

TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
April 2, 2018

Chairman Sam Phelan called the meeting to order at 7:30 pm and announced two changes to the agenda: an extension request had been added under Other Business and the Hurley Accessory apartment had been postponed at the applicant's request.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Bill Hamel, Brian Kelly, and Kallie Robertson. Also present were engineering consultant Michelle Mormile and planning consultant Michele Grieg. Lisa Foscolo and Sam Harkins were absent.

Brian Kelly made a motion to accept the minutes of February 26 and March 19. Bill Hamel seconded and all members voted in favor.

PUBLIC HEARING

Bard Wilson House – 1309 Annandale Road - Site Plan, Special Permit

Public Hearing on application to change the use from residential to mixed use on a property in the Institutional Zoning District, and special permit to amend the current Bard College Master Plan to include Wilson House.

Bard College representative Dan DeCiutiis was present. Sam Phelan read the public hearing notice that was published in the Poughkeepsie Journal.

Mr. DeCiutiis gave an overview of the project. Mr. Phelan asked if there were any questions or comments from the public. Linda Keeling asked if handicapped accessible features were actually included on the site plan. Mr. DeCiutiis said yes and indicated the features on the site plan. Mr. Phelan asked if there were any intentions to rent the one bedroom living space. Mr. DeCiutiis replied no, that it was only for guests coming to do archival research. Ms. Keeling asked if the archival research materials were located on the third floor. Mr. DeCiutiis said the archives would be stored in the basement. Ms. Keeling asked how a person in a wheelchair would get to the basement. Mr. DeCiutiis said an entry door to the basement was located outside. Ms. Keeling asked if there were any archives on the third floor. Mr. DeCiutiis said that the employees who had offices on the third floor would bring any archives downstairs upon request. Ms. Keeling asked if there was a fire suppression system in the building. Mr. DeCiutiis said there was a system in the basement. Ms. Keeling asked if there was one on the third floor. Mr. DeCiutiis said it was not required. Ms. Keeling asked if the third floor was air conditioned. Mr. DeCiutiis said the main archives would be located in archival storage units located in the basement, and that was where the fire suppression system is located. He said the third floor did not have substantial archives. Ms. Keeling asked if environmental stabilization would be provided. Mr. DeCiutiis said yes.

There being no further questions or comments from the public, Kallie Robertson made a motion to close the public hearing. Brian Kelly seconded and all members voted in favor. The Board reviewed a draft approval resolution for Special Permit to amend the Bard Campus Master Plan to include the Wilson House. Bill Hamel made a motion to adopt it with one typographical correction. Kallie Robertson seconded and all members voted in favor.

The Board then reviewed a draft approval resolution for Site Plan. Kallie Robertson made a motion to adopt it. Brian Kelly seconded and all members voted in favor.

OLD BUSINESS

Lindsay Schultz – Old Post Road – Certificate of Appropriateness.

Continued discussion of application to construct a new residence in the Hamlet of Upper Red Hook.

The applicant was not present. The Board reviewed comments from the Design Review Committee (DRC). Mr. Phelan said that the DRC felt that both submissions were inconsistent with the hamlet's primary architectural features. However, he said, the DRC has offered to work with the applicant. He asked planning staff to reach out to Ms. Schultz and encourage her to contact the DRC.

Red Hook Land Corporation – 5 Old Farm Road – Site Plan

Continued discussion of sketch plan application to reconstruct commercial multi-use buildings on a 1.955 acre parcel in the (TND-CC) Zoning District.

Applicants Tim and Bob Ross was present. Tim described parking and coverage calculations he had completed since the last meeting. He also made all the buildings 11' floor to floor as was agreed upon at the last meeting.

A proposed overflow parking area across Old Farm Road was discussed relative to newly clarified frontage requirements for the TND. Kallie Robertson asked if the overflow parking was part of the required amount of parking spaces for the project. Mr. Ross said that, not knowing what types of businesses would take up residency in the buildings, it was difficult to determine parking needs.

In her memo dated 3-28-18, Michele Grieg commented that if the 11,139 sq. ft. of commercial space was entirely used for restaurants, which typically require more parking, a total of 67 parking spaces would be required. The 11 apartments proposed would require an additional 22 spaces, resulting in a need for 89 spaces. Factoring in shared parking for restaurants and residential uses lowers the requirement to 74 spaces. The applicants are proposing 60 spaces and 14 spaces in the overflow lot. Thus, it appears that adequate off-street parking would be provided for the most intensive scenario.

Mr. Phelan said that frontage requirements would require that the overflow parking lot be screened and moved back at least 28 feet from the street. Mr. Ross said he had approximately 122 feet. It was generally agreed that the area would be identified as potential future parking, but not be included on the site plan.

