

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
September 19, 2011

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:32 p.m., and a quorum was determined present for the conduct of business.

Members present — Chair Christine Kane, members Kris Munn, Sam Harkins, Sam Phelan and Charlie Laing and alternate Brian Walker. Members Wil LaBossier and Pat Kelly were absent. Also present were Planners Ted Fink and Michele Greig.

(Ted Fink was present through the discussion of the first two projects. At the conclusion of those discussions, he left the meeting).

BUSINESS SESSION

The August 15, 2011 draft minutes had been circulated among the members and reviewed. Kris Munn made a motion to adopt the minutes. Charlie Laing seconded the motion, and all members present voted in favor.

Christine Kane reminded the Board about the Centers and Greenspaces Zoning Amendments Training session to be given on Wednesday, October 5 at 7:30 p.m. at the Town Hall.

PUBLIC HEARINGS

Mulpeter/Glickenhause - 24 & 26 Elm Street – Lot Line Alteration

Mark Graminski, P.E., and Kim Mulpeter were present for the public hearing on an application for a Lot Line Alteration to swap 0.074 acres between a 1.47-acre parcel and the adjoining 3.96-acre parcel, in the R1.5 Zoning District.

Christine Kane read the public hearing notice that appeared September 13, 2011 in the Kingston Daily Freeman.

Mark Graminski explained the project saying that it involved an equal acreage swap and that the purpose was to provide adequate setbacks for the swimming pool, accessory structures and a corner of the paved driveway. He said that the acreage of each lot would remain the same, that the septic systems had been located on the map, and that all improvements conformed to the Town's bulk regulations.

Since the Board had completed the EAF part 2 at the previous meeting, Kris Munn made a motion that the Board issue a Negative SEQR Declaration for the project. Sam Harkins seconded the motion, and all members present voted in favor.

There were no comments from the public, so Kris Munn made a motion to close the public hearing. Charlie Laing seconded the motion, and all members present voted in favor.

The Board then reviewed a draft resolution granting approval to the project. After the Board revised a condition regarding the acreage of the parcels, Kris Munn made a motion to adopt the resolution as revised. Charlie Laing seconded the motion, and all members present voted in favor.

REGULAR SESSION- NEW BUSINESS

Greig Farm, Inc. – 128 Pitcher Lane – Special Permit

Norman Greig was present with an application for a Special Permit to allow an existing farm airplane runway on two parcels totaling 123.4 acres in the AB (Agricultural Business) Zoning District.

Mr. Greig explained that he had requested a letter from the Building Inspector confirming the grandfathered status of the 2400' long airplane runway that Mr. Greig said had been used since the 1950's. There was some question about whether the runway could be shown to have been in "continuous use" as defined by the Zoning regulations, so Mr. Greig had chosen to apply for a special permit.

Ted Fink said that the special permit also required site plan approval but that the Board had discretion about the level of site plan review needed. Mr. Greig confirmed that there were no lights, signs, structures or parking areas involved with this runway, and the Board generally agreed that minimal site plan review was necessary.

Mr. Greig said that he did not spray his crops. He said that he used the plane to broadcast seed.

Mr. Fink noted that the Zoning regulations require a 300 ft. buffer between a runway and any property lines or roads. The Board agreed with Mr. Greig that since the properties within 300 ft. of the runway all belonged to Greig Farm, proximity to any nearby property lines would not be a problem. However, the Board noted that the runway as drawn on Mr. Greig's map stretched from Pitcher Lane to Rockefeller Rd. Mr. Greig said that because of the bowl-shaped topography of the land, he needed that length to safely take off and that removing 300 ft. from each end would make his take-offs riskier. He said that the tail of the plane would be directed at the road during take-off and that there would be no air backwash from the propeller to the road.

The Board advised Mr. Greig to request a variance from the ZBA for relief from the 300 ft. buffer at each end of the runway. The Board also requested Mr. Greig to submit a letter describing in what ways the runway is and has been integral to his farm operation and relating the history of the runway, especially before the enactment of the Red Hook Zoning regulations in the 1970's.

