

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
November 21, 2011

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:35 p.m., and a quorum was determined present for the conduct of business.

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

BUSINESS SESSION

Acting Chair Sam Phelan confirmed the agenda as published. The November 7, 2011 draft minutes had been circulated among the members and reviewed. Pat Kelly made a motion to adopt the minutes. Sam Harkins seconded the motion, and all members present voted in favor.

There were two announcements. Sam Phelan said that the Dutchess County Planning Federation was offering a program on affordable housing to take place December 13 from 6 p.m. to 8 p.m. at the Farm and Home Center in Millbrook. He also announced that the Town Board had scheduled a public hearing on a proposed local law to rezone the two Arvine Coon parcels on NYS Rte. 9. He said the public hearing was set for December 6, 2011.

PUBLIC HEARINGS

Susan Quasha – 124 Station Hill Rd. (Barrytown) – Certificate of Appropriateness

Susan Quasha was present for the public hearing on an application for a Certificate of Appropriateness to modify an existing detached garage on a 1.0-acre parcel in the H (Hamlet) District.

Sam Phelan read the public hearing notice that appeared November 15, 2011 in the Kingston Daily Freeman. Ms. Quasha explained the project saying that she had never used the building as a garage—that it had been used as a workspace and then for storage since she had purchased the property in 1977. She said that she had installed heat, electricity and water during the time she had used the space as a pottery studio. Her project now, she said, was to replace the overhead garage door with more energy efficient French doors and windows. She said that the footprint of the building would remain the same.

Sam Phelan then opened the hearing for public comment.

Melissa Weaver, 130 Station Hill Rd., said that she wished the building could be used as a garage. She said that there was no off-street parking used at the property and that there were many cars parked in the street. She asked whether Ms. Quasha planned a business at the studio, which, she said, would exacerbate the parking problem. Ms. Quasha said no, that there would be no business in the building.

Phil Bollenbecker, Wildey Road in Barrytown, noted that the front of the building was located in the Town right-of-way and asked whether the French doors opened to the outside, which would be in the road. Ms. Quasha said no, that they opened to the inside. Mr. Bollenbecker said that people would have to be in the road to enter the building.

Alon Koppel, 130 Station Hill Rd., echoed Ms. Weaver's opinion that, used as a garage, the building would at least help alleviate the parking problem.

Kris Munn said that the Planning Board could not help with the parking issue. He advised the neighbors to contact the Building Inspector and the Zoning Enforcement Officer.

Sam Phelan then read an email from Christine Gummere, Station Hill Rd., who also was concerned about the numerous cars parked on the street. She cited Town road signs prohibiting on-street parking during certain hours from November until April. She, too, was concerned that the studio would become a business that would draw more cars to the area.

Ms. Quasha said that she lived in a two-family residence and that there was another rental residence in the back. Michele Greig said that six parking spaces were required for three dwelling units. Ms. Quasha said that she had a total of seven spaces but that one of her renters currently owned three vehicles and that she owned three vehicles. She added that the construction activity on the garage had temporarily filled up the off-street parking area. She said that she would address the parking issue and would speak to her tenants and relatives.

Sam Phelan then read a comment letter from the Hamlet/Design Review Committee. That Committee found that the changes in the building facade would not negatively impact the character of the hamlet and recommended that a Certificate of Appropriateness be issued.

Nick Annas, 51 Aspinwall Rd., said that even though Ms. Quasha had used the structure as a studio, it still had been a garage. He also said that there were better methods of improving the insulation in the building than installing French doors.

Since there were no more comments from the public, Pat Kelly made a motion to close the public hearing. Kris Munn seconded the motion, and all members present voted in favor.

Kris Munn then made a motion to grant the Certificate of Appropriateness to Ms. Quasha's project. Sam Harkins seconded the motion, and all members present voted in favor.

Red Hook Fire Company – Firehouse Lane – Site Plan

Jim Mulvey and surveyor Marie Welch were present for the public hearing on an application for site plan approval to install eleven (11) poles with solar panels on a 20.7-acre parcel, partly in the Village of Red Hook and partly in the B2 Zoning District of the Town of Red Hook.

Sam Phelan read the public hearing notice that appeared November 15, 2011 in the Kingston Daily Freeman.

Mr. Mulvey explained the project and ended by saying that it was funded by a grant administered by NYSERDA.

Sam Phelan then opened the hearing for public comment.

