

draft
**Town of Red Hook
Planning Board
Meeting Minutes
July 12, 2004**

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:38 p.m. by Chair Paul Thomas and a quorum determined present for the conduct of business.

Members present—John Hardeman, Christine Kane, Mary Lou Muirhead, Sam Phelan, and Chair Paul Thomas. Paul Telesca and David Wright were absent.

BUSINESS SESSION

The minutes of the June 21, 2004 meeting had been sent to the Board members and reviewed. Mary Lou Muirhead made a motion to accept the minutes. The motion was seconded by John Hardeman, and all the members were in favor.

The Chair said that he would be out of town for the August 2, 2004 meeting. Sam Phelan was chosen to be Acting Chair for that meeting.

The Chair announced two changes in the agenda. Board discussion of the Kidz Kare Day Care Center had been postponed until a later date. A lot line change and map substitution amending the conditional final approval, granted December 1, 2003, of the Stephen Buscarino minor subdivision had been added to the agenda. Additionally, the Board would hear the presentation of a new application for a minor subdivision, Meadow Brook Estates.

The Chair asked Board members to let the Clerk of the Board know whether they would be attending the remaining summer meetings scheduled for August 2, 2004 and August 16, 2004. A sufficient number of members indicated that they would be present for those two meetings.

Finally, the Chair read a letter from Town Supervisor Marirose Blum Bump asking the Planning Board to nominate one of its members to sit on the Farmland Protection Committee. The Board nominated John Hardeman, and he agreed to take that position.

PUBLIC HEARINGS

Lisa Herman – 175 Lasher Road – Special Use Permit and Site Plan.

Lisa Herman appeared before the Board in a continuation of the public hearing opened on June 21, 2004. The applicant seeks a Special Use Permit and Site Plan Approval to authorize the establishment of a riding academy and boarding stable on a 30-acre parcel at 175 Lasher Road within the RD3 and Certified Agricultural Districts. Ms. Herman submitted elevations and photographs of the barn she would like to erect and a letter from Dave Weber of Pavilion Relocatable Buildings describing the materials to be used.

The Chair asked for comments from the public. There were none.

The Chair then read a letter from the Dutchess County Department of Planning and Development which supported the nature of the proposal but which asked for elevations of the proposed barn and a drawing of the proposed sign.

The Chair read Town Engineer Dan Wheeler's report, which raised several technical issues. The Chair suggested that Ms. Herman give a copy of Mr. Wheeler's report to her engineer. He also gave Ms. Herman a site plan checklist so that she could see what documents still remain outstanding.

Robert McKeon suggested that the Agricultural Advisory Committee could be helpful in a review of the project. The Chair said that the file would be available in the Town Clerk's office.

The public hearing was continued with no specific date.

James and Sonia Crane – 151 Stony Brook Road / Intersection with NYS Route 9G – Subdivision Plat

Before discussion of this matter began, the Chair recused himself and Sam Phelan became Acting Chair.

James Crane and Marie Welch, L.S., were present to support an application for the creation of a 5.0+acre existing house (and barns) lot from a 128-acre parcel (TMP 6175-00-651554) within the RD5 and Certified Agricultural Districts.

The Acting Chair reviewed the previous discussions and actions by the Board in this matter. He then read the Public Hearing notice that appeared in the Kingston Daily Freeman on July 6, 2004 and opened the public hearing. There were no public comments.

Ms. Welch explained how the proposal complies with the 1-lot exception allowed under the farm law and also with the 5-acre lot minimum required under the Zoning Code. Mr. Crane said the remaining parcel would continue to be used as active agricultural land.

The Acting Chair closed the public hearing. He then read the short EAF part 1 and, with input from the Board, completed part 2.

Mary Lou Muirhead made a motion to adopt an offered resolution granting conditional subdivision plat approval. Christine Kane seconded the motion and all voting members were in favor. A copy of this resolution is attached to, and made part of, these minutes.

Fred Cartier – Starbarrack Road – Subdivision Plat

Marie Welch, L.S., was present on behalf of clients Cartier, Wambach and Martin / Roy who sought Subdivision Plat Approval for intended lot line alterations and a grant of access easement affecting Lots 1 through 4, Filed Map 5179, on Starbarrack Road in the RD3 District.

The Chair read the public hearing notice that appeared July 6, 2004 in the Kingston Daily Freeman and opened the public hearing.

Ms. Welch explained that the lot line changes would enable each land owner to have his own driveway on his property.

