

Town of Red Hook Planning Board

Approved Meeting Minutes / Monday, May 16, 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, Arthur Salman, Kristina Dousharm, Karen Smythe, and Brian Kelly. Also present at Town Hall was Planning Board Clerk Jordan Rosario.

Kristina Dousharm moved to approve the meeting minutes of May 2, 2022. Brian Kelly seconded, and 5 members voted in favor with 1 member absent.

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

PUBLIC HEARINGS

Red Hook Barbershop – 7345 South Broadway – Site Plan

Public Hearing on application to open a barbershop in an existing building on a 1.34-acre site in the TNDCC Zoning District.

Mr. Phelan read the Public Hearing Notice published in the Poughkeepsie Journal. Ms. Smythe moved to open the Public Hearing, Ms. Dousharm seconded and all members present voted in favor. Applicant Del Cruz and property Manager Tom LeGrand were present. Mr. LeGrand gave an overview of the project and reviewed the site plan and building layout for the public. There were no questions or comments from the Public or from the Planning Board.

Mr. Kelly made a motion to close the Public Hearing, Ms. Dousharm seconded and all members present voted in favor. Mr. Phelan read a draft resolution to approve the site plan with conditions. Ms. Smythe moved to approve the resolution, Ms. Dousharm seconded the motion and the resolution was adopted on a vote of 5 in favor and 1 member absent.

Mead Cottage Conversion – 267 Hapeman Hill Rd – Special Use Permit

Public Hearing on application to convert a portion of a detached garage into a 1-bedroom cottage on a 2.0-acre parcel in the RD3 Zoning District.

Mr. Phelan read the Public Hearing Notice published in the Poughkeepsie Journal. Ms. Smythe made a motion to open the Public Hearing, Mr. Kelly seconded and all members present voted in favor. Applicants Derrick Mead and Gretchen Jones were present with representative Josh Payne of Josh Payne Architect. Mr. Payne gave an overview of the project. He reviewed the latest site plan which was updated to show the 4 required parking spaces. Mr. Payne told the Board he is working with a licensed and professional engineer to ensure the water and sewage are adequate for the additional bedroom created in the cottage. There were no questions or comments from the Public or the Board.

Ms. Smythe moved to close the Public Hearing, Ms. Dousharm seconded and all members present voted in favor. Mr. Phelan read a draft resolution to approve the Special Use Permit with conditions. Ms. Smythe moved to approve the resolution, Mr. Kelly seconded and the resolution was adopted on a vote of 5 in favor and 1 member absent.

NEW BUSINESS

Reclaimed Motel – 7958 Albany Post Rd – Site Plan

Presentation of application to construct an exterior wooden platform under an existing roofline of an existing motel on a 1.62-acre lot in the RD3 Zoning District.

Ms. Dousharm recused herself from this discussion.

Applicants Jared Vengrin and Kendra Sinclair were present. Mr. Vengrin gave an overview of the project. The proposed deck will be 8 feet in depth and just under 100 feet wide, it will be 30 inches from the ground and therefore no railing is required. The proposed deck will instead have landscaping along the entire front facing Rte 9. The proposed landscaping was reviewed. Town Engineer Brandee Nelson's comment regarding the State Sanitary Code was reviewed. The applicants confirmed they are working with the Department of Health and already have the necessary approvals and permits. Planning Consultant Ted Fink's memo was reviewed. His memo stated that the Planning Board has the authority to waive some of the submission requirements since the proposed changes are limited and the building is existing. The Board discussed how they want to proceed with the Site Plan application based on Mr. Fink's memo that the project is very minimal and limited in scope. The Board decided to go ahead with a Public Hearing and Site Plan review with the documents that have already been provided. There were no other questions or comments. A Public Hearing was scheduled for June 6, 2022.

Castiglione Cottage – 7 Whalesback Rd – Special Use Permit

Presentation of application to build a detached garage with a 1-bedroom cottage on a 3.57-acre parcel in the RD3 Zoning District.

Applicant Adam Castiglione was present. Mr. Castiglione gave an overview of the project. He stated that he has received an area variance from the Zoning Board of Appeals. Mr. Castiglione showed the proposed floor plan and discussed the layout with the Board, he also stated the proposed building will match the existing main residence. The Board asked Mr. Castiglione about the parking space on the property, this project will require 4 parking spaces. The applicant responded that there will be 2 spaces in the proposed garage, as well as 2 spaces in the current garage along with additional space in the driveway. The Board told Mr. Castiglione that any newly installed lighting on the exterior of the proposed cottage must be downward facing and motion sensor-controlled. The Board asked the applicant about his plans for landscaping. Mr. Castiglione said he plans to fill in an area near the proposed building to match the level of the backyard. The Board asked about the septic system on the property and told the applicant to pull the certificate from the Dutchess County Department of Health to see how many bedrooms his system supports. Mr. Castiglione will submit an updated site plan to

show parking and lighting, as well as the information on the septic system for review at a future meeting.