Tom Gardner, owner of Gardner Exhaust on Glenn Pond Rd., said that he was concerned that the stormwater runoff from all the recent building nearby was overwhelming the small pond next to his business. He said that the paved parking area at Firehouse Productions, the new office complex and the Knollwood development, now stalled, all drained into the pond. He said that the Knollwood developers had filled a low spot and plugged a pipe that had provided a drain for the pond when the water level got too high. He said that now the water level has, on numerous occasions, exceeded that high water mark and that three large oaks have died because the roots became submerged. He was concerned that the building of the new Town highway garage and possibly this project would add even more runoff into the pond. Mr. Gardner also questioned the necessity of the project and the use of federal and state funding.

Pat Kelly asked what the surface would be underneath the solar panels. Mr. Mulvey said it would remain grass.

Kris Munn asked whether the Planning Board could address the drainage issue. Michele Greig said it did not appear that the stormwater runoff would increase as a result of this project. She said that the Board could contact the Village, where the Knollwood development was located, stating that comments and complaints had been made. She said the issue might arise if either municipality considered expanding paved parking areas, especially around the firehouse. She said that the Board could also send a similar letter to the Town Board.

Since there were no further public comments, Sam Harkins made a motion to close the public hearing. Kris Munn seconded the motion, and all members present voted in favor.

Sam Phelan said that a referral response "of local concern" had been received from the Dutchess County Department of Planning and Development. The Board noted that a public hearing notice had been sent to the Village of Red Hook under General Municipal Law 239nn.

After the Board had completed the EAF Part 2, Pat Kelly made a motion to issue a Negative SEQR Declaration for the project. Kris Munn seconded the motion, and all members present voted in favor.

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

REGULAR SESSION – OLD BUSINESS

Bard College--Alumni/ae Center – 4604 Rte 9G – Special Permit and Site Plan

Chuck Simmons and Doug Strawinski were present for continued discussion of applications for a Special Permit and Site Plan approval to modify a one-story + 8,258 sq. ft. building and establish a College alumni/ae center with accessory eating facility and associated landscaping, drainage and parking, on a 2.47-acre parcel in the RD3 Zoning District and in the National Historic Landmarks District.

Sam Phelan read a letter dated November 17, 2011 from the Zoning Enforcement Officer stating that after conferring with the applicants and various consultants he had revised his determination and found the proposed eating facility to be an accessory use to the proposed alumni center. Michele Greig said that this determination would allow the Planning Board to move forward with its review. She said that the plans had not changed since the project was discussed at the August 1, 2011 meeting.

Kris Munn asked whether the scope of the project had changed. Mr. Simmons said no. He said that without the alumni center, there would be no eating facility. Kris Munn said he was interested in finding out more about the basis for the ZEO's revised determination.

Michele Greig reviewed her memo, citing some discrepancies among the sheets of the plan. She said the applicants must submit details of the proposed signage, proposed lighting, and proposed dumpster as well as parking space calculations, a photometric plan, and any revised landscaping. The Board authorized the clerk to refer the project to the Dutchess County Department of Planning and Development once these documents were submitted.

In answer to a question about pedestrian and bike crossing across Rte. 9G from the Bard campus, Mr. Simmons said that the College was going to install a sidewalk on the campus side to that crossing and that he would include that sidewalk on then next submitted plan. He said that any other safety features would have to be discussed with the NYS Department of Transportation. He said that the College might have more leverage than in previous discussions since the parcels on both sides of the highway now belonged to Bard.

Michele Greig said that drainage and runoff would likely not be a problem since the new plan would probably result in a reduction of impervious surfaces.

Pat Kelly then made a motion to classify the project as a Type 2 action under SEQR, needing no further environmental review.

REGULAR SESSION – NEW BUSINESS

Marshall Foster – 121 Deer Run Rd. – Special Permit

No one was present to explain this project to the Board, so it was not discussed.

Michael Horkan – 274 Spring Lake Rd. – Lot Line Alteration

Marie Welch, L.S., was present with an application for a Lot Line Alteration/Subdivision Plat approval to convey 3.36 acres from the 25.388-acre Lands of Horkan to the adjoining 5.2-acre Lands of East Bridge Realty LLC.

Ms. Welch explained that the Cokertown Rod and Gun Club had recently sold its land to East Bridge Realty, LLC. She said this lot line alteration would rectify the current encroachment of East Bridge structures on Horkan land and would provide the East Bridge property with a buffer. She said that most of the land to be conveyed was wetland or not buildable. She said that although the East Bridge property had no frontage, it was an existing lot with an access easement.

Michele Greig said that the Planning Board would need a copy of the easement and that a note regarding the easement should be added to the plat. She said that Ms. Welch should submit an owner authorization letter signed by East Bridge Realty and should add another owner signature block to the plat.