Since there was no comment from the public, the Chair closed the public hearing. He then read the short EAF part 1 and, with input from the Board, completed part 2.

The Chair then summarized an offered resolution granting conditional final approval to the lot line alteration. John Hardeman made a motion to adopt the resolution, and Mary Lou Muirhead seconded the motion. All members voted in favor. A copy of this resolution is attached to, and made part of, these minutes.

OLD BUSINESS

Stephen Buscarino – NYS Rte. 9G and West Kerley Corners Rd. – Subdivision

Marie Welch, L.S., appeared before the Board to request a small lot line change for Mr. Buscarino's 3-lot minor subdivision, thus amending the plat maps and the conditional final approval granted by the Board on December 1, 2003. The change would be necessary to comply with set-back regulations for the driveway to the proposed Kidz Kare Day Care Center which is under consideration by the Board.

The Board by consensus determined that the same conditions that applied to the previous approval would apply to the amended approval.

The Chair read an offered resolution to that effect. Mary Lou Muirhead made a motion to accept that resolution, and Sam Phelan seconded the motion. All were in favor. A copy of this resolution is attached to, and made part of, these minutes.

Kenneth and Evelyn Anderson – Baxter Road – Subdivision Sketch Plan

Before Mr. Anderson presented his sketch plan, John Clarke, senior planner from the Dutchess County Office of Planning and Development, gave a presentation showing a possible comprehensive plan for the southeast quadrant of the Town in general and for the Andersons' property in particular. The goals of the plan, he said, were to relieve traffic congestion on NYS Rte. 9 and also to provide an attractive and feasible build-out scenario which would maximize open space and still meet housing and community needs. With respect to the Andersons' property, Mr. Clarke's plan included clustering single family, townhouse and apartment units on the northern portion of the parcel and retaining a portion of the land as open space, perhaps for use as a park.

Ken Anderson then appeared before the Board in support of an application which would create an approximately 35-acre 'homestead parcel', a 47-acre to 50-acre 'remaining lands parcel', and a 1.1-acre 'annexation parcel' for transfer to J. Alessi for consolidation with Lot 2 off Glen View Road.

The Chair read a referral response from the Agricultural Advisory Committee, a copy of which is attached to, and made part of, these minutes.

The Board generally agreed that it would favor a build-out plan such as the one presented by Mr. Clarke and that it would defer implementation of section 143-47(D) of

the Zoning Code relating to important farmlands until the buyer of the “remaining lands” parcel appeared before the Board with a development plan.

Christine Kane made a motion to adopt an offered resolution endorsing the sketch plan. John Hardeman seconded the motion, and all members were in favor. A copy of that resolution is attached to, and made part of, these minutes.

Carellaland/ Meadow Brook Estates – Norton Road – Subdivision Sketch Plan

Charles Brown, P.E., and Robert Stumbo appeared before the Board in support of an application to create four (4) residential building lots from a 20.08 acre parcel on Norton Road in the R1 District.

The Chair raised some initial questions about the site and the proposed plan. The Water Resources Map showed two municipal wells on the property and one more immediately adjacent. In addition, Mr. Brown was asked whether the proposed new road intended to serve the new lots was to be a private or a public road. Mr. Brown indicated that the applicant originally intended for the road to be public but that it could be made private. The Board discussed the practical implications of the proposed cul de sac arrangement. The consultant’s notes also indicated that the applicant intended to divert a stream on the property.

The Board determined that the application and plans should be referred to the Town Water Board, the Town Highway Superintendent, the Red Hook Fire Chief and the Town Engineer. The Board further decided that the Town engineer should conduct a site visit as will the Chair and Sam Phelan. When reports have been received from the involved departments and consultants, the matter will be placed on a future agenda.

GENERAL DISCUSSION

The Board discussed generally the visual impact of projects and developments. In his presentation, John Clarke had commented that the Dutchess County Office of Planning and Development had a list of consultants, including architects, available to assist Planning Boards in their deliberations. The Board then discussed the possible visual impact of the proposed Kidz Kare Day Care Center and considered ways to evaluate and to mitigate that impact.

The Board by consensus determined that the applicant should stake out the building site for visual reference, using stakes of the height of the proposed facility. Second, the Board would require the applicant to move the sign to the driveway area. Third, the applicant must supplement the landscaping to better screen the building from the intersection, without obstructing the traffic line of sight. Finally, the Board would refer the building design to an architect suggested by the DCPD for additional recommendations.

