Wright	yes	
Acting Chair Sam Phelan		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 Determining Old Rhinebeck Aerodrome Museum Replacement Hanger
Project to be Limited in Scope and to Require No Further Review**

April 4, 2005

Motion made by Jennifer Fier
Seconded by Paul Telesca

Whereas, the Town of Red Hook Planning Board has received an Application for Site Plan Approval from the Old Rhinebeck Aerodrome Museum to replace a damaged 52' by 80' airplane hanger with a new 52' by 80' hanger on a ±150 acre parcel of land in the RD3 District; and

Whereas, the parcel is located on Norton Road, Town of Red Hook, Dutchess County, New York; and

Whereas, the proposed action is a lawful nonconforming use that requires Site Plan Approval pursuant to §143-125 and Article VII of the Town of Red Zoning Law; and

Whereas, the Planning Board is in receipt of an Application for Site Plan Approval dated March 17, 2005, a Full Environmental Assessment Form (EAF) Part 1 dated March 22, 2005, "Hanger Replacement Site Plan" dated November 10, 1996, "Composite Map Property of Rhinebeck Aerodrome Museum" dated October 16, 2002, and photographs of the old and proposed hanger, including building details for the proposed hanger dated March 2, 2005; and

Whereas, the the Zoning Law § 143-114C(1) authorizes the Planning Board to waive the requirements of site plan review when a project is limited in scope; and

Whereas, the proposed hanger is the same size as the damaged hanger, will be constructed on the same footprint of the damaged hanger, and involves no substantial site improvements.

Now therefore be it resolved, that the Planning Board determines that the project is limited in scope and requires no further review.

Roll Call Vote:

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

Resolution declared: **APPROVED**

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

Paula Schoonmaker, Assistant Clerk to the Board

Date