Traffic flow through the parking lot was discussed. Mr. Phelan asked if there was enough room for two way traffic flow at the ends of the parking rows. Mr. Ross said it would be tight. The Board asked him to try and make enough room for two way traffic.

The Board generally agreed to ask the town engineer to verify the lot coverage calculations.

Discussion moved to landscaping within the parking lot and on the perimeter, and snow storage issues that may occur.

Ms. Grieg requested that the applicants submit a Full Environmental Assessment Form. The Board generally agreed to send the project to the Design Review Committee for another review, including materials such as windows and siding materials. It was also agreed to send the project to the County Planning Department for an initial review.

Shafer's Hudson Valley – 8053 Albany Post Road – Site Plan, Special Permit

Continued discussion of application to renovate and expand an existing 10-room motel to a 19-room motel on a 5.992 acre parcel, of which 2.3 acres are located within the B1 Zoning District and the remaining 3.6 acres are located within the RD3 Zoning District.

Applicant Vanessa Shafer was present.

The Board reviewed part 3 of the Full Environmental Assessment Form. The three potential large environmental impacts identified by the Board when completing Part 2, Impact on Land, Impact on Surface Water and Impact on Ground Water were appended to Part 3 in narrative form. Each potential large impact was described along with mitigation measures that would reduce the impact to small or none.

Bill Hamel asked what type of fire protection would be installed. Vanessa Shafer said a sprinkler system.

The Board reviewed a draft Negative Declaration. At the conclusion, Kallie Robertson made a motion to adopt it. Bill Hamel seconded and all members voted in favor.

A public hearing was tentatively set for April 16. Board members will visit the project site 10 am either Friday April 6 or 10 am Saturday April 14.

NEW BUSINESS

Hutchins Accessory Cottage – 230 Linden Ave. – Special Permit

Presentation of application to demolish an existing barn and construct a cottage with attached garage on a 10 acre parcel in the R 1.5 Zoning District.

Applicant Paul Hutchins was present. He gave an overview of the project. He described the elevations and floor plan.

The Board and applicant reviewed comments dated 3-27-18 from Michele Grieg. The calculation of permitted size of the cottage was discussed. Ms. Grieg said that cottages are permitted to be a maximum of 650 sq. ft of gross floor area in size, whereas accessory apartments are permitted to be 650 sq. ft. of habitable space, which does not include hallways, staircases and bathrooms. She recommended that the applicant demonstrate that the proposed cottage is no more than 650 sq. ft. of gross floor space as described in the zoning code.

Bill Hamel made a motion to adopt a resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Brian Kelly seconded and all members voted in favor.

Mr. Hutchins was instructed to contact the County Health to certify that his existing well is sufficient to accommodate the additional demands of the cottage, and to approve the proposed new sanitary disposal system.

OTHER BUSINESS

Legal representation of Planning Board in Tampone and Michael-v-Town

Brian Kelly made a motion to authorize the Town's attorney to represent the Planning Board in the certain litigation entitled Tampone et al v Town Board of Red Hook et al. Kallie Roberts Seconded. A roll call vote was taken. Sam Phelan, Bill Hamel, Brian Kelly and Kallie Robertson voted aye. Lisa Foscolo and Sam Harkins were absent.

ZEO frontage determination for Ruge's project

Sam Phelan said he had talked to Zoning Enforcement Administrator Bob Fennell about clarification of what should be considered the frontage of the Ruge project. Mr. Fennell identified a section in the Zoning Ordinance (143-49.1K(4) that states that any lot in the Traditional Neighborhood District with frontage on two roads, both frontages need to have a build to line along each of the streets.

Extension Request: Preserve at Lakeskill

Applicant's representatives Mike Bodendorf and John Wagner were present.

Bill Hamel recused himself, so a vote was not possible. However Mr. Wagner and Mr. Bodendorf reviewed their progress toward complying with the conditions of approval.

Mr. Bodendorf discussed comments from the Planning Board's engineer dated 3-23-18. Specifically with regard to sight distance and the proposed retaining wall on Feller-Newmark Road.

The Board agreed to vote on a 3 month extension at the next meeting, when presumably there will be enough members present to conduct a vote.

ADJOURNMENT

There being no further business before the Board, Brian Kelly made a motion to adjourn. Bill Hamel seconded and all members voted in favor.