ADJOURNMENT

Upon being advised by the Chair that there was no further business to come before the Board, Christine Kane made a motion to adjourn. John Hardeman seconded the motion, and all members present were in favor. The Chair adjourned the meeting at 10:15 p.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk to the Planning Board

Attachments

Resolution granting Conditional Final Plat Approval to Sonia and James Crane

Resolution granting Conditional Final Plat Approval to Fred Cartier, Richard Wambach,
Laura Martin and Rishin Roy

Resolution Amending Conditional Final Plat Approval of the Stephen Buscarino Minor
Subdivision

Resolution granting Sketch Endorsement to Kenneth and Evelyn Anderson

Referral Response from the Agricultural Advisory Committee

July 12, 2004

Town of Red Hook Planning Board

Resolution Granting Conditional Final Approval in the Matter of the James and Sonia Crane Minor 2-Lot Subdivision on Old Route 9G and Stony Brook Road in the RD 5 and Certified Agricultural Districts.

The Town of Red Hook Planning Board hereby acts as follows on the Application by James and Sonia Crane to authorize creation of a 5.018-acre existing house (and barns) lot from a 128-acre parcel (TMP 6175-00-651554) situate on NYS Route 9G, Old Route 9G and Stony Brook Road in the RD5 and Certified Agricultural Districts, all as depicted on a Survey Map entitled "Minor Two Lot Subdivision Prepared for James Crane" prepared by Marie T. Welch, L.S., and dated May 26, 2004:

1. Determines upon review of the EAF Part 1, completion of EAF Part 2 and in consideration of both the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR and the objectives stated within the Town's Zoning Law relating to the preservation of 'important farmlands' that the Proposed Action, an 'Unlisted Action' under SEQRA, will cause no potential significant adverse effects on the environment and, thus, issues a Negative Declaration deeming an environmental impact statement to not be required.
2. Grants Subdivision Plat Approval for the James and Sonia Crane Minor 2-Lot Subdivision as depicted by the above-cited Survey Map and authorizes the Chair to stamp and sign the Subdivision Plat upon the Applicant's satisfaction of each of the below conditions and requirements within the next one hundred eighty (180) calendar days:
 - Stamping of the Subdivision Plat as a 'non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
 - Submission of Subdivision Plat drawings in the number and form specified under the Town's Land Subdivision Regulations.

Roll Call Vote:

Member John Hardeman	yes
Member Christine Kane	yes
Member Mary Lou Muirhead	yes
Member Sam Phelan	yes
Member Paul Telesca	absent
Member David Wright	absent
Chairman Paul Thomas	abstained

Resolution declared: **APPROVED**

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

Paula Schoonmaker, Deputy Clerk to the Board

Date

July 12, 2004

**Town of Red Hook Planning Board
Resolution Granting Conditional Final Approval in the Matter of the Cartier,
Wambach and Martin/ Roy Subdivision and Lot Line Alteration on
Starbarrack Road in the RD3 District.**

The Town of Red Hook Planning Board hereby acts as follows on the Application by Fred Cartier on behalf of Cartier, Wambach and Martin / Roy for Sketch Plan Endorsement and Subdivision Plat Approval to authorize lot line alterations and the grant of a driveway access easement affecting Lots 1 through 4 of Filed Map 5179, situate on Starbarrack Road in the RD3 District, and depicted on a Survey Map entitled 'Amendment to File Map No. 5179 / Lot Line Alteration prepared for Cartier, Martin & Roy, and Wambach' prepared by Marie T. Welch, L.S., and dated May 26, 2004, and accompanied by certification from Ms. Welch that no minimum setback requirement for a building, a sanitary sewage system, a water supply well, or other improvement will become non-complying, or be made more non-complying, as a result of the intended lot line alterations:

1. Determines upon review of the EAF Part 1, completion of EAF Part 2 and in consideration of the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR that the Proposed Action, an 'Unlisted Action' under SEQRA, will cause no potential significant adverse effects on the environment and, thus, issues a Negative Declaration deeming an environmental impact statement to not be required.
2. Grants Subdivision Plat Approval for the 'Cartier, Wambach and Martin / Roy -- Minor Subdivision / Lot Line Alteration / Resubdivision of Lots 2 through 4, Filed Map 5179' as depicted on the above-cited Survey Map and authorizes the Chair to stamp and sign the Subdivision Plat upon the Applicant's satisfaction of each of the below conditions within the next one hundred eighty (180) calendar days:
 - Stamping of the Subdivision Plat as a 'non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
 - Submission of satisfactory drafts of consolidation, or merger deeds, which deeds are required to be recorded in the Dutchess County Clerk's Office upon transfer of Parcels B and C to their intended owners so as to obviate what otherwise would be

authorization of the creation of non-complying parcels through this Subdivision Plat Approval.