The Board determined the project to be an Unlisted action under SEQR. Kris Munn made a motion to establish the Board as Lead Agency for the SEQR review. Pat Kelly seconded the motion, and all members present voted in favor.

The Board then reviewed the EAF part 2 and scheduled a public hearing for December 5, 2011.

OTHER BUSINESS

Simpler garage – Town engineer's report

The Board reviewed a report from Brandee Nelson of Crawford and Associates Engineering regarding D. Michael Simpler's plans for building a two-story garage in the Flood Fringe Overlay District. Michele Greig said that a condition of Mr. Simpler's Special Permit was that his flood management plans be approved by the Town Engineer but that it appeared from Ms. Nelson's report that the applicant had made some additional revisions to the overall site plan.

The members agreed that the applicant should either change the plans back to those that had been approved by the Planning Board or come back to the Board to discuss the revisions. Michele Greig recommended that Ms. Nelson also be asked to come.

ADJOURNMENT

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

Respectfully submitted

Paula Schoonmaker

Attachments

Certificate of Appropriateness granted to Susan Quasha
Negative SEQR Declaration for the Red Hook Firehouse solar array project
Resolution granting Site Plan Approval to the Red Hook Fire Company

**Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS**

Date: November 21, 2011

For: Susan Quasha

Tax Parcel # 134889-6172-01-007859-0000

The applicant owns + 1.00 acres at 124 Station Hill Rd. in the Hamlet of Barrytown. She wishes to modify an existing garage to make a studio.

The application, drawings, photographs and site plan were sent to the Hamlet/Design Review Committee on November 8, 2011.

The Hamlet/Design Review Committee reviewed the proposed changes and submitted its comments to the Planning Board on November 21, 2011. The Committee recommended that the Planning Board issue the Certificate of Appropriateness.

A public hearing was held November 21, 2011.

The Planning Board has reviewed, discussed the proposed plans, and considered the comments of the Hamlet Design/Review Committee. The Board has determined that the proposed modifications are compatible with the historic character of the property as well as with the neighboring properties and the district and that there will be no visual negative impact. Therefore,

The Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Susan Quasha for the proposed changes as described above.

Certified by: _____ Date: _____
Clerk

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: November 21, 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: Red Hook Fire Company Solar Panels

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant has requested site plan approval to install solar panels on freestanding posts on a $\pm$ 18.31 acre parcel.

Location: Firehouse Lane, 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) 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 project involves the installation of eleven (11) solar panels on a portion of a $\pm$ 18 acre parcel (partially located in the Town and partially in the Village of Red Hook) that is screened from views from public right of ways and neighboring properties by

existing vegetation and buildings. No significant adverse environmental impacts to community or neighborhood character will occur.

4. The project will result in a reduction in energy use from non-renewable sources, a beneficial environmental impact.

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)
7340 South Broadway
Red Hook, NY 12571

Resolution Granting Site Plan Approval to Red Hook Fire Company

Name of Project: Red Hook Fire Company Solar Panels

Name of Applicant: Red Hook Fire Company

Date: November 21, 2011

Whereas, the applicant has submitted an application for Site Plan Approval dated October 18, 2011 to the Town of Red Hook Planning Board to install solar panels on freestanding posts on a ± 18.31 acre parcel of land (Tax Map Parcel No. 134889-6272-00-427425) located on Firehouse Lane in the B2 Zoning District in the Town Red Hook, Dutchess County, New York; and

Whereas, the Planning Board reviewed the Site Plan prepared by Marie T. Welch LS dated July 29, 2011 and revised October 3, 2011, October 13, 2011, November 4, 2011 and November 10, 2011; and

Whereas, on November 7, 2011, the Planning Board declared itself Lead Agency for the purpose of conducting an uncoordinated review of an Unlisted action pursuant to SEQR; and

Whereas, on November 21, 2011, the Planning Board, in consideration of the Environmental Assessment Form (EAF) and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), determined that the proposed action will not cause any potentially significant adverse impact on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

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

Whereas, on November 21, 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 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 recommended in its review dated November 10, 2011 that the project was a matter of local concern.

Now therefore be it resolved, that the Planning Board grants Site Plan approval to Red Hook Fire Company to install solar panels in accordance with the plans and specifications heretofore submitted upon the following conditions:

- A. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
- B. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required P.E. and L.S. stamps and signatures.

On a motion by Pat Kelly, seconded by Kris Munn, and a vote of 4 for, 0 against, and 3 absent, this resolution was adopted on November 21, 2011.

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

Paula Schoonmaker, Deputy Clerk to the Board

Date