Respectfully submitted



Kathleen Flood
Clerk for the Board

Resolution Granting Amended Special Permit Approval to the Amended Bard College Campus Master Plan for Wilson House

Name of Project: Amendment to Bard College Campus Master Plan for Wilson House

Name of Applicant: Bard College

Whereas, the Town of Red Hook Planning Board has received an application for Amended Special Permit approval from Bard College to amend the Bard College Campus Master Plan to include conversion of an existing three-story building (the “Wilson House”) from faculty housing to a mix of office, residential, and storage uses on a ± 302 acre parcel (Tax Map Parcel No. 134889-6173-00-400720-0000) in the Institutional (I), Historic Landmarks Overlay (HL-O), and Scenic Corridor Overlay (SC-O) Districts in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted an Amendment to the Campus Master Plan dated March 8, 2018 and revised March 16, 2018; and

Whereas, the Planning Board has reviewed the Special Permit application against the requirements of Article VI of the Zoning Law and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on December 18, 2017 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(8) and, therefore, SEQRA does not apply; and

Whereas, due to the location of the property within 500’ of a County road and within 500’ of State property with recreation areas, the special permit application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated March 27, 2018 stating that the project was a matter of local concern; and

Whereas, the parcel is located within 500’ of a certified agricultural district and the applicant submitted an Agricultural Data Statement dated November 30, 2017, which the Planning Board duly forwarded to all owners of farm operations within 500’ of the subject parcel; and

Whereas, on April 2, 2018, 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 April 2, 2018; 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 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 Amended Special Permit approval to Bard College for the Amended Bard College Master Plan for Wilson House in accordance with the plans and specifications heretofore submitted upon the following conditions:

- A. The applicant shall continue to comply with the requirements of a Special Permit for an Educational Campus found in § 143-81 of the Town of Red Hook Zoning Law.
- B. Submission to the Town of Red Hook Planning Board of a large (approximately 40" by 30") copy of the Bard College Campus Master Plan Update (drawn to scale) revised March 2018.
- 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

On a motion by Bill Hamel, seconded by Kallie Robertson, and a vote of 4 for, 0 against, and 2 absent, this resolution was adopted on April 2, 2018.

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



Kathleen Flood, Clerk to the Board

4-3-18

Date

Resolution Granting Site Plan Approval to Bard College Wilson House

Name of Project: Bard College Wilson House

Name of Applicant: Bard College

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Bard College to convert an existing three-story building (the "Wilson House") from faculty housing to a mix of office, residential, and storage uses on a $\pm$ 302 acre parcel (Tax Map Parcel No. 134889-6173-00-400720-0000) in the Institutional (I), Historic Landmarks Overlay (HL-O), and Scenic Corridor Overlay (SC-O) Districts in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Site Plan prepared by Morris Associates, PLLC dated January 12, 2018 and revised February 1, 2018; and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of Article VII of the Town of Red Hook Zoning Law and has found that the proposal complies with all applicable sections of the Zoning Law; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on December 18, 2017 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(8) and, therefore, SEQQR does not apply; and

Whereas, due to the location of the property within 500' of a County road and within 500' of State property with recreation areas, the site plan application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated March 27, 2018 stating that the project was a matter of local concern; and

Whereas, the parcel is located within 500' of a certified agricultural district and the applicant submitted an Agricultural Data Statement dated November 30, 2017, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcel; and

Whereas, the proposed uses are not included in the Bard College Master Plan Update dated February 2005, and therefore the applicant submitted an Amendment to the Campus Master Plan dated March 8, 2018 and revised March 16, 2018, and the Planning Board on April 2, 2018 granted an amended Special Permit for the Amendment to the Campus Master Plan; and

Whereas, on April 2, 2018, 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 April 2, 2018; 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 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 Site Plan approval to Bard College Wilson House in accordance with the plans and specifications heretofore submitted upon the following conditions:

- A. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Planning Board Chairwoman:
1. Submission of 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.
 2. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 3. Payment of any and all outstanding escrow balances for consultant review.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chairwoman endorsement. One (1) set shall 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 for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

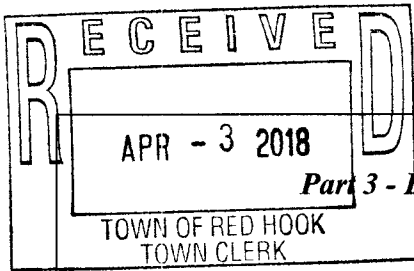
- B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy:
1. A Certificate of Occupancy will not be issued unless all proposed improvements have been completed in accordance with the approved Site Plan.

On a motion by Kallie Robertson, seconded by Brian Kelly, and a vote of 4 for, 0 against, and 2 absent, this resolution was adopted on April 2, 2018.