OTHER BUSINESS

Discussion on Lighting Guidance for Applicants

Continued discussion to provide information packet to applicants regarding requirements on lighting when a new project is started.

The Board reviewed the changes discussed at the previous meeting. A final draft will be presented for approval at the next meeting.

Discussion on Proposing Revisions to Zoning Code

The board discussed proposing revisions to the Town Zoning Code sections regarding cottages and cottage conversions.

ADJOURNMENT

There being no further business before the Board, Ms. Smythe moved to adjourn. Mr. Kelly seconded, and 5 members voted in favor with 1 absent.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jordan Rosario', with a long horizontal flourish extending to the right.

Jordan Rosario
Clerk for the Board

Resolution Granting Site Plan Approval for Red Hook Barbershop

Name of Project: Red Hook Barbershop

Name of Applicant: Delfirio Perez Cruz

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan Review and Approval from Delfirio Perez Cruz to occupy a 300 square foot portion of an existing 2-story commercial building, consisting of a total gross square footage of 3,914 square feet, on a 1.34 acre parcel of land identified as Tax Parcel ID No.-6272-00-267429 located at 7345 South Broadway in the TND-CC Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a parcel layout sketch and Parcel Access aerial photography of the site, an existing building floor plan and existing building photographs showing: a) where the proposed 300 square foot Barbershop space will located within the existing commercial building as well as the size and location of the building's other tenants ; b) the location of parking spaces to serve the use as well as other parking spaces available on the parcel to serve the other existing uses within the commercial building; c) the location of the entrance for the proposed Barbershop and the outdoor lighting and signage proposed to serve the Barbershop; and d) related application file materials; and

Whereas, the parcel is 1.34 acres in size and 6 units per net acre per floor are permitted in the TND-CC Subdistrict, which equates with a permitted 2,000 square feet gross floor area per net acre for retail, service or office uses and therefore with up to 12,000 square feet of gross floor area permitted per net acre and such existing structure occupies 3, 914 square feet of floor area and there is sufficient floor area to accommodate the proposed barbershop use and all of the other existing uses of the building; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board 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 Site Plan Review and Approval against the Commercial Center Subdistrict's permitted uses found in § 143-49.1.H(1)(a) of the Zoning Law and § 143-49.1.R (Preexisting conditions) and has found that the proposed use complies with the uses designed to serve the day-today needs of the TND neighborhood and Red Hook, the building, parking and site features are all existing and no changes have been proposed other than allowing a change of use for the proposed barbershop, the parking required is 4 parking spaces for each 1,000 square feet of gross floor area meaning that a total of 16 parking spaces are required to serve the 3,914 square foot building whereas 29 parking spaces are available on the site, no new lighting is proposed for the barbershop but a barber pole and two signs are proposed where a total sign area of 17.5 square feet is permitted for the Barbershop whereas the applicant

has applied for 8.5 square feet of signage, and because this application is limited in scope and is proposed within a preexisting building, it need not conform to all of the provisions of § 143-49.1 and may continue in accordance with the provisions of Article VIII of the Zoning Law as provided for in § 143-49.1.R; and

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

Whereas, the parcel is not located within 500 feet of a NYS certified agricultural district (Agricultural District 20) and therefore an Agricultural Data Statement does not need to be further considered;

Whereas, on May 16, 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 May 16, 2022; and

Whereas, the Planning Board had 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 Delfirio Perez Cruz for a change of use for a 300 square foot space in the existing two-story building located at 7345 South Broadway 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 Certificate of Occupancy for the proposed Red Hook Barbershop:
- (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) All proposed improvements shall be completed in accordance with the Site Plan application materials submitted and the commitments made by the applicant and his representatives at the Planning Board meetings where the application was on the agenda including March 21, 2022, April 18, 2022, and May 16, 2022.
 - (4) The proposed barber pole will not be internally illuminated and, if externally illuminated, all lighting shall be turned off when the business is closed.
 - (5) The applicant shall comply with all requirements of the Zoning Law, with all conditions imposed by any outside agencies, and with the above conditions on Site Plan approval.

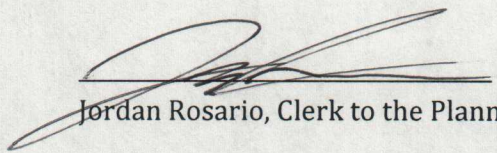
Be It Further Resolved, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, with a copy sent to the applicant.

