

APPROVED

Town of Red Hook Planning Board Meeting Minutes March 19, 2007

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:47 p.m. and a quorum determined present for the conduct of business.

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

BUSINESS SESSION

Christine Kane confirmed the agenda for the evening.

The draft minutes from the March 5, 2007 meeting had been sent to the members and reviewed. The Board generally agreed to revise the final sentence of paragraph 2 on page 3 to read "The Board decided to make that determination at the applicant's next appearance since it felt a further review of the Type 1 and Type 2 descriptions was necessary." Charles Laing made a motion to approve the revised minutes. Jennifer Fier seconded the motion, and all members present voted in favor.

(At this point, Jennifer Fier left the meeting)

PUBLIC HEARINGS

Christopher & Janice Rifenburg - 230 Guski Rd. – Special Permit

Mark Graminski, P.E. and L.S. and Chris Rifenburg were present for the public hearing on an application for Special Permit to establish an accessory apartment above a proposed garage on a 3.0-acre parcel in the RD3 Zoning District.

Christine Kane read the public hearing notice that appeared March 13, 2007 in the Kingston Daily Freeman.

Mr. Graminski explained the project to the public, saying that the addition of the apartment had been taken into account when plans for the house and septic fields had been designed. He said that the apartment would conform to all setbacks and to the requirements for habitable space.

Mr. Rifenburg submitted a copy of the Certificate of Occupancy for the residence showing that the house contained three bedrooms. Mr. Graminski said that the septic field had been designed for four bedrooms, making it adequate for the addition of the one-bedroom apartment.

Christine Kane then opened the public hearing and asked for comments from the public. There were none.

Christine Kane noted that the Board had received a lead agency response from the Town ZBA, which was now unnecessary since the applicants had relocated the garage/apartment and no longer needed a variance.

Christine Kane reviewed the short EAF part 1 and, with input from the Board, completed part 2. She then closed the public hearing.

The Board and the applicants agreed that there was sufficient parking for an additional car.

John Hardeman made a motion to issue a Negative SEQR Declaration for the project. Charlie Laing seconded the motion, and all members present voted in favor.

Charlie Laing then made a motion to adopt a resolution granting the Special Permit for the accessory apartment. David Wright seconded the motion, and all members present voted in favor. A copy of the SEQR declaration and the resolution are attached to, and made part of, these minutes.

Howland Davis Estate/Frances Dennie Davis – 143 Woods Road (Tivoli) – Lot Line Alteration

Frances Dennie Davis and attorney Cailin Brennan were present for the public hearing on an application for Lot Line Alteration to convey 0.441 acres and 2.193 acres from the approximately 60.7-acre Lands of the Estate of Howland Davis to the adjoining 22.7-acre Lands of Frances Dennie Davis, in the Limited Development (LD) and Water Conservation (WC) Zoning Districts, the National Historic Landmarks District and partly in the Certified Agricultural District.

Christine Kane read the public hearing notice that appeared March 13, 2007 in the Kingston Daily Freeman.

Ms. Brennan explained the lot line alteration to the public. She then said that while the Board had requested changes in the labeling of the portions of the land to be conveyed, she had been advised by her surveyor that the existing labeling was standard practice and would be understandable to both the County clerk and to anyone else looking at the map.

Ms. Brennan also addressed the Board's previous request for a conservation easement protecting a 200 ft. wide wooded buffer along Woods Road, a designated scenic road. First, she said that her client had no authority to require that the Estate of Howland Davis place an easement on the larger property. She also said that her research showed that placing such an easement would take two to three months and would be prohibitively expensive for her client Dennie Davis. She said that the estate of Howland Davis could not be settled without the lot line alteration and that the negotiating of an easement would hold up the final settlement. Therefore, she said, her clients had not agreed to the easement.