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


Kathleen Flood, Clerk to the Board

4-3-18
Date



Agency Use Only [If Applicable]
Project : **SHAFERS HUDSON VALLEY**
Date : **4-2-18**

Full Environmental Assessment Form

**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Please see attached.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☒ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
NYSDEC wetlands delineation; Army Corps of Engineers Approved Jurisdictional Determinations; Threatened and Endangered Species Habitat
Assessment; Stormwater Pollution Prevention Plan; Water System Engineering Report and 2 Addenda; Wastewater Treatment Engineering Report; Visual
Analysis including Site Sections; and related file materials.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Red Hook Planning Board as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact
statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or
substantially mitigated because of the following conditions which will be required by the lead agency:

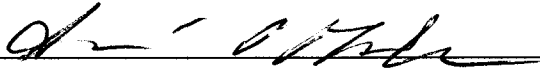
There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative
declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact
statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those
impacts. Accordingly, this positive declaration is issued.

Name of Action: Shafer's Hudson Valley

Name of Lead Agency: Town of Red Hook Planning Board

Name of Responsible Officer in Lead Agency: Sam Phelan

Title of Responsible Officer: Chair  4-2-18

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk

Address: 7340 South Broadway, Red Hook, NY 12571

Telephone Number: 845-758-4613

E-mail: planning@redhook.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

- 1. Impact on Land.** The proposed project includes the redevelopment and expansion of an existing motel site. Demolition will include the removal of one of the existing motel buildings and the check-in office. The existing single-family dwelling will be renovated and expanded to provide a check-in area, staff office area, and common area used by guests. The existing southern motel building will be renovated and expanded, and a third motel building will be constructed. Related improvements include expansion of the parking areas, widening of the site access driveway, landscaping, construction of a new onsite wastewater system, and expansion of the existing water supply system. During construction, and prior to stabilization, there will be the potential for increased erosion due to reduced vegetation and increased ground disturbance. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. Disturbance of the site will result in a disturbed area in excess of one acre. Therefore, a Stormwater Pollution Prevention Plan (SWPPP) is required in order to obtain coverage under NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). The applicant has submitted a SWPPP that outlines the erosion and sediment controls to be implemented during construction. The SWPPP states that "the total impervious area within the project site increases from 0.4 acre to 0.8 acre within the 6 acre property," and "approximately 2.2 acres will be disturbed by construction." The SWPPP includes an erosion and sediment control plan. It states that "temporary measures include: catch basin inlet protection, protection of existing vegetation, compost filter socks and erosion control blankets, stabilized construction entrance, and mulch or temporary vegetation on all disturbed areas" and "permanent measures include: establishing turf, providing landscaping, maintaining grass on slopes less than 5% and operation and maintenance procedures." The applicant's SWPPP is in conformance with GP-0-15-002 and the NYS Standards and Specifications for Erosion and Sediment Control, July 2016.

Based on the foregoing, the Planning Board concludes that the potential impact is reduced to a small impact and the proposed action will not result in a significant adverse environmental impact on land.

- 2. Impact on Surface Water.** The proposed action will require the construction of a new wastewater treatment facility. The project will be served by an onsite subsurface sewage disposal system (SDS). The SDS that will be designed in accordance with NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems (NYSDEC General SPEDES permit, GP-01-15-001) and the standards of the Dutchess County Department of Health (DCDOH); both agencies will review and approve the system design, plans and specifications. The owner and their representative (licensed wastewater operator) will operate the system following approval and permit by the NYSDEC and review and approval by DCDOH. The estimated total daily design flow is 2,848 gallons per day (gpd), and the proposed system is designed for an average daily flow 3,000 gpd. The DCDOH has stated in its letter dated July 28, 2016, that the proposed design flow is acceptable based on the standards/guidelines that are applicable to the project.

Several deep test holes were performed on the site to determine the best area to support the wastewater disposal system. The area identified for the system contains sandy loam, trace clay and silty sand. Based on the depths of usable native soil, absorption beds will be used for subsurface wastewater disposal. Several perc test were also performed within this area and rates varied between 1 minute per inch to 4.5 minutes per inch. Each building will be collected

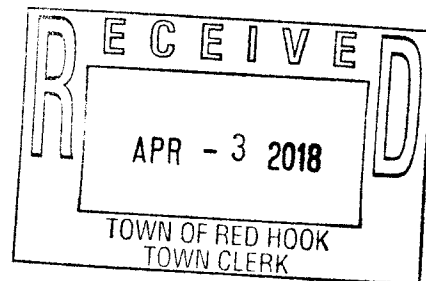
via gravity sewer and conveyed to the wastewater septic tank which provides primary treatment. Secondary treatment is provided via packed bed media filters where the wastewater is biologically treated by microorganisms, prior to being pumped to the absorption beds. The operation and maintenance of the system shall be overseen by a licensed wastewater operator.

Based on the foregoing, the Planning Board concludes that the potential impact is reduced to a small impact and the proposed action will not result in a significant adverse environmental impact on surface water.

