Town of Red Hook Planning Board

Approved Meeting Minutes / Monday August 29, 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 at Town Hall: Sam Phelan, Kristina Dousharm, Arthur Salman, Lew Rose and Karen Smythe. Planning Board Clerk, Jordan Rosario, was present via Zoom. Consultants, Brandee Nelson and Ted Fink were also present via Zoom.

Mr. Phelan announced the resignation of Board member, Brian Kelly.

Ms. Smythe moved to approve the meeting minutes of August 1, 2022. Ms. Dousharm seconded, and all members voted in favor.

Mr. Phelan announced the meeting was being held virtually and at Town Hall, it was properly announced and publicized.

OTHER BUSINESS

Draft LWRP – local law C of 2022 establishing a Town Truck Route System

Mr. Phelan read a draft Local Waterfront Revitalization Program Consistency Determination for local law C of 2022, which the Town Board was holding a Public Hearing on later that evening. Board members debated whether they had sufficient time to properly review the proposed law. Ultimately, the Board found local law C of 2022 is consistent with the Local Waterfront Revitalization Program. Mr. Rose moved to approve the determination, Ms. Smythe seconded and the determination was approved on a vote of 4 in favor and 1 against.

PUBLIC HEARINGS

Rosolie-Osborn Lot Line Alteration – 428 Hapeman Hill Rd/630 Turkey Hill Rd
Public Hearing on application to alter the lot line of 630 Turkey Hill Rd to include 3.68-acres from 428 Hapeman Hill Rd. in the Agricultural Business District.

Mr. Phelan read the Public Hearing notice. Ms. Smythe made a motion to open the Public Hearing. Ms. Dousharm seconded and all members voted in favor. Applicant Katherine Osborn was present at Town Hall. Ms. Osborn gave an overview of the project and showed the proposed plat. She explained to the Board the reason for the decision to alter the lot line is due to the lot being more accessible and usable to her than to the Rosolies. The Rosolies were present and agreed. There were no comments or questions from either the public or Planning Board. Ms. Smythe made a motion to close the Public Hearing, Mr. Rose seconded the motion and all members voted in favor.

Mr. Phelan read a draft approval resolution. Ms. Dousharm moved to approve the resolution, Ms. Smythe seconded and the resolution was unanimously approved.

Cohn-Cohen Lot Line Alteration – 266 Spring Lake Rd/516 Turkey Hill Rd
Public Hearing on application to alter the lot line of 516 Turkey Hill Rd to include 1.51-acres from 266 Spring Lake Rd. This proposed lot line alteration is in the RD3 Zoning District.

Mr. Phelan read the Public Hearing notice. Ms. Dousharm made a motion to open the Public Hearing, Ms. Smythe seconded and all members voted in favor. Applicant Ron Cohen was present via Zoom. The proposed site plan was shown, and Mr. Cohen gave an overview of the project. He explained that the proposed lot line alteration would square off his lot. There were no comments or questions from the public. Mr. Fink asked about the driveway right of way agreement. Mr. Cohen replied that there is a right of way agreement from the Hartford Railway Company. The agreement was shown and read. Ms. Smythe moved to close the Public Hearing, Ms. Dousharm seconded and all members voted in favor.

Mr. Phelan read a draft approval resolution. Ms. Dousharm made a motion to accept the resolution, Mr. Rose seconded and all members voted in favor.

Klose Special Use Permit – 45 Echo Valley Rd
Public Hearing on application to change the use of an existing primary residence to an accessory cottage, and to change the use of an existing 1750s barn to the primary residence on a 8.54-acre parcel in the RD1.5 Zoning District.

Mr. Phelan read the Public Hearing notice. Ms. Smythe moved to open the Public Hearing, Ms. Dousharm seconded and all members voted in favor. Applicant Peter Klose was present via Zoom. Mr. Klose gave an overview of the project. The proposed site plan and accompanying pictures were shown. Mr. Klose showed where the septic system was added to the site plan as well as the exterior lights, as requested by the Board at the previous meeting. Mr. Phelan asked him to submit spec sheets of the actual light fixtures. The Board confirmed the site plan shows adequate parking. Mr. Salman asked if the structures were on a historic registry, Mr. Klose answered that no it is not but they intend to keep the structures as original as possible. Ms. Smythe asked if the existing footprints are going to change or stay the same. Mr. Klose responded that the footprint will remain, with the only addition being a patio and a porch. Ms. Smythe moved to close the Public Hearing, Ms. Dousharm seconded and all members voted in favor.