Christine Kane said that letters regarding the Board's intention to serve as lead agency in the SEQR review had been circulated as a courtesy to Hudson River Heritage and the NYS Office of Parks, Recreation and Historic Preservation. There had been no involved agencies and no responses from the two interested agencies. She then reviewed the full EAF part 1 and, with input from the Board, completed part 2.

Christine Kane then opened the public hearing and asked if there were any comments. Ms. Davis said that she was concerned about how long this application review had taken. She said that only two small pieces of land were being transferred: one would protect her driveway and the other would protect the entire length of a stream.

George Davis said he was confused about the labeling problem. Charlie Laing explained that confusion could arise from the use of the word “parcel” for the pieces of lands intended for transfer, the very small fonts used for the notes explaining the conveyance and merging, the lack of “hooks” to further indicate intended merging, and the lack of any notes within the map area itself explaining that these portions of land are to be merged. He said that these factors could inadvertently lead someone to believe that the two small pieces of land were approved to be newly created lots.

Ms. Davis said that neither Dutchess Land Conservancy nor Winnakee Land Trust was interested in taking an easement on her property unless additional properties in that area were involved. She said that there were residents along Woods Road who were not interested and whose properties would be pivotal to creating a contiguous conservation area.

Hildegard Edling of Woods Road supported Ms. Davis’s statement, saying that in the past there had been an effort to conserve all the properties in that area but that some owners had been unwilling to take part. As a result, she said, the land trusts would not take any easements. Ms. Edling also said that a lot line alteration approved by the Planning Board and located across Woods Road had resulted in the clearcutting of an entire acre of land. In this current case, she said, the Davis family had maintained the natural state of the property and would continue to do so.

The Board generally agreed that placing a conservation easement would be the best method of preserving the trees along Woods Road and prohibiting further development, but some members said that an application for a lot line alteration might not be the correct context for imposing this requirement.

Since there were no further comments, Christine Kane closed the public hearing.

The Board reviewed the Local Waterfront Revitalization Plan Consistency form. David Wright made a motion declaring the project to be consistent with the LWRP. Charlie Laing seconded the motion, and all members present voted in favor.

Charles Laing then made a motion to issue a Negative SEQR Declaration for the project. David Wright seconded the motion, and all members present voted in favor.

The Board reviewed an offered resolution granting approval to the proposed lot line alteration. They generally agreed to add three additional conditions: 1) that the Tax Map Parcel number for “parcel F” be corrected, 2) that the applicants revise the map to incorporate larger fonts, clearer language and “z hooks” regarding the conveying and merging of the lands to be transferred, and 3) that the applicants file deed restrictions, approved by the Board’s attorney, prohibiting the clearcutting of any trees, with the exception of those which have been deemed dead or diseased, within 200 ft. of the edge of Woods Road and requiring that work on the trees be consistent with accepted silviculturist best management practices.

Charles Laing made a motion to adopt the revised resolution. John Hardeman seconded the motion, and all members present voted in favor. A copy of the SEQR declaration and this resolution are attached to, and made part of, these minutes.

JAMS, LLC/Wolfson – Crestwood Road – Lot Line Alteration

Sam and Arlene Harkins were present for the public hearing on an application for Lot Line Alteration to convey 4.75 acres from the 16.02-acre Lands of OAOA, LLC to the adjoining 1.00-acre Lands of Wolfson, in the RD3 Zoning District and partially in the Certified Agricultural District.

Christine Kane read the public hearing notice that appeared March 13, 2007 in the Kingston Daily Freeman.

Christine Kane then reviewed the short EAF part 1 and, with input from the Board, completed part 2. The Board noted the change to the requested lot line boundary to preserve the largest possible area of active agricultural land.

Christine Kane opened the public hearing and asked if there was any public comment. There was none.

Mr. Harkins said that he had submitted revised maps with the requested changes and had changed his application form and EAF to reflect the increase in land to be conveyed.

Asked about the requested conservation easement, Mr. Harkins said that he had talked to land trusts but had been told that the amount of land he wished to place under easement was too small. The Board and the applicants discussed the possibility of asking the Town to hold the easement. They also agreed to include an accessory building envelope for a small barn or other agricultural building.

