Town of Red Hook Planning Board

Approved Meeting Minutes / Monday, March 7, 2022

Chairman Sam Phelan called the meeting to order at 7:30 pm. A quorum was determined present for the conduct of business. Members present via Zoom: Sam Phelan, Brian Kelly, Lew Rose, Kristina Dousharm, Karen Smythe, and Arthur Salman. Also present were Planning Board Clerks Kathleen Flood and Jordan Rosario, and Planning Board engineer Brandee Nelson.

Mr. Phelan introduced and welcomed new Planning Board member, Arthur Salman, as well as new Planning Board Clerk Jordan Rosario.

Mr. Phelan announced the meeting was being held virtually only and was properly announced and publicized.

PUBLIC HEARINGS

Rose Certificate of Appropriateness – 894 River Road

Public Hearing on application to construct a 558 SF addition to an existing 2,700 SF residence in the Historic Overlay Zoning District.

Mr. Phelan read the Public Hearing Announcement that was published in the Poughkeepsie Journal. Kristina Dousharm made a motion to open the public hearing. Karen Smythe seconded the motion, and the motion passed unanimously. Applicant Lew Rose recused himself as a Planning Board member. He gave an overview of the proposed project, including descriptions of the location of the proposed addition, building materials, and landscaping. Mr. Rose noted that the Zoning Board of Appeals issued a variance that allows the addition to increase the lot coverage on his property to 9.75%. He also noted that he received approval from the Design Review Committee. The Planning Board received an email from next-door neighbor, Nancy Frank, who was unable to attend the meeting. She wrote on March 2, 2022 that she is "totally okay with their making this addition" and gave her approval. There were no other questions or comments from the public.

Ms. Smythe and Mr. Phelan asked Mr. Rose a few questions regarding construction of the addition.

Mr. Rose noted that the proposed plan was the easiest way to build without getting closer to the road. Mr. Phelan noted that the addition is on the rear of the house which is good from a historic standpoint.

Brian Kelly made a motion to close the public hearing, Kristina Dousharm seconded the motion, and the motion passed unanimously.

Mr. Phelan read the Type II SEQR Resolution. Ms. Smythe made a motion to approve the resolution, Ms. Dousharm seconded the motion. There was a vote of 5 for yes, with 0 against, and 1 member (Lew Rose) recused.

The Board reviewed a draft Certificate of Appropriateness. Mr. Kelly moved to adopt it and Ms. Smythe seconded the motion. There was a vote of 5 for yes, with 0 against, and 1 member (Lew Rose) recused.

Mr. Rose rejoined the meeting as a Planning Board member

OLD BUSINESS

Kasselman Solar -Craig Neville-Manning PV Array-243 Woods Road, Tivoli – Site Plan, Special Permit and Certificate of Appropriateness

Continued discussion of application to install a ground-mounted medium solar energy system consisting of five arrays totaling 7, 670 square feet in size generating a total of 149 kW on a 10.226-acre parcel located at 245 Woods Road in the Limited Development, Historic Landmark Overlay and Scenic Corridor Overlay Zoning Districts.

Mr. Phelan read Zoning Enforcement Officer Bob Fennell's determination. The ZEO determined that the applicant can install a solar array on one of his lots and share the energy generated with his adjoining lot. He further stated that the applicant will need to demonstrate that the coverage of the lot will not exceed the allowed maximum of 60%. There were no questions from the Planning Board regarding either determination.

Applicant's representative, Loreen Harvey of Kasselman Solar, was present. Ms. Harvey shared the site plan and provided the owner's current electrical usage information. Ms. Harvey stated that both properties have a combined total of (3) active electric meters and that the size of the proposed array is estimated to offset the total electric_usage from all (3) meters by 99%.

Mr. Phelan stated that in order for this application to go to a public hearing the size of the array needs to be resolved along with the fencing that's required under the zoning ordinance.

Ms. Harvey shared a fence brochure which showed the fence would be solid wood and stated that Kasselman Solar would accommodate to the Planning Board's preference in regard to the style of the top of the fence and the height. Ms. Dousharm asked what the code says about the height of the fence. Planning Board engineer Brandee Nelson said that the Zoning Code governing Medium Solar Arrays does not specify a fence height, but does require that the array panels shall not exceed 12 feet when oriented at maximum tilt.