(At this point, Ted Fink left the meeting, and Michele Greig arrived)

Stuart & Lisa Kamke – 16 Old Post Rd. North (Upper Red Hook) - Certificate of Appropriateness

Stuart and Lisa Kamke were present with an application for a Certificate of Appropriateness to add additional living space to an existing residence on a 3.0-acre parcel in the H (Hamlet) Zoning District.

Ms. Kamke said that the addition would use an existing bedroom of the house and would be built according to handicapped-accessible guidelines. She said that a bathroom and kitchenette would be part of the project and that there would be an access/exit through a door to the deck.

Some members of the Board asked why this addition was not an accessory apartment or whether it made the house a two-family dwelling. Michele Greig said that since the applicants were not going to install an oven, the new space would not be considered to contain “complete housekeeping facilities” and could be classified as simply an addition, not a separate dwelling.

Sam Harkins made a motion to classify the project as a Type 2 action under SEQR, not subject to further environmental review. Charlie Laing seconded the motion, and all members present voted in favor.

The Board then asked that the applicants submit additional information about the building materials and other design details. The Board agreed that once the information was received, the project would be referred to the Hamlet/Design Review Committee.

The Board then scheduled a public hearing for October 17, 2011.

REGULAR SESSION- OLD BUSINESS

Hilda MacDonald Trust/Brookmeadow (Steiner Farm) – 324 Budds Corners Rd. – Sketch Plan for Minor Subdivision

Realtor Kevin Battistoni was present for continued discussion of an application for Sketch Plan approval to subdivide one (1) 4.24-acre lot from a $\pm$ 228-acre parcel in the AB (Agricultural Business) Zoning District.

Mr. Battistoni reviewed the discussion from the August 1, 2011 Planning Board meeting. He said that the proposed subdivision was allowed under the conservation easement and that now the question was whether it was allowed under the new zoning regulations.

Christine Kane said that the matter had been referred to the Town Attorney’s office and that it appeared from case law that the land already under easement could be considered open space for the purposes of this subdivision. As such, she said, the proposed subdivision would comply with Town Subdivision regulations.

Asked about the prospect of further subdivision, Mr. Battistoni said that the 4.24-acre parcel would not be further subdivided and that the 80+ acres could be further subdivided but there could be no building other than farm structures. The Board asked that notes to that effect be added on the plat.

Michele Greig noted that the zoning regulations required a buffer between new residential building envelopes and agricultural land. She said that since there would likely be not enough land on the proposed new residential parcel to provide this buffer, trees or tall shrubs could be planted along the south side. She also said that after subdivision, the large conserved farm lot would have no building envelope for a residence.

The Board reminded Mr. Battistoni that Health Department approval would be needed as would Highway Department approval for a curb cut and the payment of a recreation fee.

The Board determined the project to be an Unlisted action under SEQR. Charlie Laing made a motion to establish the Board as lead agency for the SEQR review. Kris Munn seconded the motion, and all members present voted in favor.

The Board then completed the EAF part 2.

Mr. Battistoni said that a newly-found wetland feature had to be mapped and included on the map. He would contact the planning office when the applicants were ready for a public hearing.

Pieter Estersohn – 451 Budds Corners Road – Sketch Plan for Minor Subdivision

Pieter Estersohn and surveyor Bob Zimmerman were present for continued discussion of an application for Sketch Plan approval to subdivide one (1) 3-acre residential lot from a 25.4-acre parcel in the AB (Agricultural Business) Zoning District.

Christine Kane said that she and Pat Kelly had visited the site along with Mr. Estersohn, Mr. Zimmerman and John Vincent. She said that all had agreed on a new proposed parcel location and that all had agreed that the small lot across the street should be included in the new parcel.

The Board then reviewed the floor plan of the small existing cottage on the large parcel and agreed that it was within the size parameters allowed for an accessory cottage. Mr. Estersohn said that the cottage was one story.

Christine Kane then explained that a conservation easement must be placed on the remaining land and that Health Department approval must be obtained for the new proposed lot.

The Board asked Mr. Estersohn to submit a letter from a land trust indicating a willingness to hold the conservation easement.