Since the JAMS, LLC parcel is located in the Certified Agricultural District, the project was referred to the Agricultural and Open Space Advisory Committee, and the public hearing was continued to April 2, 2007 so that comments from that Committee could be received.

REGULAR SESSION (OLD BUSINESS)

Bard College – Campus Rd. (Annandale) – Amended Site Plan

Darin Dekoskie, P.E. and Chuck Simmons were present to discuss an application for Amended Site Plan to construct an addition for chemistry laboratories to the Center for Science and Computation on an approximately 115-acre parcel in the I (Institutional) Zoning District and the National Historic Landmarks District.

Clerk of the Board Betty Mae Van Parys said that, because of its size, the project should not be considered an amended site plan but rather a completely separate site plan from that of the original Center for Science and Computation.

Mr. Dekoskie said that he had submitted the requested aerial view of the site with the expansion of the geothermal system located on the map.

The Board reviewed the Local Waterfront Revitalization Consistency form submitted by the applicant and found that, for the most part, the project was consistent with the LWRP. In those areas where it was not consistent, there were no significant detriments. John Hardeman made a motion to find the project consistent with the LWRP. Charlie Laing seconded the motion, and all members present voted in favor.

The Board and the applicants discussed whether the proposed building addition exceeded the 35 ft. maximum height allowed in the regulations. After checking the Town Zoning regulations, they determined that the average height of the building must not exceed 35 ft. and that this plan was in compliance.

Mr. Dekoskie said that the engineers were revising their drainage plan and would send the finished draft directly to the Town Engineer for review.

Mr. Simmons said that the archaeological study had been mailed to the NYS Office of Parks, Recreation and Historic Preservation on March 9, 2007.

The Board referred the plan to Dutchess County Planning under General Municipal Law 239m.

Mr. Simmons said that the curvilinear shape of the addition had been changed somewhat so that three large spruce trees would not have to be removed. This change in shape, he said, had required an increase in the total square footage from 17,500 sq. ft. to 19,600 sq. ft. There would still be 31 fume hoods in the addition.

Asked about the signage, Mr. Simmons said that there would be 14.5 sq. ft. of signage in two (2) places, making a total of 29 sq. ft. of signage. The letters would be black anodized stainless steel, and there would be no lighting.

The Board set a public hearing date for April 16, 2007 at 7:35 p.m.

Forest Park – Kalina & Overlook Drives – Subdivision Plat

Tim Ross, P.E. and Nathan Kalina were present to discuss an application for Major Subdivision Plat (sketch plan) Approval to create 9 residential building lots ranging from 0.39 acres to 9.84 acres from a 15.72-acre parcel in the R1.5 Zoning District.

Mr. Ross said that he had tried to reconfigure the plan and add one extra lot to accommodate a fairly small strip of land and a large area of open space, but in the end, he had subtracted a lot. The small strip of land will be merged with an existing adjoining lot and the open area will be merged with an adjoining farm parcel through lot line alterations.

Responding to the Board's previous request that he check the soil on the east end of the parcel, Mr. Ross said that his soil study showed that area to be primarily shale.

Mr. Ross went on to say that the DEC must review the stormwater pollution prevention plan, in large part because some of the retention area is in the wetland buffer. The DEC must also review the part of the proposed Overlook Road extension that is planned to encroach on the buffer. He said that he knew the DEC must certify the final plat.

Mr. Ross said that he had recently sent a letter to the Natural Heritage Program but had not yet received a response.

The Board and the applicants discussed the rear setback regulations and found it surprising that 30 ft. was the required setback for a cluster development but only 25 ft. was required for a traditional subdivision in the R1.5 Zoning District. The Board determined to send this question to the Zoning Review Board.

Mr. Ross noted two (2) locations on the parcel where some farming is occurring.