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

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

Resolution was declared adopted on May 16, 2022.

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



Jordan Rosario, Clerk to the Planning Board

May 17, 2022

Date

Resolution Granting Special Permit Approval for Mead Cottage

Name of Project: Mead Cottage Special Use Permit

Name of Applicants: Derrick Mead and Gretchen Jones

Whereas, the Town of Red Hook Planning Board has received an application for a Special Permit from Derrick Mead and Gretchen Jones to convert a portion of an existing detached 2-car garage into a ±460 square foot cottage on a 2.0 acre parcel of land with an existing single-family dwelling identified as Tax Parcel ID No. 134889-6373-00-920050-0000 and located at 267 Hapeman Hill Road in the R3 Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a floor plan and building elevations of the proposed cottage prepared by the applicant's architect, Josh Payne, showing: a) where the cottage space will be located within the existing garage; b) the location of two parking spaces to serve the cottage and two other spaces to serve the single-family dwelling; c) the location of the entrance for the proposed cottage and the outdoor lighting to serve the cottage; and d) related application file materials; and

Whereas, the parcel is 2.0 acres in size whereas 3.0 acres or more of land is required; the Town of Red Hook Zoning Board of Appeals on February 9, 2022 granted an area variance (Application # 22-03 Mead) allowing an adjustment of the Zoning Law's minimum lot area to permit the conversion of the garage to a cottage on the 2.0 acre parcel, and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on March 7, 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 Special Permit against the general standards for a special use permit 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 R3 District; the size of the site in relation to the use, the location, nature and height of the existing building in which the use 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 accessory apartment 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 Permit against the specific standards for a cottage found in § 143-68 of the Zoning Law and has found that: a) the maximum gross floor area devoted to the cottage does not exceed 650 square feet; b) not more than one cottage will be authorized on the residential premises and there is no existing accessory apartment associated with residential premises; c) the cottage will be supported by water supply and sewage disposal facilities deemed suitable by the Dutchess County Health Department or a licensed professional engineer; d) the garage structure will be converted to a cottage in compliance with all provisions of the New York State Uniform Fire Prevention and Building Code; e) all other applicable laws, ordinances and regulations will be complied with, and both a building permit and a certificate of occupancy will be obtained before occupancy; f) the cottage satisfies all setback requirements set forth in the District Schedule of Area and Bulk Regulations; g) the applicant has obtained an area variance for the cottage to permit less than the minimum lot area specified for the RD3 District; and

Whereas, the applicant has proposed new outdoor lighting for the cottage and such lighting meets the shielding requirements of § 143-27.1 and otherwise meets all other provisions of the Outdoor Lighting rules; 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 within 500 feet of a NYS certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated April 1, 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 May 16, 2022, the Planning Board opened a duly noticed public hearing on the Special Permit application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on May 16, 2022; and

Whereas, the Planning Board had 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 Permit approval to Derrick Mead and Gretchen Jones for a cottage 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 accessory apartment:
 - (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.
- B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO) for the cottage:
 - (1) All proposed improvements shall have been completed in accordance with the approved Special Permit.
 - (2) The applicant will provide documentation from the Dutchess County Health Department or a licensed professional engineer that the water supply and sewage disposal facilities have been deemed suitable for the cottage and single-family dwelling units.
 - (3) The applicant will provide documentation that the conversion of the two car garage to a cottage is in compliance with all provisions of the New York State Uniform Fire Prevention and Building Code.
- C. The following are general conditions which shall be fulfilled throughout the operation of the project:
 - (1) This special permit authorizes one (1) cottage with a maximum of ± 650 square feet in gross floor area.
 - (2) The cottage shall be self-contained, with separate cooking, sleeping and sanitary facilities for use by the occupant(s).
 - (3) Two off-street parking spaces for the cottage, in addition to two parking spaces for the single-family dwelling on site, shall be provided at all times.
 - (4) All exterior lighting fixtures shall be motion sensor controlled and shall remain 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.

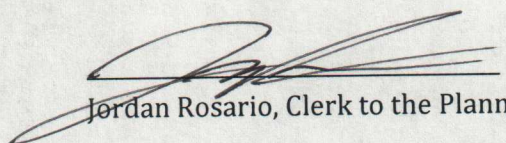
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Deputy Chairman Brian Kelly	Voting Aye
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Member Lewis Rose	Voting Absent
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Resolution Certified, Filed with the Town Clerk and Mailed to the Applicant


Jordan Rosario, Clerk to the Planning Board

May 17, 2022
Date