Bard College/ Avery Blum Addition/ Bito' Conservatory – Blithewood Ave. – Site Plan

Ray Jurkowski of Morris Associates and Chuck Simmons of Bard College were present for continued discussion of an application for Site Plan approval to construct a two-story 16,500 sq. ft. addition to the existing Avery Blum Building, on a 301.7-acre parcel in the I (Institutional) Zoning District and in the National Historic Landmarks District.

Mr. Jurkowski said that the College had submitted a letter from its archaeologist Christopher Lindner regarding the site of the proposed building. He said that the letter confirmed that the site had previously been reviewed and/or disturbed to the extent that no further archaeological review was necessary. The Board generally agreed to accept Mr. Lindner's assessment since he was so familiar with the site.

The Board then reviewed a comment letter from the Town Engineer that said he was satisfied with the proposed plans.

The Board then turned to the proposed lighting. Christine Kane noted that the fixtures proposed were not fully shielded. Mr. Simmons said that shields would be purchased and added to the fixtures. He said that this combination had been used successfully along Campus Road.

Mr. Jurkowski said that the College would submit a photometric plan that included the average foot candles across the parking lot. He said that College would also submit a landscaping plan that included the means by which the mature Red Bud tree would be protected during construction.

The Board then reviewed the applicants' Local Waterfront Revitalization Program form and found the project to be consistent with the Town's LWRP.

After the members completed the EAF parts 2 and 3, Kris Munn made a motion to issue a Negative SEQR Declaration for the project. Charlie Laing seconded the motion, and all members present voted in favor.

The Board then reviewed a draft resolution granting site plan approval to the project. Kris Munn made a motion to adopt that resolution. Sam Harkins seconded the motion, and all members present voted in favor.

Bard College/ Practice Room Facility – Ravine Road – Site Plan

Ray Jurkowski of Morris Associates and Chuck Simmons of Bard College were present for continued discussion of an application for Site Plan approval to construct a one-story 1,683 sq. ft. music practice facility, on a 301.7-acre parcel in the I (Institutional) Zoning District and in the National Historic Landmarks District.

The Board reviewed documents written by archaeologist Christopher Lindner regarding the site for the proposed project. Mr. Simmons said that Mr. Lindner had discovered the foundation of an old carriage house that would be impacted by the construction. As a result, he said, the College had moved the proposed practice facility building back 28 ft.

Christine Kane reminded the Board that since the project was a Type 2 action under SEQR, no LWRP consistency designation or further environmental review was necessary.

Kris Munn then made a motion that the Board adopt a resolution granting site plan approval for the project. Sam Harkins seconded the motion, and all members present voted in favor.

Oaks at Lakes Kill – Feller Newmark Road – Preliminary Major Subdivision

Mitch Markay and Mike Bodendorf were present for continued discussion of an application for preliminary subdivision plat approval to create 12 lots on a + 100.45-acre parcel in the AB (Agricultural Business) Zoning District.

Mr. Bodendorf said that the number of lots that would be allowed under the new zoning was of utmost importance to the applicants. Michele Greig said that the large parcel was in the new AB district, and a smaller parcel had remained in the RD3 Zoning District.

Michele Greig said that in the AB Zoning District, one dwelling unit per 10 acres was allowed, with no deductions for unbuildable features such as wetlands or steep slopes. She said that the definition of wetlands now included the 100 ft. buffer and now included federal wetlands as well as DEC wetlands. She said that unbuildable features would still be deducted from the gross acreage in the RD3 Zoning District.

Mr. Markay said that the applicants had spent time and money on reports and analyses over the past months and did not want to have to re-do all that work. Michele Greig said that she believed that the applicants were referring to the development of a resource analysis map, which was now the first requirement for those seeking approval of a major subdivision.

The members generally agreed that the documents already submitted would fulfill the requirement for the development of a resource analysis map.