Ms. Grieg noted that the Town of Rhinebeck must be notified of the public hearing under the new General Municipal Law 239nn.

The Board determined the project to be an Unlisted Action under SEQR. Charlie Laing made a motion to establish the Board's intent to serve as lead agency in the SEQR review. David Wright seconded the motion, and all members present voted in favor.

The Board generally endorsed the sketch plan.

OTHER BUSINESS

Recreation fee/ Hansen subdivision

An opinion, dated March 1, 2007, from land use attorneys Keane & Beane had been sent to the members and reviewed. The Board also reviewed a letter dated January 25, 2007 from Matt Brower of NYS Department of Agriculture and Markets. The members generally agreed with Keane & Beane that a lot with a building envelope could house a family in the future and that since that family could make use of the Town recreation land, imposing the recreation fee would be appropriate. They also generally agreed that while 12.75 acres of the Hansen's larger new lot will remain undeveloped, that land would not be dedicated to the Town as publicly accessible open space or recreation land. The Board agreed that the wording of the Planning Board fee schedule should be changed to clarify this issue.

ZBA ruling on application of the Important Farmlands Law

Christine Kane reviewed the Zoning Board of Appeals' March 14, 2007 ruling, saying that the ZBA had voted unanimously for a narrower application of Section 143-47 of the Town Zoning regulations, the Important Farmlands Law. She said that the ZBA had found that a parcel of land must contain prime soils or soils of statewide importance and also it must be within the Certified Agricultural District.

She went on to say that although the "findings" statement had not yet been circulated, she understood that the Planning Board's previous reviews were not invalidated since the ZBA confirmed that the Planning Board had been operating under a 2004 Keane & Beane opinion which interpreted the law to have the wider application. She said that the Planning Board could still require clustering and avoidance of valuable soils but that now the Board could not mandate a Farmland Protection Plan unless both criteria were met.

Board members generally discussed whether they wanted to ask the Town Board to amend the Farm Law to incorporate the wider application. Town Board liaison Jim Ross said that the narrower application had always been the intent of the Farm Law and that it had been seen as a way for farmers to raise money by selling residential lots while at the

same time conserving their valuable soil for farming. He added that farmers were to have received help with their Farmland Protection Plan from Dutchess County Planning. He said that the program was meant to be voluntary, not mandatory, and that it was never intended to control development.

Charlie Laing said that while Section 143-47 may not have been intended to control development, it was clearly meant to direct development away from valuable soils.

The Board asked how the recommendations of the Intermunicipal Task Force, to be presented to the Town Board on May 9, would affect the application of the Farm Law. Charlie Laing said that these recommendations also would direct development away from agricultural land and toward the village centers, where increased density would support small businesses. He said that the Agricultural Business Zone would be a mapped zone and would do away with the Planning Board's parcel by parcel evaluation of soils and other agricultural criteria. These recommendations would also include revised conservation subdivision regulations, traditional neighborhood design regulations and incentive zoning. He said that the recommendations would give more support to local commercial development than the sprawl-type development currently in the Town regulations.

The Planning Board members generally agreed to wait until the full Board was in attendance before deciding on a course of action, if any, regarding the ZBA's decision on the Farm Law. Christine Kane said that the Board should get a map that had both a soils overlay and an Ag District overlay to help in its review of the impacts of the ZBA decision. She also asked the Planning Board clerk to circulate the ZBA's findings when they became available and asked the Board to give this question some thought.

Submissions to Zoning Review Board

Christine Kane asked the members to send any zoning problems or inconsistencies that they have noticed to Sam Phelan, the Board's representative to the Zoning Review Board. Ms. Grieg gave as an example the fact that a "cottage", as defined in the Zoning regulations, is limited to 650 sq. ft., while an accessory apartment is limited to "650 sq. ft. of habitable space" as defined by the NYS Building Code.

ADJOURNMENT

Since there was no further business to come before the Board, David Wright made a motion to adjourn. John Hardeman seconded the motion, and all members present voted in favor. The meeting was adjourned at 10:12 p.m.