- Submission of a satisfactory draft of a driveway access easement in favor of Lot 1, which easement is required to be recorded in the Dutchess County Clerk's Office.
- Submission of Subdivision Plat drawings in the number and form specified under the Town's Land Subdivision Regulations.

In taking this action, the Planning Board has determined no additional residential lots or building sites are being created and, thus, finds the provisions within the Land Subdivision Regulations requiring either the set-aside of park, recreation or other open space land, or the making of an alternative cash-in-lieu-of-land payment, to not apply to this Subdivision.

Roll Call Vote:

Member John Hardeman	yes
Member Christine Kane	yes
Member Mary Lou Muirhead	yes
Member Sam Phelan	yes
Member Paul Telesca	absent
Member David Wright	absent
Chairman Paul Thomas	yes

Resolution declared: **APPROVED**

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

Paula Schoonmaker, Deputy Clerk to the Board

Date

July 12, 2004

**Town of Red Hook Planning Board
Resolution Amending Conditional Final Subdivision Plat Approval for the
Stephen Buscarino Minor Subdivision by Substituting the Subdivision Map
revised to July 7, 2004 for the previous Map revised to November 25, 2003**

The Town of Red Hook Planning Board hereby further amends its resolution of December 1, 2004, as previously amended on May 17, 2004, through grant of time extension to August 27, 2004, for satisfaction of conditions precedent to stamping and signing of the Subdivision Plat by the Chair, by substituting the 'Subdivision Map prepared for Stephen M. Buscarino' by Marie T. Welch, L.S., dated September 10, 2003, and revised to July 7, 2004, for the previously referenced issue dated September 10, 2003, and revised to November 25, 2003.

Roll Call Vote:

Member John Hardeman	yes
Member Christine Kane	yes
Member Mary Lou Muirhead	yes
Member Sam Phelan	yes
Member Paul Telesca	absent
Member David Wright	absent
Chairman Paul Thomas	yes

Resolution declared: **APPROVED**

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

Paula Schoonmaker, Deputy Clerk to the Board

Date

July 12, 2004

Town of Red Hook Planning Board

Resolution granting Sketch Endorsement to the Kenneth and Evelyn Anderson Minor 2-Lot Subdivision and Lot Line Alteration on Baxter Road, Glen Ridge Road, Glen View Road and Fisk Street in the R1 and Certified Agricultural Districts.

The Town of Red Hook Planning Board hereby acts as follows on the Application by Kenneth and Evelyn Anderson for Sketch Plan Endorsement for the creation of an approximately 35-acre 'homestead parcel' on Baxter Road, a 47-acre to 50-acre 'remaining lands parcel' (some 8.93 acres of which is located within the Village of Red Hook) on Baxter Road and Fisk Street, and a 1.1-acre 'annexation parcel' for transfer to J. Alessi, owner of Lot 2 off Glen View Road, from their approximately 85-acre property on Baxter Road, Glen Ridge Road, Glen View Road and Fisk Street in the R1 and Certified Agricultural Districts:

1. Endorses the above-described proposed layout as depicted on a Sketch Plan prepared by Mr. Anderson, titled 'Property of K.A. and E.M. Anderson', and received by the Planning Board Office on July 6, 2004.
2. Classifies the intended subdivision as a 'Minor 2-Lot Subdivision / Lot Line Alteration' and the Proposed Action as an 'Unlisted Action' under SEQRA.
3. Authorizes the submission of an Application for Subdivision Plat Approval, including a Survey Map of the proposed subdivision and to the extent such may have not already been provided or may require modification a Short EAF and Agricultural Data Statement.

In taking this action the Planning Board understands that no development of any of the parcels that would be created through approval of this Subdivision is presently being proposed and advises that any development, if ever proposed, would be considered under both pertinent Town (and/or Village) regulations, including the Zoning Law and Land Subdivision Regulations, and SEQRA.

Roll Call Vote:

Member John Hardeman	yes
Member Christine Kane	yes
Member Mary Lou Muirhead	yes
Member Sam Phelan	yes
Member Paul Telesca	absent
Member David Wright	absent
Chairman Paul Thomas	yes

Resolution declared: **APPROVED**

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

Paula Schoonmaker, Deputy Clerk to the Board

Date