3. **Impact on Groundwater.** The proposed action includes the upgrade to an existing water supply system. The proposed project is a commercial project with water demands up to 3,000 gallons per day (gpd). The water supply system requires a Dutchess County Department of Health permit and NYS Department of Health Application for Approval of Plans for Public Water Supply Improvements. The current drinking water is supplied by two onsite existing wells with an estimated demand of approximately 2,748 gpd. Well #1 is roughly 91 feet in depth with 12 feet of casing. Well #2 is 348 feet with 20 feet of casing. Both existing wells endured a minimum of four hour pump tests upon achieving a stabilized drawdown level. Recovery in well #1 was achieved within a 1½ hour and well #2 within one hour. Based on pump tests, well #1, which is located within the existing single-family house, had a yield of 3.6 gpm, and well #2, which is located southeast of the existing house, had a yield of 16 gpm. Both wells were sampled upon completion of the pump tests. Well #1 was found to exceed a number of parameters outlined by the NYSDOH Part 5 Drinking Water Supply Regulations Maximum Contaminant Levels (MCL). Well #1 is to be abandoned based on its location, minimal casing (12 feet) and the water quality testing concerns. Well #2 did not find any parameters above the MCL, with the exception of total coliform. The well was disinfected and retested. The proposed water system treatment and pumping will be located in the basement level of the Ridge building. Water from well #2 will enter the pump room where it will be treated via UV and chemical disinfection. The disinfected water will then be piped to the water storage tanks, each with a capacity of 550 gallons to provide storage equal to the average daily consumption of 3,000 gpd (Note: this is 252 gpd more than the existing demand). A booster pump system will provide pressure to meet the peak system demand. Water meters will be provided following the booster pumps to measure flows delivered to the system. Water supply lines will convey the treated water from the pump room to the buildings. Operation and maintenance of the water supply system will require oversight by a Grade C water system operator.

Additionally, the Dutchess County Department of Health (DCDOH) issued a response letter on March 26, 2018 to Crawford & Associates Engineering, P.C. letter dated March 23, 2018, in which the DCDOH indicated that the increase in 250 gpd would be insignificant with regards to impacts to groundwater and neighboring wells.

Based on the foregoing, the Planning Board concludes that the potential impact is reduced to a small impact and the proposed action will not result in a significant adverse environmental impact on groundwater.



617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: April 2, 2018

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: Shafer's Hudson Valley

SEQR Status: Type I ☐
Unlisted ☒

Conditioned Negative Declaration: ☐ YES
☒ NO

Description of Action: The applicant proposes to renovate and expand an existing 10 room motel into a 19 room motel, and to retain an existing one-bedroom apartment on a ± 5.9 acre parcel (Tax Map Parcel No. 134889-6373-00-114822-0000), of which ± 2.3 acres are located within the B1 Zoning District and the remaining ± 3.6 acres are located within the RD3 District. The applicant proposes to extend the B1 District 11' 9 $\frac{1}{2}$ " into the RD3 District pursuant to § 143-8D of the Town Code, with the result that the B1 portion of the property will be ± 2.4 acres. An existing single-family home will be converted into a check-in area, staff office area, and common area used by guests. Three existing studio apartments will be eliminated. There are currently a total of 17 bedrooms on the site and this will be increased to 20 bedrooms. The project will be served by an individual well and wastewater treatment system. The application requires a special permit and site plan approval from the Planning Board.

Location: 8047 Albany Post Road, Town of Red Hook, Dutchess County New York

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 December 30, 2016 and revised April 3, 2017, and all of the material submitted by both the applicant and

the neighbors, 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 proposed project includes the redevelopment and expansion of an existing motel site. Demolition will include the removal of one of the existing motel buildings and the check-in office. The existing single-family dwelling will be renovated and expanded to provide a check-in area, staff office area, and common area used by guests. The existing southern motel building will be renovated and expanded, and a third motel building will be constructed. Related improvements include expansion of the parking areas, widening of the site access driveway, landscaping, construction of a new onsite wastewater system, and expansion of the existing water supply system. During construction, and prior to stabilization, there will be the potential for increased erosion due to reduced vegetation and increased ground disturbance. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. Disturbance of the site will result in a disturbed area in excess of one acre. Therefore, a Stormwater Pollution Prevention Plan (SWPPP) is required in order to obtain coverage under NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). The applicant has submitted a SWPPP that outlines the erosion and sediment controls to be implemented during construction. The SWPPP states that "the total impervious area within the project site increases from 0.4 acre to 0.8 acre within the 6 acre property," and "approximately 2.2 acres will be disturbed by construction." The SWPPP includes an erosion and sediment control plan. It states that "temporary measure include: catch basin inlet protection, protection of existing vegetation, compost filter socks and erosion control blankets, stabilized construction entrance, and mulch or temporary vegetation on all disturbed areas" and "permanent measures include: establishing turf, providing landscaping, maintaining grass on slopes less than 5% and operation and maintenance procedures." The applicant's SWPPP is in conformance with GP-0-15-002 and the NYS Standards and Specifications for Erosion and Sediment Control, July 2016. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on land.
4. The proposed action will require the construction of a new wastewater treatment facility. The project will be served by an onsite subsurface sewage disposal system (SDS). The SDS will be designed in accordance with NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems (NYSDEC General SPEDES permit, GP-01-15-001) and the standards of the Dutchess County Department of Health (DCDOH); both agencies will review and approve the system design, plans and specifications. The owner and their representative (licensed wastewater operator) will operate the system following approval and permit by the NYSDEC and review and approval by DCDOH. The estimated total daily design flow is 2,848 gallons per day (gpd), and the proposed system is designed for an average daily flow 3,000 gpd. The DCDOH has stated in its letter dated July 28, 2016, that the proposed design flow is acceptable based on the standards/guidelines that are applicable to the project.

