

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
November 21, 2016**

CALL TO ORDER / DETERMINATION OF QUORUM

Charlie Laing called the meeting to order at 7:30 pm. A quorum was determined present for the conduct of business. Members present: Charlie Laing, Lisa Foscolo, Sam Harkins, Sam Phelan and Brian Kelly. Also present was planning consultant Michele Grieg. Christine Kane arrived late and Kallie Robertson was absent.

Brian Kelly made a motion to approve the minutes of the November 7 meeting. Lisa Foscolo seconded and all members voted in favor.

PUBLIC HEARING

John Curran Accessory Apartment- 35 West View Lane- Special Use Permit

Public Hearing on application to approve the adaptive re-use of an existing garage as an accessory apartment on an 11 acre parcel in the RD3 Zoning District.

Mr. Laing read the Public Hearing Notice that was published in the Poughkeepsie Journal and the Kingston Freeman. Tim Ross, the applicant's engineer, was present. He reviewed the updated plans. He said he would submit written certification that the well and septic system is sufficient to accommodate the additional demands of the accessory apartment.

Alexa Doyle, a neighbor, asked which building on the property would house the apartment. Mr. Ross indicated on the plans which building it was.

Michele Greig recommended that a statement signed by the applicants acknowledging that should subdivision of the parcel later be proposed, not less than the required one acre must be provided for the principal dwelling and the accessory apartment if their certificates of occupancy are to be maintained be included as a note on the plat. At this time Christine Kane arrived.

The Board reviewed part 2 of the EAF. Sam Phelan made a motion to adopt a Negative Declaration. Brian Kelly seconded and all members voted in favor.

Mr. Laing asked if there were any further comments or questions from the public. There were none. Christine Kane made a motion to adjourn the public hearing. Brian Kelly seconded and all members voted in favor.

The Board reviewed and amended a draft approval resolution. Sam Phelan made a motion to adopt it as amended. Lisa Foscolo seconded and all members voted in favor. At this point Christine Kane took over as chairperson.

NEW BUSINESS

Susan Elias Accessory Apartment – 44 Reade Road – Special Use Permit

Re-submission of application for special permit for an accessory apartment on a 5.7 acre parcel in the RD3 Zoning District.

Susan Elias was present. She and the Board reviewed comments from Greenplan. Ms. Grieg said the square footage of the apartment had been verified by Building Inspector Steve Cole. Ms. Kane asked if there were any other existing apartments on the property. Ms. Elias said there were not. Ms. Elias made some changes to the Environmental Assessment form to clarify the project.

Charlie Laing made a motion to adopt a resolution Establishing Lead Agency for an Unlisted Action Undergoing Uncoordinated Review. Brian Kelly seconded and the motion was carried unanimously.

The Board and applicant discussed parking and certification that the existing on-site water and septic are sufficient to accommodate the additional demands of the proposed apartment.

A public hearing was tentatively scheduled for December 19.

Chilton sunroom and studio – 1288 Annandale Road - Certificate of Appropriateness

Presentation of application to remove an existing back porch and replace it with a 16 x 20 all season room with a full foundation, and to winterize a small existing studio with the addition of a ½ bath connected to the existing septic system.

Eric Glasser, the applicant's builder, was present. He gave an overview of the project. Christine Kane said that the Hamlet Review Committee had reviewed the plans and recommended that the board approve the Certificate of Appropriateness. Committee Chairman Chris Gilbert wrote that the project is not particularly visible from the road or neighboring properties, and that the architectural detailing seems comparable with the existing structure and the neighboring buildings.

Sam Phelan said he did not agree that the scope of the project was insignificant. When asked, Mr. Glasser said the addition would add approximately 200 square feet to the residence. Ms. Kane canvassed the rest of the Board, and the consensus was that the Board was comfortable with the Hamlet Review Committee's recommendation. The Board generally agreed to waive a public hearing.

Charlie Laing made a motion to classify the proposed project as a Type II action, meaning no further review under SEQR is required. Lisa Foscolo seconded and all members voted in favor. Mr. Laing made a motion to grant the Certificate of Appropriateness. Brian Kelly seconded and all members voted in favor.

