Town of Red Hook Planning Board

Approved Meeting Minutes / Monday, June 20, 2022

Chairman Sam Phelan called the meeting to order at 7:30 pm. A quorum was determined present for the conduct of business. Members present at Town Hall: Sam Phelan, Brian Kelly, Arthur Salman, Kristina Dousharm, and Karen Smythe. Members present via Zoom: Lew Rose. Also present at Town Hall was Planning Board Clerk Jordan Rosario.

Kristina Dousharm moved to approve the meeting minutes of June 6, 2022. Brian Kelly seconded, and 4 members voted in favor with 2 members recused.

Mr. Phelan announced the meeting was being held virtually and at Town Hall and was properly announced and publicized.

UNFINISHED BUSINESS

Reclaimed Motel – Draft Type II

Ms. Dousharm recused herself from this matter.

Mr. Phelan read a draft type II resolution. Ms. Smythe moved to approve the resolution, Mr. Kelly seconded and the motioned passed on a vote of 5 in favor with 1 member recused.

Red Hook Plumbing – Draft Type II

Mr. Phelan read a draft type II resolution. Ms. Smythe moved to approve the resolution, Mr. Kelly seconded and all members voted in favor.

PUBLIC HEARINGS

Reclaimed Motel – 7958 Albany Post Rd – Site Plan

Public Hearing on application to construct an exterior wooden platform under an existing roofline of an existing motel on a 1.62-acre lot in the RD3 Zoning District.

Ms. Dousharm recused herself from this discussion.

Mr. Phelan read the Public Hearing Notice published in the Poughkeepsie Journal. Ms. Smythe moved to open the Public Hearing, Mr. Kelly seconded and the motion passed unanimously. Applicants Kendra Sinclair and Jared Vengrin were present via Zoom. The applicants gave an overview of the project. Mr. Phelan read an email from neighbor William Stagias, which stated he had no objections to the project. There were no other comments from the public or the Board. Ms. Smythe moved to close the Public Hearing, Mr. Salman seconded and the motion passed on a vote of 5 in favor with 1 member recused.

Mr. Phelan read a draft resolution to approve the Site Plan with conditions. Ms. Smythe moved to approve the resolution, Mr. Kelly seconded the motion and the resolution was declared adopted on a vote of 5 in favor with 1 member recused.

Red Hook Plumbing – 7316 South Broadway – Site Plan
Public Hearing on application for a change of use from a single-family residence to a business office on a .35-acre parcel in the Traditional Neighborhood District Commercial Center.

Ms. Dousharm moved to open the Public Hearing, Ms. Smythe seconded the motion and all members voted in favor. Applicants Patrick and William O'Farrell were present at Town Hall and gave an overview of the project. A shade tree was added to their Site Plan, as required by the Board at the previous meeting. There were no questions or comments from the public or the Board. Ms. Smythe moved to close the Public Hearing, Ms. Dousharm seconded and all members voted in favor.

Mr. Phelan read a draft resolution to approve the Site Plan with conditions. Ms. Smythe moved to approve the resolution, Ms. Dousharm seconded and the motion passed unanimously.

<u>OLD BUSINESS</u>
Palmiero / Migliorelli – 28-60 Budds Corner Rd – Lot Line Alteration
Presentation of application to alter lot line of small .0136-acre triangle at driveway from Palmiero Property to Migliorelli Property.

Applicant Ken Migliorelli was present at Town Hall. He reviewed an image of the parcels and explained that once he acquires the .0136-acres from the Palmiero property, then he will give right of way to the neighboring Barnfield property and the Barnfield property will in turn give right of way to the Migliorelli property for use of the driveway leading to both properties. There were no questions from the Board. A public hearing was scheduled for July 18, 2022.

<u>NEW BUSINESS</u>

There was no new business on the agenda.

<u>OTHER BUSINESS</u>
Extension Request – Mighty Donuts

Ms. Dousharm recused herself from this discussion.

The applicants were not present. Mr. Phelan read an email sent by Dennis Kanuk requesting a 90-day extension to fulfill the conditions of their Site Plan approval. Mr. Kelly made a motion to approve the extension, Mr. Rose seconded and the motion passed on a vote of 5 in favor with 1 member recused.

Discussion on Lighting Guidance for Applicants
Continued discussion to provide information packet to applicants regarding requirements on lighting when a new project is started.

