

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
May 19, 2014

CALL TO ORDER AND DETERMINATION OF QUORUM

Charlie Laing opened the meeting at 7:30 pm. A quorum was determined present for the conduct of business.

Members present — Sarah Gilbert, Sam Phelan, Sam Harkins, Brian Walker and Charlie Laing. Also present was planning consultant Michele Greig.

Mr. Laing announced one change to the agenda, which was the adjournment of continued review of the Preserves at Lakeskill major subdivision until June 2.

Sam Harkins made a motion that the minutes of April 21 and May 5 be accepted. Brian Walker seconded and all members voted in favor.

OLD BUSINESS

Kent/Feller Lot line Alteration, Feller-Newmark Road, Sketch plan approval

Presentation of application for lot line alteration between Dean Kent, owner of a 93.29 acre parcel, and the estate of John Feller, owner of an adjacent 139 acre parcel, to convey 10 acres of land from the Feller estate to the Kent property.

Dean and Linda Kent were present to discuss the application. Mr. Laing asked if the map had changed. Michele Greig said that the applicants had made the changes she requested.

Mr. Kent presented letters waiving rights of first refusal from Scenic Hudson and the Town of Red Hook. He also signed and indicated the revision date on his Environmental Assessment Form (EAF).

Sam Harkins made a motion designating the planning board as lead agency for the unlisted action within an agricultural district. Brian Walker seconded and all members voted in favor.

The board completed the SEAF parts two and three. Sarah Gilbert made a motion for a Negative Declaration when the board determined that no significant adverse environmental impacts to agricultural resources will occur. Sam Phelan seconded and all members voted in favor.

A Public Hearing was scheduled for June 2 at 7:35 pm.

NEW BUSINESS

Montgomery Place /Historic Hudson Valley- Maintenance of Scenic Vistas - Special Permit

Presentation of application for the restoration of four river vistas and the removal of invasive species (Ailanthus). The landscape restoration involves the removal and trimming of trees on either side of existing view openings to widen the view of the river and mountains.

Ray Armeter, Executive Director of Montgomery Place, and George Vengrin of Silver Mountain Tree Service were present to describe the project. Mr. Armeter provided aerial views of the four scenic view openings established in the 1920s which are the subject of the Hudson River Foundation grant funded project. He said the last time any maintenance was performed on any of the vistas was in the 1980s.

He described the plan to clear out the invasive Ailanthus in the middle of the openings, and trim the north and south sides back as was done in the 1980s to replicate the view enjoyed in the 1920s. A list of trees that will be removed as well as a list of replacement trees was provided. Charlie Laing asked if other existing trees would be pruned or trimmed as well. Mr. Vengrin said yes. Mr. Laing remarked that the maps provided were helpful, and asked if photos of the vistas as they appear now could be provided. Mr. Armeter agreed to provide panoramic photos of each of the vistas. Brian Walker asked if the trees to be removed are marked. The applicants responded that they are.

Mr. Armeter said that he has discussed the project with Betsy Blair of the DEC, who recommended that all limbs and trunks would be left in place to fight erosion. He said all the trees to be cut are within 500 feet of the river. He said he has also met with Scenic Hudson to discuss the project.

Brian Walker asked if there were any signs of animal habitats in the trees to be removed. Charlie Laing asked specifically about Indiana Bats. Michele Greig noted that it is a typical habitat for the bats, who prefer dead trees and Hickory trees. She added that if they are present, work could be done there only between September 3 and April 1 to avoid impacting the bat population. Sam Phelan asked if someone could do an assessment. Mr. Armeter said he would contact potential consultants to perform one.

The board reviewed a memo prepared by Ms. Greig with the applicant. The board determined that because the project is on the Hudson River shore it is a Type 1 action, which requires completing a long Environmental Impact Assessment form. Ms. Greig said it is her opinion that the DEC may be an interested agency because they hold a conservation easement. She said she would contact the DEC to determine this. A Local Waterfront Revitalization Program Consistency Determination (LWRPCD) must be completed by the applicant as well.

Mr. Walker asked how the Ailanthus will be treated. Mr. Vengrin answered that repeated cutting weakens and eventually eradicates them.

Mr. Armeter and the board discussed the history of the landscape of the property, which is classic American Romantic Landscape style with Andrew Jackson Downing as the primary landscape architect. Mr. Armeter remarked that there probably is not another property in the Hudson Valley that has more Downing influenced landscape than Montgomery place. However, he explained, the property has gone through a series of periods, and the goal of this project is to restore the landscape to a chosen certain point in time.

The Applicants will return to the board with additional information.

Pre Application Conference, Rosemarie Zengen, Windmill Lodge.

Ms. Zengen and Michael Brown were present to discuss Ms. Zengen plans to construct another building on her property on South Broadway in the Traditional Neighborhood District Commercial Center. Ms. Zengen provided drawings of her property and said she would like to build a two story building, approximately 2,400 square feet, that she would use as her residence and also 3 guest rooms which she

would like to rent for long term, such as to Bard students. The property presently has four buildings that contain eight apartments and her primary residence.

Michele Grieg said she would have to research what would be allowed in the district.

Mr. Brown said that there is an existing unused driveway on an adjoining property, and he is discussing with the owner the possibility of negotiating a lot line adjustment to move the driveway onto Ms. Zengen's property for access to the new building.

The board discussed the multiple uses of the property, lot coverage and access considerations.

There being no further business before the board, Sam Phelan made a motion to adjourn. Sam Harkins seconded all members voted in favor. The meeting was adjourned at 8:50 pm.

Respectfully Submitted,

Kathleen Flood
Secretary to the Planning Board

617.6
State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Kent/Feller Lot Line Alteration

Whereas, the Town of Red Hook Planning Board is considering action on a proposed Lot Line Alteration application by Dean and Linda Kent and the Estate of John Feller to convey ± 10 acres of land from the Feller parcel to the adjacent Kent parcel located on Feller Newmark Road, Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated April 25, 2014 and revised May 19, 2014, 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 within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a) (6) apply, and

Whereas, after examining the EAF, the Planning Board has determined that there are no other involved and/or federal agencies on this matter.

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 Sam Harkins, seconded by Brian Walker, and a vote of 5 for, and 0 against, and 1 absent, this resolution was adopted on May 19, 2014.

617.7
State Environmental Quality Review (SEQR)
Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: May 19, 2014

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: Kent/Feller Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicants propose a lot line alteration to convey ± 10.947 acres of land from a parcel owned by the Estate of John Feller to an adjacent parcel owned by Dean and Linda Kent. Both parcels are encumbered with a conservation easement. No development is proposed as part of this action.

Location: Feller-Newmark 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 Environmental Assessment Form (EAF) dated April 25, 2014 and revised _____ for the project, the Planning Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).

3. The proposed action is a lot line alteration to convey approximately 10 acres of land from one agricultural parcel to another. Both parcels are encumbered with a conservation easement that prohibits development other than agriculture and related conservation uses. The landowner intends to farm the newly acquired 10 acres of land. The conveyance will maintain land in agricultural production. No development is proposed as part of this action, and no increase in density will result. An Agricultural Data Statement has been filed by the applicant, forwarded to all owners of farming operations within 500 feet of the site, and such Statement has been considered by the Planning Board. Based on the foregoing, the Planning Board has determined that no significant adverse environmental impacts to agricultural resources will occur.

For Further Information:

Contact Person: Kathleen Flood, Clerk to the Planning Board
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Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)
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