Mr. Phelan noted that the Board's decision about this application should be based on the fact that it is in the Historic District. Mr. Phelan also noted that the location borders Clermont State Park.

Mr. Phelan, Mr. Rose, Ms. Harvey, and Ms. Nelson discussed the height and tilt of the proposed solar array and fence. A recommendation was made to remove the existing solar panel.

Mr. Rose asked Mr. Phelan if this application needs to go to the Hamlet Review Committee. Mr. Phelan replied yes.

Ms. Dousharm stated she is concerned about visual impact on Clermont State Park given the proximity is roughly 50 feet from the property line. Ms. Harvey was advised to reach out to them prior to the public hearing.

PB Members also discussed the configuration of the panels' placement. It was recommended that placement of the panels be as compact as possible to minimize the linear footage of the fence.

The Board generally agreed that the application is incomplete and requested the applicant return with a revised site plan, including the actual number and sizes of the arrays, and approvals from Central Hudson. Mr. Rose moved to table the matter until a future meeting. Ms. Dousharm seconded the motion and all members voted in favor.

NEW BUSINESS

Munn Accessory Apartment – 14 North Drive – Special Use Permit
Presentation of application to modify an existing 3800 square foot single family home in the R1.5 Zoning District to include a one-bedroom accessory apartment.

Applicant Kristofer Munn was present. Mr. Munn provided a description of the project; he is proposing to section off a part of his house to create a 630 square foot one bedroom accessory apartment. He said that no additional bedrooms will be created so there is no effect on the existing sewage disposal or water supply. Mr. Munn reviewed the proposed floor plan, lighting details, and parking spaces for the apartment.

Mr. Rose asked the applicant if the intent is for a long-term rental, Mr. Munn replied yes. Ms. Smythe asked the applicant if the bathroom is existing, Mr. Munn replied yes there is an existing full bathroom. Arthur Salman asked the applicant if he will be using the existing entrance that is already in the home, Mr. Munn replied yes.

Mr. Phelan read a draft Type II SEQR Resolution. Mr. Rose made a motion to approve the resolution. Brian Kelly seconded the motion and all members voted in favor.

A Public Hearing was scheduled for March 21.

Coon TND Cottage – 7306 South Broadway – Site Plan
Presentation of application to construct a cottage on a .68-acre parcel in the Traditional Neighborhood District Commercial Center Zoning District.

Applicants Lynda and Glen Coon were present. Mr. Phelan stated that because this project is located in the Traditional Neighborhood District, Site Plan approval is required. The applicants gave an overview of the project.

Mr. Coon noted that the front of the building faces Metzger Road and the driveway will come off Metzger Road. He also noted that they already have Board of Health approval on the septic plan.

Proposed parking, landscaping, and lighting plans were discussed. The applicants agreed to make some changes to the site plan to show landscaping and shift the structure west to allow for parking beside the cottage rather than in front of it.

A public hearing was scheduled for April 4.

The Board reviewed a draft Type II SEQR Resolution. Mr. Rose made a motion to approve the resolution. Ms. Smythe seconded the motion and all members voted in favor.

Red Hook Apartments LLC – 30 Blue Echo Rd – Special Use Permit

Presentation of application for existing multi-family dwelling on a 5.5-acre parcel in the R1.5 Zoning District built non-compliantly in 1984 now requiring a special use permit with a site plan to be brought into compliance.

Applicants Jane and Lloyd Levi were present. Mr. Levi gave an overview of the project.

Mr. Phelan read the Variance Resolution which the applicants received from the Zoning Board of Appeals. The Variance is to "…remedy an existing violation of six dwelling units in an existing apartment building, when permission was given by the Town to construct only three apartments…". He stated that the next step is for the applicants to get a Special Use Permit from the Planning Board, which requires a Site Plan to be submitted.

The Board reviewed an image of the property and discussed the various buildings on the property. Ms. Dousharm requested to see the Certificate of Occupancy for each building.