Mr. Phelan read a draft approval resolution. Ms. Smythe made a motion to approve the resolution, Mr. Rose seconded and all members voted in favor.

Verizon Tower Site Plan – Kelly Rd
Public Hearing on application to upgrade antennas on the cell phone tower on Kelly Rd.

Mr. Phelan read the Public Hearing notice. Ms. Smythe moved to open the Public Hearing, Ms. Dousharm seconded and all members voted in favor. The applicant's attorney, Scott Olson, was present at Town Hall. Mr. Olson gave a description of the project. A picture of the tower and its antennas were shown. He said Verizon currently has 12 antennas on the tower and intend to replace 6 of those antennas. Mr. Olson told the Board that Verizon has acquired a new frequency, called the C-Band frequency, and needs to upgrade their antennas in order to be able to use that new frequency. He explained that the new antennas will not provide a broader range of coverage but will strengthen the current coverage by providing additional bandwidth, which will allow the antenna's capacity to hold more users at once without slowing the user's service experience. He went into further detail on the technical aspect of this. There were no public comments.

Mr. Rose made a comment about Verizon's response to the issue of lack of coverage throughout the town that he raised at the previous meeting; he noted that Verizon did not try to work with the town and rather sent a letter from their lawyer. Mr. Olson replied that it's not an issue of Verizon not caring to work with the town but that Verizon has a deadline to upgrade these antennas. Mr. Rose discussed with Mr. Olson how he is a Verizon customer and doesn't have service at all, he said there are several dead-zones throughout Red Hook. Several other Board members agreed with Mr. Rose's point. Mr. Olson said he will talk to Verizon and let them know that several Board members were frustrated with the service provided by Verizon in Red Hook. Ms. Smythe moved to close the Public Hearing, Mr. Rose seconded and all members voted in favor.

Mr. Phelan read a draft approval resolution. Ms. Smythe made a motion to approve the resolution, Mr. Salman seconded and all members voted in favor.

Bard College: Master Plan – Special Use Permit
Public Hearing on Bard College's updated Master Plan.

Mr. Phelan read a Public Hearing notice. Ms. Smythe moved to open the Public Hearing, Ms. Dousharm seconded and all members voted in favor. Bard's attorney, Ian MacDonald, was present via Zoom. Mr. MacDonald summarized the new documents that were submitted, including a memo regarding the electrical capacity of the projects proposed in the Master Plan being well within Central Hudson's capacity and a memo regarding Montgomery Place. He showed an updated large scale campus map. Bard's VP of Administration, Coleen Alexander, was present at Town Hall. Ms. Alexander introduced other members and representatives of Bard who were present on Zoom to answer any questions. She gave an overview of the Campus Master Plan. She stated this is a 10 year Master Plan and the 11 proposed projects are intended to be completed over that 10 year time frame and are all to support current needs that Bard has. Ms. Alexander said the projects are not being built to grow the college enrollment, but rather to remain competitive within their current enrollment numbers. She told the Board that all the proposed projects are donor contingent except for the residence halls; Bard expects the first project it will go ahead with is the North Campus Residence Hall with the Performing Arts Studio likely to be second. The Board complimented Bard and their representatives for providing a comprehensive plan and cooperating with the Board throughout the process. Mr. Phelan discussed the pedestrian and bicycle pathways that Bard proposes, he asked Bard to notate the Empire State Trail and the Sawkill River Trail that the pathway goes over.

The following members of the public were present either by Zoom or in person and gave their testimonials in support of Bard: Sara Ugolini - Executive Director of the Red Hook Community Center, Dan Budd – owner of Taste Budds Café, Cheryl (last name unknown) – 10-yr employee in Bard's Environmental Services Department.

Ms. Smythe moved to close the Public Hearing, Ms. Dousharm seconded and all members voted in favor. Mr. Fink was present over Zoom and went through the Full Environmental Assessment Form Part 3. Mr. Fink also read a SEQR Resolution Authorizing Filing of Negative Declaration. Ms. Dousharm moved to approve the resolution, Ms. Smythe seconded and all members voted in favor.