Ms. Dousharm presented a final document to provide guidance to applicants regarding outdoor lighting requirements. There were no additional suggestions to the document. The Board asked clerk, Jordan Rosario, to post the document on the Town website.

Discussion on Proposing Revisions to Zoning Code
Discussion to propose revisions to Town of Red Hook Zoning Code regarding cottages and apartments.

Mr. Phelan read a draft memo to the Town Board which proposes revising the Zoning Ordinance to clarify the definitions of accessory apartments and cottages. The Board discussed the memo. Mr. Phelan asked the other Board members to consider their suggestions for continued discussion at the next meeting.

Motion to Authorize Acting Chairman

Mr. Phelan will be away several times this Summer, and per the advice of attorney Jennifer Gray of Keane & Beane P.C.. suggested Ms. Dousharm be appointed as acting Chairman during times of his absence. Ms. Smythe moved to approve, Mr. Kelly seconded the motion and Ms. Dousharm was appointed acting Chairman until Labor Day on a vote of 5 in favor and 1 member (Ms. Dousharm) recused.

<u>ADJOURNMENT</u>

There being no further business before the Board, Ms. Smythe moved to adjourn. Mr. Kelly seconded, and the motion passed unanimously.

Respectfully Submitted,

Jordan Rosario
Clerk for the Board

Resolution Granting Site Plan Approval for Reclaimed Motel

Name of Project: Reclaimed Motel

Name of Applicant: Jared Vengrin

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan Review and Approval from Jared Vengrin to add a new deck to the front of an existing Motel, on a 1.62 acre parcel of land identified as Tax Parcel ID No.-134889-6373-01-118596-0000 located at 7958 Albany Post Road in the Rural Development 3 (RD3) Zoning District and the Scenic Corridor Overlay (SC-O) Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a layout sketch of the proposed deck and landscaping on a survey of the property, Parcel Access aerial photography of the site, the property deed, Agricultural Data Statement, Site Plan application, existing parking and other site features, site soils information, and existing building photographs showing a photo simulation of the proposed deck and landscaping to screen the deck, and related application file materials; and

Whereas, the proposed use was determined to be a non-conforming lodging use in the RD3 Zoning District by the Zoning Enforcement Officer on April 12, 2022 and the proposed deck was determined to be an expansion of a non-conforming use as provided for in Section 143-125.A(2) of the Zoning Law which permits a 50 percent expansion of the gross floor area of the use provided Site Plan approval is granted; and

Whereas, the Planning Board has reviewed the proposed deck against the requirements of the SC-O District and has found that the proposed deck will be constructed within the existing roof line of the Motel, the area adjacent to the proposed deck will be generously landscaped as proposed by the applicant, and there will be no other site activities included within the Site Plan application that have the potential to impair the existing vegetation, landforms, stone walls or other similar features on the site and the proposed deck and landscaping are not expected to adversely impact views of the site, scenic vistas, nor the overall character of Albany Post Road; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and (12) and, therefore, SEQR does not apply; and

Whereas, the Planning Board has found the proposal for a deck within the existing roof line will not exceed a 50 percent expansion of the use and the application complies with all other applicable sections of the Zoning Law; and

Whereas, the parcel is located within 500 feet of a NYS certified agricultural district and therefore an Agricultural Data Statement was forwarded to the owners of farm operations within 500 feet of the site and then considered by the Planning Board;

Whereas, on June 20, 2022, 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 June 20, 2022; 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 hereby grants Site Plan approval to Jared Vengrin for a proposed deck on the front of the building and within the existing roof line of the building in accordance with the application materials and specifications heretofore enumerated and upon the following conditions:

A. The following conditions shall be fulfilled prior to the applicant obtaining a Certificate of Occupancy for the proposed Reclaimed Motel:

   (1) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.

   (2) The applicant shall pay any and all outstanding escrow balances for consultant review.

   (3) All proposed improvements shall be completed in accordance with the Site Plan application materials submitted and the commitments made by the applicant and his or her representatives at the Planning Board meetings where the application was on the agenda.

   (4) The landscaping materials shown on the photo stimulations provided in a view of the Motel from Albany Post Road will be installed following construction of the deck and such landscaping shall be maintained and replaced with like materials if they do not survive.

   (5) The existing lighting shall be turned off when the business is closed and shall otherwise comply with Section 143-27.1 of the Zoning Law.