Several deep test holes were performed on the site to determine the best area to support the wastewater disposal system. The area identified for the system contains sandy loam, trace clay and silty sand. Based on the depths of usable native soil, absorption beds will be used for subsurface wastewater disposal. Several perc tests were also performed within this area and rates varied between 1 minute per inch to 4.5 minutes per inch. Each building will be collected via gravity sewer and conveyed to the wastewater septic tank which provides primary treatment. Secondary treatment is provided via packed bed media filters where the wastewater is

biologically treated by microorganisms, prior to being pumped to the absorption beds. The operation and maintenance of the system shall be overseen by a licensed wastewater operator. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on surface water.

5. A portion of a New York State Department of Environmental Conservation (NYSDEC) regulated wetland (CM-25) is present on the project site. The NYSDEC Environmental Resource Mapper identifies CM-25 as a Class II wetland. A field delineation of on-site wetlands was conducted by the NYSDEC on December 15, 2014 and the delineation was validated by the NYSDEC on February 14, 2017. On July 5, 2017, Kelly McKean of the NYSDEC confirmed in an email to the applicant that "The New York State Freshwater Wetland Boundary on your Route 9 property in the town of Red Hook was accurately delineated by Jonathon Russell on 12/15/2014 and validated by myself on 2/14/2014 as it states on the signed validation block for Shafer's Hudson Valley." A field delineation of on-site federal jurisdictional wetlands was conducted by Barton & Loguidice, DPC on June 20, 2016 in accordance with the methodologies of the Army Corps of Engineers *Wetland Delineation Manual* (1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0* (USACE, 2012). The delineation was reviewed by the US Army Corps of Engineers (ACOE), which issued an Approved Jurisdictional Determination (AJD) dated January 16, 2018. The AJD verifies the location of the 0.49 acre federal jurisdictional located within the NYSDEC wetland, and determined that there are no other federal jurisdictional wetlands located on the site. Together the NYSDEC and federal jurisdictional wetlands comprise a total of ± 0.7 acres of the property. No vernal pools were identified on the property.

The proposed project has been designed to locate all development and associated improvements outside both the federal jurisdictional wetland and the NYSDEC wetland and its required 100' adjacent area. The 100' wetland adjacent area will be protected prior to construction activities on the site. No filling or dredging or other construction impacts will occur to on-site wetlands or the 100' adjacent area as a result of the project. Since there is no proposed disturbance to the wetlands or their associated adjacent area, no permitting is required, and no impacts to protected waters will occur. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on wetlands.

6. The proposed action includes the upgrade to an existing water supply system. The proposed project is a commercial project with water demands up to 3,000 gallons per day (gpd). The water supply system requires a Dutchess County Department of Health permit and NYS Department of Health Application for Approval of Plans for Public Water Supply Improvements. The current drinking water is supplied by two onsite existing wells with an estimated demand of approximately 2,748 gpd. Well #1 is roughly 91 feet in depth with 12 feet of casing. Well #2 is 348 feet with 20 feet of casing. Both existing wells endured a minimum of four hour pump tests upon achieving a stabilized drawdown level. Recovery in well #1 was achieved within a 1½ hour and well # 2 within one hour. Based on pump tests, well #1, which is located within the existing single-family house, had a yield of 3.6 gpm, and well #2, which is located southeast of the existing house, had a yield of 16 gpm. Both wells were sampled upon completion of the pump tests. Well #1 was found to exceed a number of parameters outlined by the NYSDOH Part 5 Drinking Water Supply Regulations Maximum Contaminant Levels (MCL). Well #1 is to be abandoned based on its location, minimal casing (12 feet) and the water quality testing concerns. Well #2 did not find any parameters above the MCL, with the exception of total coliform. The well was disinfected and retested. The proposed water system treatment and pumping will be located in the basement level of the Ridge building. Water from

well #2 will enter the pump room where it will be treated via UV and chemical disinfection. The disinfected water will then be piped to the water storage tanks, each with a capacity of 550 gallons to provide storage equal to the average daily consumption of 3,000 gpd (Note: this is 252 gpd more than the existing demand). A booster pump system will provide pressure to meet the peak system demand. Water meters will be provided following the booster pumps to measure flows delivered to the system. Water supply lines will convey the treated water from the pump room to the buildings. Operation and maintenance of the water supply system will require oversight by a Grade C water system operator.