Charlie Laing then made a motion that the Board authorized habitat consultant Dr. Michael Klemens to review and submit comments regarding the applicants' Ecological Investigations Report. Sam Harkins seconded the motion, and all members present voted in favor. Michele

Greig said she would ask Dr. Klemens to submit his comments by the October 3rd meeting. Sam Phelan asked that Dr. Klemens specifically review the vernal pools and their buffer areas.

Mr. Bodendorf repeated that the applicants were most concerned about the lot count under the new zoning regulations. Michele Greig said that the cluster regulations still allowed lots to be as small as approvable by the County Health Department.

Asked about the community septic system, Mr. Markay said that the applicants had received a Memo of Understanding from Dutchess County Water and Wastewater.

OTHER BUSINESS

Anderson Commons – Attorney

Christine Kane summarized a letter from Pete Setaro who said that new applications for the Anderson Commons project would soon be presented to the Town and Village Planning Boards. He asked that the Town Planning Board use as its legal consultant the firm of Rapport, Myers and Whitbeck since that firm acts as legal advisor to both the Town and the Village.

ADJOURNMENT

Since there was no further business to come before the Board, Sam Harkins made a motion to adjourn. Kris Munn seconded the motion, and all members present voted in favor.

Respectfully submitted

Paula Schoonmaker

Attachments

Negative SEQR Declaration for the Mulpeter/Glickenhause Lot Line Alteration
Resolution granting Lot Line Alteration approval to Kim Mulpeter and Alan & Lisa Glickenhause
Negative SEQR Declaration for the Bard College Avery Blum Expansion/ Bito Conservatory
Resolution granting Site Plan approval to the Bard College Avery Blum Expansion/ Bito Conservatory
Resolution granting Site Plan approval to the Bard College Practice Room Facility

617.7
State Environmental Quality Review (SEQR)
Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: September 19, 2011

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: Kim Mulpeter/ Alan & Lisa Glickenhause Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant proposes to swap a total of 0.074 acres between the 1.47-acre parcel belonging to Kim Mulpeter and the 3.96-acre parcel belonging to Alan and Lisa Glickenhause.

Location: 24 and 26 Elm Street, Town of Red Hook, Dutchess County NY

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form (EAF) for the action dated August 4, 2011, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

For Further Information:

Contact Person: Betty Mae Van Parys, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)

Resolution Granting Final Subdivision Approval to Kim S. Mulpeter and Alan and Lisa Glickenhause

Name of Project: Mulpeter/Glickenhause Lot Line Alteration

Name of Applicant: Kim S. Mulpeter and Alan and Lisa Glickenhause

Date: September 19, 2011

Whereas, the Town of Red Hook Planning Board has received an application for a Lot Line Alteration from Kim S. Mulpeter and Alan and Lisa Glickenhause involving two parcels of land, $\pm$ 1.47 acres and $\pm$ 3.96 acres in size, located at 25 and 24 Elm Street (Tax Map Parcel Nos. 6273-00-081522 and 6273-00-052522) in the R1.5 District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Subdivision Plat prepared by Robert L. Campbell LS dated August 2, 2011 and revised August 14, 2011; and

Whereas, on August 15, 2011, the Planning Board declared itself the lead agency for the purpose of conducting an uncoordinated review of an Unlisted action pursuant to SEQR; and

Whereas, on August 15, 2011, the Planning Board, in consideration of the Short Environmental Assessment Form (EAF) dated August 4, 2011 and revised August 15, 2011 and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c) determined that the proposed action will not cause any potential significant adverse impact on the environmental, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, on September 19, 2011, the Planning Board conducted a public hearing on the Subdivision application, at which time all interested persons were given the opportunity to speak; 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 grants Subdivision approval to Kim S. Mulpter and Alan and Lisa Glickenhause in accordance with the plans and specifications heretofore submitted upon the following conditions:

- a. The applicant shall revise the plat to correct the zoning legend and tax map parcel number as discussed in items #4, and 5 in the GREENPLAN memo dated September 16, 2011.

- b. The applicant shall verify that the corners of the tract in the affected areas have been marked by monuments or steel rods, as approved by the Town Engineer.
- c. Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town's Subdivision Regulations, including all required stamps and signatures.
- d. The applicant shall reimburse the Town for any outstanding fees due and owing for the review of this application.