The Board scheduled the final approval to be voted on at the next Planning Board meeting on September 19, 2022.

OLD BUSINESS

There was no old business on the agenda.

NEW BUSINESS

NYS Solar Farm, Inc. roof mounted solar array – 241-249 Pitcher Lane – Site Plan
Presentation of application to install a roof mounted solar array on several buildings at the Greig Farm Market.

The applicant's representative, Anthony Sicari, was present at Town Hall. Mr. Sicari gave an overview of the project; he said the roofs they are proposing to install the solar arrays on were just replaced with new metal standing seam roofs which are structurally sound for the arrays. He showed a site plan indicating where the arrays will go. Mr. Phelan asked if they had talked with Central Hudson. Mr. Sicari confirmed that Central Hudson has given preliminary approval for an interconnection agreement. The Board asked what their timeline is. Mr. Sicari replied that they already have the panels and are ready to go once approved.

Mr. Fink reviewed his memo. He asked if the electrical cables were going to be installed underground. Mr. Sicari said there will be about 50 feet of trenching to install underground cables to one of the meters. Mr. Fink suggested in his memo that the Board should consider if a full site plan review is necessary. Due to the lack of ground disturbance, extensive building modification, landscape, parking, lighting, storm water, etc the Board can decide the project is limited in scope.

The Board discussed if they are content with the materials that have been submitted. Ms. Dousharm made a motion to accept the submitted materials and waive full site plan review, Mr. Salman seconded and all members voted in favor. Mr. Phelan read a draft Type II resolution. Mr. Salman moved to approve the resolution, Ms. Dousharm seconded and all members voted in favor.

A Public Hearing was scheduled for September 19, 2022.

OTHER BUSINESS

Pre-Application Discussion – Libera Pozzuto

Libera Pozzuto was present at Town Hall. She discussed her potential application with the Board. Ms. Pozzuto's mother owned a large lot in the AB district and has left a portion of the lot to Ms. Pozzuto and a portion to Ms. Pozzuto's brother. Ms. Pozzuto came before the Board to discuss if she is able to have the land subdivided between her and her brother. The difficulty lies in that subdividing the lot would create a lot that is too small per the Town Zoning Code. The Board recommend that Ms. Pozzuto reach out to the Zoning Board of Appeals for advice on obtaining a variance.

ADJOURNMENT

There being no further business before the Board, Karen Smythe moved to adjourn. Kristina Dousharm seconded and all members voted in favor.

Respectfully submitted,

Jordan Rosario

Resolution Granting Re-Subdivision Approval to Rosolie and Osborn

Name of Application: Rosolie and Osborn Lot Line Alteration

Whereas, the applicants, Edward and Lenora Rosolie and Kathryn Osborn, have submitted an application for Re-Subdivision Plat (lot line alteration) approval dated July 18, 2022 to the Town of Red Hook Planning Board for two parcels of land identified as Tax Parcel No. 134889-6473-00-076372 in the Town of Red Hook and Tax Parcel No. 133600-6473-00-142350 in the Town of Milan; and

Whereas, the applicants wish to combine a portion of Tax Parcel No. 134889-6473-00-076372 in the Town of Red Hook, located within the Town's Agricultural Business (AB) Zoning district, with Tax Parcel No. 133600-6473-00-142350 in the Town of Milan; and

Whereas, the subject parcels are located on Hapeman Hill Road and County Route 56 (aka Turkey Hill Road) in the Towns of Red Hook and Milan, Dutchess County, New York; and

Whereas, the applicants submitted a Sketch Plan prepared by Welch Surveying, entitled "Lot Line Alteration Between Lands of Edward and Lenora Rosolie Situate in Town f Red Hook and Kathryn Elizabeth Osborn situate in Town of Milan" dated July 20, 2022; and

Whereas, on August 1, 2022, the Planning Board, after reviewing the Short Environmental Assessment Form (EAF), determined that the action was a Type II application and no further review was required pursuant to SEQR; and

Whereas, on August 29, 2022, the Planning Board opened a duly noticed public hearing on the Re-Subdivision Plat, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on August 29, 2022; and

Whereas, the Planning Board has reviewed and deliberated on the application and all the matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants final approval to the Re-Subdivision Plat for Rosolie-Osborn Lot Line Alteration in accordance with the plans and specifications heretofore submitted and upon the following conditions:

I. Conditions to be met prior to signing of the Final Re-Subdivision Plat by the Planning Board Chair:

A. The applicants will submit a final re-subdivision plat certified by a licensed land surveyor, bearing the Planning Board's assigned case number, suitable for filing in the office of the Dutchess County Clerk.
B. To the extent applicable, the applicant will provide verification that the corners of the tracts have been marked by monuments or steel rods, of a type approved by the Town Engineer as required by § 120-29B(2)(b) and (f) of the Town Code.
C. The Parcel A Area, consisting of 3.684 acres to be combined with Osborn's Town of Milan parcel, is for agricultural purposes and is to be identified on the plat as not for residential building purposes without further action of the Town of Red Hook Planning Board.
D. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
E. Payment of any and all outstanding escrow balances for consultant review.
F. The Final Re-Subdivision Plat must be filed with the Clerk of the Planning Board within 180 days of the date of adoption of this resolution, unless such time is extended by mutual consent of the applicant and the Planning Board.

On a motion by Kristina Dousharm, seconded by Karen Smythe, and vote of

Roll Call Vote:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Absent
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& one vacant seat	

Resolution was declared adopted on August 29, 2022.

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

____________________________ September 2, 2022

Jordan Rosario, Clerk to the Planning Board Date

Resolution Granting Re-Subdivision Approval to Cohn and East Bridge Realty LLC (Cohen)

Name of Application: Cohn and East Bridge Realty LLC Lot Line Alteration

Whereas, the applicants, Jesse and Aislinn Cohn and East Bridge Realty LLC, have submitted an application for Re-Subdivision Plat (lot line alteration) approval dated July 14, 2022 to the Town of Red Hook Planning Board for two parcels of land identified as Tax Parcels No. 738435 and 748555 in the Town of Red Hook; and

Whereas, the applicants wish to convey a 1.51 acre area of Tax Parcel No. 748555 to Tax Parcel No. 738435; and

Whereas, the subject parcels are located off Turkey Hill Road and Spring Hill Road in the Town of Red Hook, Dutchess County, New York; and

Whereas, Parcel 738435 obtains access to Turkey Hill and Spring Lake roads via a shared driveway; and

Whereas, the applicants submitted a Re-Subdivision Plat prepared by Carney Rhinevault, LS, entitled "Lot Line Alteration Prepared for East Bridge Realty LLC situate at 516 Turkey Hill Road" dated August 2, 2022; and

Whereas, on August 1, 2022, the Planning Board, after reviewing the Short Environmental Assessment Form (EAF), determined that the action was a Type II application and no further review was required pursuant to SEQR; and

Whereas, on August 29, 2022, the Planning Board opened a duly noticed public hearing on the Re-Subdivision Plat, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on August 29, 2022; and

Whereas, the Planning Board has reviewed and deliberated on the application and all the matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants final approval to the Re-Subdivision Plat for Cohn/East Bridge Realty Lot Line Alteration in accordance with the plans and specifications heretofore submitted and upon the following conditions:

I. Conditions to be met prior to signing of the Final Re-Subdivision Plat by the Planning Board Chair:

   A. The applicants will submit a final re-subdivision plat bearing the full Tax Parcel Numbers for both parcels, certified by a licensed land surveyor, bearing the Planning Board's assigned case number, including individual stamp/signature blocks for the Town Planning Board and suitable for filing in the office of the Dutchess County Clerk.

B. To the extent applicable, the applicant will provide verification that the corners of the tracts have been marked by monuments or steel rods, of a type approved by the Town Engineer as required by § 120-29B(2)(b) and (f) of the Town Code.
C. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
D. Payment of any and all outstanding escrow balances for consultant review.
E. The Final Re-Subdivision Plat must be filed with the Clerk of the Planning Board within 180 days of the date of adoption of this resolution, unless such time is extended by mutual consent of the applicant and the Planning Board.

On a motion by Karen Smythe, seconded by Lew Rose, and vote of

Roll Call Vote:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Absent
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& one vacant seat	

Resolution was declared adopted on August 29, 2022.