Respectfully submitted,

Paula Schoonmaker
Assistant Clerk

Attachments

Negative SEQR Declaration for the Christopher Rifenburg accessory apartment
Resolution granting Special Permit to Christopher Rifenburg
Negative SEQR Declaration for the Estate of Howland Davis Lot Line Alteration
Resolution granting Lot Line Approval to the Estate of Howland Davis

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: March 19, 2007

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: Christopher Rifenburg Special Permit

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant proposes to establish a one (1) bedroom accessory apartment in a new detached garage on a 3.0-acre parcel in the RD3 Zoning District

Location: 230 Guski 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 January 22, 2007 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).

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

Christopher Rifenburg (applicant)

**Town of Red Hook Planning Board
Resolution Granting Special Use Permit to Christopher Rifenburg to
Authorize Creation of a One (1) Bedroom Accessory Apartment above a
New Garage at 230 Guski Road in the RD3 District**

March 19, 2007

Motion made by Charles Laing

Seconded by David Wright

Whereas, the Town of Red Hook Planning Board received an application dated January 22, 2007 from Christopher Rifenburg for the creation of a one bedroom accessory apartment above a proposed new garage; and

Whereas, the ± 3.0 acre parcel (TMP 15-6274-00-324604) is located on Guski Road in the Town of Red Hook in the RD3 District; and

Whereas, the proposed action requires a Special Use Permit pursuant to the Town of Red Hook Zoning Law §143-64; and

Whereas, the Planning Board has reviewed an Application for Special Use Permit dated January 22, 2007, a Short Environmental Assessment Form (EAF), dated January 22, 2007 and revised to March 5, 2007, a site layout and floor plan (undated) for the proposed accessory apartment; and

Whereas, a public hearing was held March 19, 2007, and

Whereas, the Planning Board has been duly designated Lead Agency in the review of this action and determines in consideration of the Short EAF and the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR, that the Proposed Action, an 'Unlisted Action' under SEQR, will cause no potential significant adverse effects on the environment and, thus, issues a Negative Declaration deeming an environmental impact statement is not required; and

Whereas, the Planning Board deems the proposed development to satisfy both the "General Standards" for all special permit uses set forth at Zoning Law §143-51 and the 'Specific Standards' for an 'Accessory Apartment within new independent structures' as set forth at §143-66.1.

Now therefore be it resolved, that the Planning Board issues the requested Special Use Permit and authorizes the Building Inspector and/or Zoning Enforcement Officer to issue first a Building Permit and then a Certificate of Occupancy upon the Applicant's compliance with all pertinent laws, codes, rules or regulations, including the Building Code of the State of New York, under their jurisdiction.

Roll Call Vote:

Member Jennifer Fier	absent
Member John Hardeman	yes
Member Charles Laing	yes
Member Sam Phelan	absent
Member Paul Telesca	absent
Member David Wright	yes
Chair 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
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617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: March 19, 2007

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: Estate of Howland Davis/ Frances Dennie Davis Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant, the Estate of Howland Davis, seeks to convey a total of approximately 2.634 acres from the approximately 60.7-acre Lands of the Estate of Howland Davis to the adjoining 22.7-acre Lands of Frances Dennie Davis, in the Limited Development (LD) and WC (Water Conservation) Zoning District, the National Historic Landmarks District and partly in the Certified Agricultural District.

Location: Woods 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 Full Environmental Assessment Form (EAF) for the action dated October 23, 2006, 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 project site is4. located in the National Historic Landmarks District, the Water Conservation District, and the Limited Development District. Upon review of the Local Waterfront Revitalization Plan Consistency Form and with the understanding that there will be no land disturbance as part of this project, the Board has determined that there will be no negative environmental impacts as a result of this action and that no mitigation measures are needed.