In taking this action, 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.

On a motion by Kris Munn, seconded by Charlie Laing, and a vote of 5 for, 0 against, and 2 absent, this resolution was adopted on September 19, 2011.

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

Paula Schoonmaker, Deputy Clerk to the Board

Date

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: September 19, 2011

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: Bard College Avery-Blum Expansion (Bito Conservatory)

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The proposed action encompasses an application by Bard College for Site Plan Approval by the Town of Red Hook Planning Board and related permits, approvals and compliance determinations by other involved agencies for the construction of a 16,500 square foot expansion of an existing campus building and associated site development and improvements including walkways, lighting, landscaping, development of a geothermal well field, parking lot reconfiguration, and utility re-routing on an approximately 1.25 acre project site within the 550 acre Bard College "Educational Campus" in the Town's Institutional (I) Zoning District.

Location: Blithewood Avenue, Town of Red Hook, Dutchess County NY

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form (EAF) for the action dated April May 26, 2011, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The project site is located in the Hudson River National Historic Landmark District, which is on the State and National Registers of Historic Places, and within an area that has been identified as sensitive for archaeological resources. The proposed area of disturbance is located in an area that has already been graded one to six feet, into post-glacial clay deposits that could not contain cultural materials. The areas slated for renewed or additional disturbance are covered in two Phase 2 reports prepared for Bard College by Christopher Lindner PhD and Archaeologist in Residence at Bard College entitled "Evaluation of Three Archaeological Sites at the Proposed Bard College Performing Arts Center" (1999) and "Archaeology of the Bard 5 or Music Building Site, Bard College: A Supplemental Stage 2 Site Evaluation Report" (2003) that were written for cultural resource management purposes in conformity with the Standards of NYS Office of Parks, Recreation and Historic Preservation (OPRHP) and NYS Department of Environmental Conservation (DEC). These reports document previous archaeological coverage of the proposed building footprint, plus the additional parking, driveway, sidewalk, and well field areas. The two rounds of testing cleared the areas for disturbance and identified no need for further archaeological studies. Based on the foregoing, the project will not have a significant adverse environmental impact on cultural resources.
4. The project site is located within the Town's Local Waterfront Revitalization Area. In accordance with Section V.C.1 of the Town's Local Waterfront Revitalization Program (LWRP), the Planning Board has reviewed the LWRP policies and has determined that the proposed action is consistent with the coastal policies. **For**

Further Information:

Contact Person: Paula Schoonmaker, Planning Board Deputy 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)
Bard College (applicant)
Sue T. Crane, Town Supervisor
Town of Red Hook Town Board
Dutchess County Health Department
NYS Department of Environmental Conservation
NYS Office of Parks, Recreation, and Historic Preservation
Hudson River Heritage

Resolution Granting Site Plan Approval to Bard College Avery-Blum Expansion (Bito Conservatory)

Name of Project: Bard College Avery-Blum Expansion (Bito Conservatory)

Name of Applicant: Bard College

Date: September 19, 2011

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Bard College to construct a $\pm$ 16,500 square foot expansion of an existing campus building and associated site development and improvements on a $\pm$ 1.25 acre project site within the $\pm$ 550 acre Bard College Educational Campus (Tax Map Parcel No. 134889-6173-00-400720-0000) in the Institutional (I) Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted Elevations prepared by Deborah Berke & Partners Architects LLP (4 Sheets dated July 7, 2011) and a Site Plan prepared by Morris Associates, PLLC dated as follows: Sheets EX-1, SP-1, GU-1, UP-1, LT-1, LS-1, EC-1, and DT-1 through DT-4 dated May 26, 2011 and revised July 8, 2011, July 14, 2011, August 15, 2011, and September 1, 2011, and Sheet E-010 dated July 18, 2011; and

Whereas, the proposed action substantially conforms with the Bard College Master Plan Update dated February 2005 for which an amended Special Use Permit was issued by the Planning Board in February 2005, and therefore a new application for a special use permit is not required and only site plan review and approval by the Planning Board in accordance with the requirements of Article VII of the Zoning Law is required; and