   (6) The applicant shall comply with all requirements of the Zoning Law, with all conditions imposed by any outside agencies, and with the above conditions on Site Plan approval.

Be It Further Resolved, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, with a copy sent to the applicant.

On a motion by Karen Smythe, seconded by Brian Kelly, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Aye
Member Kristina Dousharm	Voting Recused
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& one vacant seat	

Resolution was declared adopted on June 20, 2022.

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

Jordan Rosario, Clerk to the Planning Board

June 21, 2022
Date

Resolution Granting Site Plan Approval for Red Hook Plumbing

Name of Project: Red Hook Plumbing and Heating, Inc.

Name of Applicant: Patrick O'Farrell and William O'Farrell

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan Review and Approval from Patrick O'Farrell and William O'Farrell to occupy and use an existing 2-story (former residential) building for a mixed-use consisting of a first floor office space for the plumbing company and a second floor space for a two-bedroom apartment, on a 0.35 acre parcel of land identified as Tax Parcel ID No.-6272-00-285362-0000 located at 7316 South Broadway in the TND-CC Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a parcel layout sketch and Parcel Access aerial photography of the site, a survey of the site, and existing building photographs showing: a) where a proposed sign will located; b) the location of parking spaces to serve the uses proposed within the mixed-use building; c) signage proposed to serve the office use; and d) related application file materials; and

Whereas, the proposed office use and the two bedroom apartment on the second floor are both permitted uses in the TND-CC District subject to Site Plan Review and Approval, the applicant has proposed the apartment to be 600 square feet in size, which conforms to the Zoning requirement that a TND apartment be between 400 square feet and 1,200 square feet in gross floor area; and

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

Whereas, the Planning Board has reviewed the application for Site Plan Review and Approval against the Commercial Center Subdistrict's permitted uses found in § 143-49.1.H(1)(a) of the Zoning Law and § 143-49.1.R (Preexisting conditions) and has found that the proposed use complies with the uses designed to serve the day-today needs of the TND neighborhood and Red Hook, the building, parking and site features are all existing and no changes have been proposed other than allowing a change of use for the proposed office space and apartment, the parking required is 4 parking spaces for the two uses and there are sufficient parking spaces available on the site to accommodate the parking requirements, no new lighting is proposed for the uses and one ± nine square foot sign is proposed to be installed more than 15 feet back from the front property line with downlighting of the sign using a single external solar light with lighting on both sides of the sign and such sign received approval from the Town Code Enforcement Officer on 9/7/2021, and because this application is limited in scope and is proposed within a preexisting building, it need not conform to all of the provisions of § 143-49.1 and may continue in accordance with the provisions of Article VIII of the Zoning Law as provided for in § 143-49.1.R; and

Whereas, the Planning Board has found the proposal complies with all other applicable sections of the Zoning Law; and

Whereas, the parcel is not located within 500 feet of a NYS certified agricultural district (Agricultural District 20) and therefore an Agricultural Data Statement does not need to be further considered;

Whereas, on June 20, 2022, 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 June 20, 2022; 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 hereby grants Site Plan approval to Patrick O'Farrell and William O'Farrell for a change of use for an existing two-story building located at 7318 South Broadway in accordance with the application materials and specifications heretofore enumerated and upon the following conditions:

A. The following conditions shall be fulfilled prior to the applicant obtaining a Certificate of Occupancy for the proposed Red Hook Plumbing and Heating and the apartment:
   (1) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.
   (2) The applicant shall pay any and all outstanding escrow balances for consultant review.
   (3) All proposed improvements shall be completed in accordance with the Site Plan application materials submitted and the commitments made by the applicant and his representatives at the Planning Board meetings where the application was on the agenda.
   (4) One red maple or pin oak will be installed along the front property line as a street tree in the vicinity of the entrance drive way to match the existing street trees found on the site.
   (5) The proposed sign will be illuminated from the top by a solar powered light.
   (6) The applicant shall comply with all requirements of the Zoning Law, with all conditions imposed by any outside agencies, and with the above conditions on Site Plan approval.

Be It Further Resolved, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, with a copy sent to the applicant.

On a motion by Karen Smythe, seconded by Kristina Dousharm, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye

& one vacant seat

Resolution was declared adopted on June 20, 2022.

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

Jordan Rosario, Clerk to the Planning Board

June 21, 2022
Date