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

_______________________________ September 2, 2022

Jordan Rosario, Clerk to the Planning Board Date

Resolution Granting Special Use Permit Approval for Klose Cottage

Name of Project: Klose Cottage

Name of Applicant: Peter Klose and Jean Voutsinas

Whereas, the Town of Red Hook Planning Board has received an application for a Special Use Permit from Peter Klose and Jean Voutsinas to convert an existing principal single-family dwelling in a historic structure into a ±1,140 square foot cottage accessory building and to convert a circa 1750 Dutch Barn into a principal single family dwelling on a ± 8.54 acre parcel of land (Tax Parcel ID No. 6272-00-919892) located at 45 Echo Valley Road in the R1.5 Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a sketch plan layout of the parcel showing: a) where the proposed cottage accessory building and proposed principal single family dwelling will be located; b) the location of four parking spaces to serve the cottage accessory building and the principal single family dwelling; c) the location of the cottage and single family dwelling driveway relative to Echo Valley Road; d) the location of the existing septic disposal system that serves the existing single family dwelling proposed as the cottage accessory building and the proposed new septic disposal system to serve the new single family dwelling in the restored Dutch Barn; e) a copy of area variances granted by the Town of Red Hook Zoning Board of Appeals on July 13, 2022 allowing the proposed action to proceed by providing relief from the Town's Bulk Regulations; and f) related application file materials; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on August 1, 2022 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(11) and, therefore, SEQR does not apply; and

Whereas, the Planning Board has reviewed the application for a Special Use Permit against the general standards found in § 143-51 of the Zoning Law and has found that the proposal complies with all of the general standards, including: the location and size of the use, and the nature and intensity of the operations involved are in harmony with the orderly development of the R1.5 District; the size of the site in relation to the use, the location, nature and height of the existing buildings in which the uses will be located, and the nature and intensity of intended operations will not discourage the appropriate development and use of adjacent land and buildings, nor impair the value thereof; proposed traffic accessways will be adequate, and safe and accessible off-street parking will be provided; the general landscaping of the site is in character generally prevailing in the neighborhood; all structures will be readily accessible for fire and police protection; the character and appearance of the proposed cottage accessory building and proposed new single family dwelling will be in general harmony with the character and appearance of the surrounding neighborhood and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or flashing lights; and the use will be carried out in a manner compatible with its environmental setting and with due consideration to the protection of natural resources; and

Whereas, the Planning Board has reviewed the application for Special Use Permit against the specific standards for a cottage accessory apartment found in § 143-68 of the Zoning Law and has found the proposal complies with all of the specific standards as modified by the Town Zoning Board of Appeals, including: the maximum gross floor area devoted to the cottage accessory building as modified by the ZBA will be 1,140 square feet and the existing foundation will not be altered or extended; the cottage and the single family dwelling to be situated in the restored 1750 Dutch Barn will be the only dwelling units authorized on the parcel; the proposed cottage accessory building and the new single family dwelling will be subject to Dutchess County Department of Health approval of the water and wastewater systems; both proposed buildings will be in compliance with all provisions of the New York State Uniform Fire Prevention and Building Code and all other applicable laws, ordinances and regulations shall be complied with, and both a building permit and a certificate of occupancy shall be obtained before occupancy; and the two dwellings will be sited on a parcel of 8.54 acres where three acre minimum is required in the R 1.5 Zoning District; and

Whereas, the applicant has proposed new lighting to serve the cottage accessory dwelling and the new single-family dwelling and will submit lighting specifications for all proposed light fixtures demonstrating compliance with § 143-27.1 of the Zoning Law; and

Whereas, the Planning Board has found the proposal complies with all other applicable sections of the Zoning Law; and

Whereas, the parcel is located on land with boundaries within 500 feet of a NYS certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated July 20, 2022, which the Planning Board duly forwarded to all owners of farm operations within 500 feet of the subject parcel;

Whereas, the Planning Board considered the Agricultural Data Statement in its review of the application; and

Whereas, on August 29, 2022, the Planning Board opened a duly noticed public hearing on the Special Use Permit application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on August 29, 2022; and

Whereas, the Planning Board has deliberated on the application and all the matters before it.