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

Whereas, the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department determined in its review dated July 21, 2011 that the project was a matter of local concern; and

Whereas, the Planning Board has reviewed the Town's Local Waterfront Revitalization Program (LWRP) plan in accordance with Section V.C.1 of the LWRP and has determined that the proposed action is consistent with the coastal policies; and

Whereas, on July 20, 2011, the Planning Board, after duly circulating the project application and Full Environmental Assessment Form (EAF) to all Involved Agencies, was designated the lead agency for the purpose of conducting a coordinated review of a Type 1 action pursuant to SEQR; and

Whereas, on September 19, 2011, the Planning Board, in consideration of the Full EAF and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c) determined that the proposed project will not cause any potential significant adverse impacts on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, on August 15, 2011, the Planning Board conducted a public hearing on the Site Plan application at which time all interested persons were given the opportunity to speak; 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 grants Site Plan approval to Bard College to construct the Bito Conservatory in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Planning Board Chairwoman:
 - e. The applicant shall obtain the permits and approvals listed on page 5 of the EAF.
 - f. The applicant shall verify that the proposed lighting levels for the parking lots are consistent with the Town's outdoor lighting regulations.
 - g. The plans shall be revised to show fully shielded roadway lighting.
 - h. The plans shall be revised to include a detail indicating how the existing Red Bud tree will be protected during construction.
 - i. 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.
 - j. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.

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 Inspector. The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

2. The following are general conditions which shall be fulfilled throughout the construction and operation of the project:
 - A. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant and contained in the Full EAF and the negative declaration adopted by the Planning Board on September 19, 2011 shall be considered conditions of this Site Plan Approval.
 - B. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.
 - C. A Certificate of Occupancy (CO) will not be issued until all proposed improvements have been completed in accordance with the approved Site Plan. In the event that a CO is requested prior to completion of all proposed landscaping, a cash bond, undertaking, irrevocable letter of credit, or other security or performance guarantee satisfactory to the Town Attorney and Town Engineer, will be posted to ensure completion of the landscaping in accordance with the approved Site Plan.

In taking this action, 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.

On a motion by Kris Munn, seconded by Sam Harkins, and a vote of 5 for, 0 against, and 2 absent, this resolution was adopted on September 19, 2011.

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

Paula Schoonmaker, Deputy Clerk to the Board

Date

Resolution Granting Site Plan Approval to Bard College Practice Room Facility

Name of Project: Bard College Practice Room Facility

Name of Applicant: Bard College

Date: September 19, 2011

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Bard College to construct a $\pm$ 1,683 square foot musician practice room facility and associated new walkways, lighting and utility connections on a $\pm$ 0.75 acre project site within the $\pm$ 550 acre Bard College Educational Campus (Tax Map Parcel No. 134889-6173-00-400720-0000) in the Institutional (I) District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Site Plan prepared by Morris Associates, PS, LLC dated July 8, 2011, and Elevations prepared by Peter Sweeny Architects, LLC dated June 23, 2011; and

Whereas, the proposed action substantially conforms with the Bard College Master Plan Update dated February 2005 for which an amended Special Use Permit was issued by the Planning Board in February 2005, and therefore a new application for a special use permit is not required and only site plan review and approval by the Planning Board in accordance with the requirements of Article VII of the Zoning Law is required, and;

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

Whereas, the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department determined in its review dated July 21, 2011 that the project was a matter of local concern; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on July 18, 2011 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(7) and, therefore, SEQRA does not apply; and

Whereas, on August 15, 2011, the Planning Board conducted a public hearing on the Site Plan application at which time all interested persons were given the opportunity to speak; 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 grants Site Plan approval to Bard College to construct a Practice Room Facility in accordance with the plans and specifications heretofore submitted upon the following conditions:

2. 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.
3. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.

In taking this action, 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.

On a motion by Kris Munn, seconded by Sam Harkins, and a vote of 5 for, 0 against, and 2 absent, this resolution was adopted on September 19, 2011.

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

Paula Schoonmaker, Deputy Clerk to the Board Date