Additionally, the Dutchess County Department of Health (DCDOH) issued a response letter on March 26, 2018 to Crawford & Associates Engineering, P.C. letter dated March 23, 2018, in which the DCDOH indicated that the increase in 250 gpd would be insignificant with regards to impacts to groundwater and neighboring wells. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on groundwater.

7. Correspondence from NYSDEC Natural Heritage Program dated February 16, 2016 indicates that there are no records of rare or state listed animals or plants, significant natural communities or other significant habitats, on or in the immediate vicinity of the property. A review of the US Fish and Wildlife Service (USFWS) website indicates that species with the potential to inhabit the project area or adjacent areas include two federally listed endangered species—Indiana bat (*Myotis sodalis*) and dwarf wedgemussel (*Alasmidonta heterodon*)—and two threatened species—bog turtle (*Clemmys mublenbergii*) and northern long-eared bat (*Myotis septentrionalis*). Bald eagle (*Haliaeetus leucocephalus*) was removed from the federal Endangered Species list in 2007 but is still afforded federal protection under the Bald and Golden Eagle Protection Act and state protection under the Environmental Conservation Law.

The applicant submitted a Threatened and Endangered Species Habitat Assessment for the project site prepared by Barton & Loguidice, DPC dated August 5, 2016 and revised February 20, 2017 that examines potential impacts of the project on threatened and endangered species. Bald eagles utilize open water areas to forage for fish; there is no habitat on the property that meets this criteria, and a review of the 2000-2005 New York State Breeding Bird Atlas Survey indicated no historical sightings of bald eagles near the project site. The dwarf wedgemussel requires a watercourse with fish populations as primary habitat and to complete its life cycle; there is no habitat on the property that meets these criteria, and stormwater flows from the project site do not enter a waterbody where the dwarf wedgemussel has been recorded. Suitable habitat for Northern long-eared and Indiana bats include trees equal to or greater than 3" in diameter at breast height (DBH) for roosting, and areas of open water or linear features in the landscape for foraging. Numerous large trees which have the potential to provide roosting habitat to bat populations are present within and adjacent to the project site. The project may require the removal of two trees with a DBH greater than 3". The trees will be removed during the USFWS recommended bat conservation period between October 1 and March 31 to avoid direct take of bats that may be roosting in the trees. Bog turtle prefer fens, highly acidic wetlands, and areas of soft, deep muck. The wetlands delineated on the project site do not contain a mucky soil component, and the vegetation of the wetland includes common reed and purple loosestrife which create poor habitat conditions for bog turtle basking. Based on the soil and vegetation characteristics of the site, the wetlands do not provide suitable habitat for bog turtles. The applicant requested a determination of "No Effect" from the USFWS' New York Field Office and received a response dated February 23, 2016 stating that the USFWS "acknowledges receipt of your 'no effect' and/or no impact determination. No further ESA

[Endangered Species Act] coordination or consultation is required.” Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on plants and animals.

8. The project site is not located on a designated scenic corridor or within the Town’s Scenic Corridor Overlay (SC-O) Zoning District. Although the Comprehensive Plan identifies Route 9 as “scenic,” none of the B1 Districts were included in the SC-O Zoning District. Moreover, no scenic vistas are identified in the vicinity of the project site in the Town’s adopted Open Space Plan. The project will not be visible from, or have any impact on, any officially designated federal, state or local aesthetic or scenic resources. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on aesthetic resources.
9. The project site is not located within or contiguous to an area designated as sensitive for archaeological resources by the New York State Historic Preservation Office, nor is it located within or substantially contiguous to any building, archeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on cultural resources.
10. Current uses on the site include 10 motel rooms, a single-family dwelling, 1 one-bedroom apartment, and 3 studio apartments. Proposed uses include 19 motel rooms and 1 one-bedroom apartment. The applicant submitted a traffic analysis of current and proposed uses that estimated the peak AM hour trips would increase from 8.9 vehicle trips to 13.55 vehicle trips, while peak PM hours are estimated to increase from 8.1 vehicle trips to 11.7 vehicle trips. According to the NYT DOT website, Average Annual Daily Traffic (AADT) for this section of Route 9 is 7,841 vehicles per day. Route 9 is currently operating at a Level of Service (LOC) C with a vehicle to capacity ratio below 0.5. Trip generation rates and AADT were verified by the Town Planner. According to the Town Engineer, Route 9 has capacity for approximately 6,000 additional vehicle trips. The projected number of vehicle trips during peak hours resulting from the proposed project is a *de minimus* increase in traffic that will have no measurable impact on existing levels of service for the surrounding road network. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on the transportation network.
11. The proposed project is anticipated to result in an increase in energy use. Existing buildings on site total approximately 7,045 square feet. The proposed project will increase the floor area by approximately 7,180 square feet, resulting in a total of 14,225 square feet of floor area that will require heating, cooling, and lighting when completed. The buildings will be constructed in accordance with the New York State Energy Conservation Code, which requires the use of energy efficient products in all new and renovated construction. The proposed action is consistent with the Town’s Climate Smart Communities Pledge to ensure that new construction is energy efficient. Construction of the proposed project will result in the consumption of gasoline, oil and electricity used in the operation and maintenance of construction equipment; the level of energy consumption during construction is anticipated to be typical of similar developments in Dutchess County. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on energy.
12. There will be a temporary increase in ambient noise levels and vibration associated with