The Board required a Site Plan to be submitted showing parking, lighting, and sidewalks. Ms. Dousharm added that the applicants will need to show the landscaping, septic, and water supply on the property as well.

The septic and water supply were discussed. The Board advised the applicants to have the septic records pulled from Dutchess County.

The applicants will return before the Board when they have the requested documents.

<u>OTHER BUSINESS</u>

Extension Request – Mighty Donuts

Applicant Dennis Kanuk was present.

Ms. Dousharm recused herself.

Mr. Phelan read an email sent by Dennis Kanuk requesting a time extension to fulfill the conditions of the Site Plan review approval. Mr. Rose made a motion to approve the extension for 90 days. Brian Kelly seconded the motion and the motion passed unanimously.

ADJOURNMENT

There being no further business before the Board, Ms. Smythe moved to adjourn. Mr. Rose seconded, and all members voted in favor.

Respectfully submitted

Jordan Rosario
Clerk for the Board

Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS

March 7, 2022
Lewis and Jacqui Rose
Tax Parcel # 386455

The applicants, whose property is located at 894 River Road, seek approval to construct a 558 SF addition to their existing 2,700 SF residence.

The application and supporting documents were sent to the Hamlet Design Review Committee December 28, 2021. The Committee responded January 7, 2022, with the recommendation that the Planning Board grant a Certificate of Appropriateness.

On March 7, 2022, the Planning Board classified the project as a Type II action under SEQR pursuant to 6 CRR-NY Part 617.5(c)(11).

The Town of Red Hook Zoning Board of Appeals granted the applicants an area variance for an increase of 1.25% lot coverage February 9, 2022.

A Public Hearing was held by the Planning Board March 2, 2022.

The Planning Board has reviewed and discussed the proposed plans and determined that the project is compatible with the historic character of the property as well as with the neighboring properties in the district and that there will be no negative visual impacts.

Therefore,

On a motion by Brian Kelly, seconded by Karen Smythe and a vote of 5 for, 0 against, 1 recused, and 1 vacant seat, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Lewis and Jacqui Rose for the proposed construction described above.

Certified by: ______________________________ 3/7/2022
Jordan Rosario, Planning Board Clerk Date

617.6
State Environmental Quality Review (SEQR)
Resolution
Type 2 Action

Name of Action: Munn Accessory Apartment Special Use Permit

Whereas, the Town of Red Hook Planning Board is in receipt of an application for Special Use Permit approval by Kristofer Munn for a parcel of land consisting of ± 8.1 acres, located at 14 North Drive, Town of Red Hook, Dutchess County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated 1/27/22 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 a Type II Action that meets the threshold found in 6 NYCRR 617.5(c)(11) and, therefore, SEQR does not apply, and

Whereas, the Planning Board has determined that the proposed project is within a New York State Agricultural District or on property with boundaries within 500 feet of a farm within an Agricultural District and, therefore, the requirements of 6 NYCRR 617.6(a)(5) apply meaning that an Agricultural Data Statement must be filed with the owner(s) of farm operations identified in the Statement and the Planning Board must evaluate and consider the Statement to determine possible impacts the proposed project may have on the functioning of farm operations within the agricultural district, 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 that no further review under SEQR is required.

On a motion by Lew Rose, seconded by Brian Kelly, and a vote 6 for, 0 against, 0 absent, and 1

vacant seat this resolution was adopted on March 7, 2022

617.6
State Environmental Quality Review (SEQR)
Resolution
Type 2 Action

Name of Action: Coon Cottage Site Plan

Whereas, the Town of Red Hook Planning Board is in receipt of an application for Site Plan approval by Glen and Lynda Coon for a parcel of land consisting of ± 0.68 acres, located at 7306 Broadway, Town of Red Hook, Dutchess County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated 2/16/22 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 a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(1), (2), and (11) and, therefore, SEQR does 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 that no further review under SEQR is required.

On a motion by Lew Rose, seconded by Karen Smythe, and a vote 6 for, 0 against, 0 absent, and 1 vacant seat this resolution was adopted on March 7, 2022.