Now Therefore Be It Resolved, that the Planning Board has determined that no new residential building lots or principal dwelling units will be created, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

Be It Further Resolved, that the Planning Board hereby grants Special Use Permit approval to Peter Klose and Jean Voutsinas for a cottage accessory building and a new principal single family dwelling in accordance with the application materials and specifications heretofore enumerated and upon the following conditions:

A. The following conditions shall be fulfilled prior to the applicant obtaining a Building Permit for the proposed cottage accessory building:

   (1) The applicant shall submit an updated sketch site plan showing the locations of all proposed outdoor lighting fixtures and manufacturer's cut sheets for the proposed lighting fixtures for review by the Planning Board's Engineer to ensure compliance with the Zoning Law's specifications.

   (2) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.

   (3) The applicant shall pay any and all outstanding escrow balances for consultant review.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO) for the cottage accessory building:

   (1) All proposed improvements to the cottage and the conversion of the 1750 Dutch Barn to a principal single family dwelling shall have been completed in accordance with the approved Special Use Permit.

C. The following are general conditions which shall be fulfilled throughout the operation of the project:

   (1) This special permit authorizes one (1) cottage accessory building with a maximum of ± 1,140 square feet in gross floor area.

   (2) Both the cottage accessory building and principal single family dwelling shall be self-contained, with separate cooking, sleeping and sanitary facilities for use by the occupant(s).

   (3) Four off-street parking spaces shall be provided on the parcel at all times.

   (4) All exterior lighting fixtures shall be consistent with Section 143-27.1 of the Zoning Law.

   (5) The owner of record shall continue to comply with all requirements of § 143-68 of the Zoning Law and with all conditions imposed by any outside agencies in their permits.

Be It Further Resolved, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, with a copy sent to the applicant.

On a motion by ___________, seconded by ___________, and a roll call vote, which resulted as follows:

On a motion by Karem Smythe, seconded by Lew Rose, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Absent
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& one vacant seat	

Resolution was declared adopted on August 29, 2022.

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

Jordan Rosario, Clerk to the Planning Board   September 2, 2022
Date

Resolution Granting Site Plan Approval to Verizon Wireless

Name of Project: Verizon Wireless Antenna Modification

Name of Applicant: Verizon Wireless of East LP d/b/a Verizon Wireless, LLC

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Verizon Wireless to remove and replace nine existing antennas and support equipment with nine new antennas and support equipment on a ± 2.0 acre parcel of land owned by the Town of Red Hook identified as Tax Parcel ID No. 134889-6173-00-802677-00 located at 31-33 Twin Towers Drive and Kelly Road in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Site Plan entitled "Verizon Site Name: Red Hook" prepared by NB+C Engineering Services dated June 20, 2022 and a "Structural Analysis report" by by NB+C Engineering Services dated May 16, 2022; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on August 1, 2022 classified the proposed project is a Type II action pursuant to SEQR with no further action under SEQR required; and

Whereas, the property is not within 500 feet of a State or County Road or other threshold requiring referral to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239-m; and

Whereas, the property is not located on land within an Agricultural District nor on land within 500 feet of land within an Agricultural District and therefore an Agricultural Data Statement does not need to be forwarded to any parties; and

Whereas, the Planning Board determined that there will be no land disturbance or other activities other than in-kind replacement of the antennas and support equipment; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, on August 29, 2022, the Planning Board opened a duly-noticed public hearing on the Site Plan application, at which time all interested persons were given the opportunity to speak and the Planning Board closed the Public Hearing on August 29, 2022; and

Whereas, the Planning Board has deliberated on the application and all the matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Site Plan approval to Verizon Wireless of East LP d/b/a Verizon Wireless for the proposed antenna and support equipment replacements in accordance with the plans and specifications heretofore enumerated upon the following conditions:

A. The Planning Board authorizes the Chairman or his authorized designee to sign the Site Plan after compliance with the following conditions:

(1) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.
(2) The applicant shall pay any and all outstanding escrow balances for consultant review.
(3) The applicant shall submit Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required stamps and signatures.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for endorsement by the Planning Board Chairman or his designee. One (1) set will be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Department. The applicant must return to the Planning Board for approval of any desired changes from the endorsed plans.

B. The following conditions shall be fulfilled:

(1) All proposed improvements shall have been completed in accordance with the approved Site Plan.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Karen Smythe, seconded by Arthur Salman, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Absent
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& one vacant seat	

Resolution was declared adopted on August 29, 2022.

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

Jordan Rosario, Clerk to the Planning Board — September 2, 2022 (Date)