construction activities. To mitigate this impact, all construction activities shall be limited to the hours of 8:00 am to 8:00 pm pursuant to Chapter 92 of the Town Code. All construction related noise and vibration will cease once construction is completed, and is therefore considered minor due to its temporary nature. All outdoor lighting will be fully shielded with full cut-off fixtures to prevent light trespass, glare and sky-glow, and to reduce the cost and waste of unnecessary energy consumption. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on noise and light.

13. The project site is located immediately adjacent to a church. Existing trees along the northern property boundary adjacent to the church will be retained and will be supplemented by additional plantings of Red Cedar trees to provide a visual buffer between the subject parcel and the church located to the north. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on human health.
14. The project site is located in the B1 District in Upper Red Hook. The project is consistent with the recommendations of the Town's adopted Comprehensive Plan to provide "incentives for new development to locate. . . within, or adjacent to, the Village of Red Hook and other established areas of the Town, such as the hamlet of Upper Red Hook," and "to focus primary business activity in concentrated nodes." The project is also consistent with Centers and Greenspaces concept of focusing development in and adjacent to existing centers, such as the hamlet of Upper Red Hook, and with Dutchess County's *Greenway Guides: Regional Pattern Centers and Greenspaces*. The proposed project is a small-scale facility that will serve visitors and local residents who need lodging facilities for guests. Based on the foregoing, the Planning Board concludes that the proposed project will not have a significant adverse environmental impact on community plans.
15. The applicant provided site sections to demonstrate the visibility of the proposed additions and new buildings from Route 9 (submission dated March 9, 2018), and the Town Engineer prepared a cross sectional view of the proposed project dated March 19, 2018. These analyses indicate that, due to existing topography and the presence of the Tourist House, the proposed two story Motel and Ridge buildings will be only minimally visible from Route 9. The site plan shows an approximate elevation of 231' for the shoulder of Route 9 and a base elevation of 239' for the Tourist House. The height of the Tourist House is approximately 21 feet to the eve. There will be an additional 5 or 6 feet to the peak, raising the total height of the Tourist House to approximately 266'. The first floor elevations for both the Motel and Ridge building are around 235'; with the proposed heights between 30-35 feet, these buildings will be only minimally visible from the road. The Tourist House would shield the majority of the buildings.

In terms of scale, existing non-residential buildings in the B1 District range in size from 3,360 sq. ft. to 7,432 sq. ft. of building footprint. Where multiple buildings exist on a single parcel, total building footprint ranges from 8,621 sq. ft. to 17,053 sq. ft. The proposed project is consistent with the scale of the existing non-residential buildings in the B1 District; it includes buildings that range from 1,760 to 2,390 sq. ft. in size, with a total building footprint of 8,455 sq. ft. Moreover, many of the existing non-residential buildings in the B1 District are located adjacent to residential uses. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on community character.

16. The Town Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, 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)

617.6

State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Hutchins Cottage

Whereas, the Town of Red Hook Planning Board is in receipt of Special Permit application from Paul Hutchins to construct a cottage on a $\pm$ 10.22 acre parcel of land located at 230 Linden Avenue in the R1.5 Zoning District, Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated March 18, 2018 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 an Unlisted action; and

Whereas, the Planning Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Planning Board has determined that there may be other involved and/or federal agencies on this matter including the Dutchess County Department of Health and the Town of Red Hook Zoning Board of Appeals.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

On a motion by Bill Hamel, seconded by Brian Kelly, and a vote of 4 for, and 0 against, and 2 absent, this resolution was adopted on April 2, 2018.