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of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)

Marirose Blum Bump, Town Supervisor

Town of Red Hook Town Board

Estate of Howland Davis/Connor, Curran & Schram, PC

NYS DEC Environmental Notice Bulletin

enb@gw.dec.state.ny.us

**Resolution Granting Subdivision Plat /Lot Line Alteration Approval
to the Estate of Howland Davis and Frances Dennie Davis**

Name of Project: Estate of Howland Davis/Frances Dennie Davis Lot
Line Alteration

Name of Applicant: Estate of Howland Davis

Date: March 19, 2007

Whereas, the applicant has submitted an application for Lot Line Alteration approval dated September 19, 2006 to the Town of Red Hook Planning Board to convey a total of approximately 2.634 acres from the approximately 60.723-acre Lands of the Estate of Howland Davis to the adjoining approximately 22.736-acre Lands of Frances Dennie Davis ; and

Whereas, the subject parcel is located at 143 Woods Road in the LD (Limited Development) and WC (Water Conservation) Zoning District and in the National Historic Landmarks District and partially in the Certified Agricultural District in the Town of Red Hook, Dutchess County, New York, and;

Whereas, the applicant submitted a Final Subdivision Plat prepared by Plass, Rockefeller & Nucci, LLC dated May 26, 2004 and revised to January 18, 2007; and

Whereas, one of the parcels is located within a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated November 9, 2006, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcels; and

Whereas, the application is subject to the Town's Important Farmlands requirements as enumerated in of § 143-47 of the Town's Zoning Law and the Planning Board duly 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, on November 6, 2006 the Town of Red Hook Planning Board declared itself lead agency for the purpose of conducting an uncoordinated review of an Unlisted Action pursuant to SEQRA; and

Whereas, on March 19, 2007, the Town of Red Hook Planning Board, in consideration of the Full Environmental Assessment Form (EAF) and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c) determined that the proposed action will not cause any potentially significant adverse impacts on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, on March 19, 2007, the Planning Board conducted a public hearing on the Preliminary Plat application, at which time all interested persons were given the opportunity to speak;

Now therefore be it resolved, that the Planning Board approves the Application for Subdivision Plat/Lot Line Alteration Approval and authorizes the Chair to stamp and sign the Subdivision Plat upon the Applicant's satisfaction of each of the below conditions and requirements within the next one hundred eighty (180) calendar days:

- Stamping of the Subdivision Plat as a 'non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
- Payment of any outstanding fees or reimbursable costs due the Town of Red Hook.
- Correction of TMP number for "Parcel F"
- Revision of plat map to remove the word 'parcel' from those portions of land to be conveyed, to clearly indicate which properties will be merged through the addition of "z hooks", and to add legible notes regarding the land to be conveyed and merged with the adjoining parcel within the map area.
- Submission of deed restriction prohibiting clear cutting or removal of trees with a diameter at breast height of 10 inches or greater, within 200 feet of the edge of Woods Road , with the exception of dead, diseased trees or fallen trees that may endanger public safety. All tree removal must be done in accordance with accepted silvicultural best management practices, and a note to that effect which references filing date and document number should be added to the plat map.
- Submission of Subdivision Plat drawings in the number and form specified under the Town's Land Subdivision Regulations.
- Submission of an acceptable draft of a consolidation deed intended for recording in the Dutchess County Clerk's Office immediately upon filing of the Subdivision Plat whereby the subdivided portions of the 'Land of the Estate of Howland Davis' would be merged with the adjacent 'Land of Frances Dennie Davis' to obviate what otherwise would be the creation of a non-complying parcel through this act of subdivision plat approval.

On a motion by Charles Laing

seconded by David Wright

Roll Call Vote:

Chairwoman Christine Kane	yes
Member Jennifer Fier	absent
Member John Hardeman	yes
Member Charles Laing	yes

Member Sam Phelan	absent
Member Paul Telesca	absent
Member David Wright	yes

Resolution declared: **APPROVED**

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

_____	_____
Paula Schoonmaker, Assistant Clerk to the Board	Date