Howland / Town of Red Hook – 7332 South Broadway – Lot Line Adjustment

Presentation of application for a lot line adjustment to convey a total of 1.01 acres of land from two parcels owned by Richard V. Howland to the 5.41 acre Red Hook Town Hall parcel.

Town Supervisor Robert McKeon was present. He said the Town is interested in acquiring approximately one acre of land adjoining the Town Hall from Richard Howland. The project would require a lot line adjustment to merge two small parcels and annex the land to the Town's.

Christine Kane said that the Town Board has declared itself Lead Agency for SEQR.

A Public Hearing was scheduled for December 5.

OTHER BUSINESS

Pre-application discussion – Alfred Cappelli – 8068 Albany Post Road

Mr. Cappelli was present. He said that he is the architect for the current owner of 8068 Albany Post Road, which was recently foreclosed. He said the parcel is 1.46 acres in the B1 Zoning District, and currently contains a woodworking shop with two studio apartments attached, a three apartment building and a single family residence. He said that the Town Zoning Administrator had sent a letter questioning the legality of the studio apartments. He said he met with Town Building Inspector Steve Cole to review the history of the property and determine what, if any permits were required, and they could not find any permits for the studio apartments. The original approved site plan, circa 1979, allowed for a showroom and two offices in the building where the studio apartments are now.

Mr. Cappelli said the owner wishes to bring the property into compliance, and was looking to the Board for guidance on how to proceed. Ms. Grieg said she would need to review the current situation against the Zoning Ordinance. Mr. Cappelli agreed to cover the cost of Ms. Grieg's research time.

Extension Request – Preserve at Lakeskill

Christine Kane read a letter from the applicant's attorney regarding the status of the project, and requesting an extension to satisfy the conditions of final approval. Sam Phelan made a motion to grant a 6 month extension. Brian Kelly seconded and the motion passed unanimously.

There being no further business before the Board, Brian Kelly made a motion to adjourn. Charlie Laing seconded and all members voted in favor.

Respectfully submitted,



Kathleen Flood
Secretary

Resolution Granting Special Permit Approval to Curran Accessory Apartment

Name of Project: Curran Accessory Apartment

Name of Applicant: Lori and John Curran

Whereas, the Town of Red Hook Planning Board has received an application for Special Permit approval from Lori and John Curran to convert an existing garage into an accessory apartment on a $\pm$ 11.11 acre parcel (Tax Map Parcel No. 134889-6373-00-834793-0000) located at 35 West View Lane in the Rural Development 3 (RD3) Zoning District, in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted aerial photographs from Dutchess County Parcel Access showing that the garage existed prior to January 1, 1993 and thus qualifies as a nonresidence accessory structure that may be adapted to residential use; and

Whereas, the applicant has confirmed that there are no other accessory apartments on the property; and

Whereas, the Planning Board has reviewed the application for Special Permit against the general standards for a special use permit found in § 143-51 of the Town of Red Hook Zoning Law and with the specific standards for an Accessory Apartment through Adaptive Reuse of Non-Dwelling Structures found in § 143-66 and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, on November 7, 2016, 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, 2016, the Planning Board, in consideration of the Short Environmental Assessment Form (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 November 21, 2016, the Planning Board opened a duly noticed public hearing on the Special Permit application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on November 21, 2016; 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 has determined that no new residential building lots or principal 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.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Special Permit approval to John and Lori Curran for an accessory apartment in accordance with the applications materials and specifications heretofore submitted upon the following conditions:

A. The following conditions shall be fulfilled prior to the applicant obtaining a Building Permit for the proposed project:

- (1) The Special Permit Site Plan shall be revised to include a note that states: "The applicant acknowledges to the Town of Red Hook the understanding that should subdivision of the parcel later be proposed, not less than one (1) acre must be provided for the principal dwelling and its accessory dwelling if their certificates of occupancy are to be maintained."
- (2) Approval from the Dutchess County Department of Health for the proposed sanitary sewage facility.
- (3) The applicant shall submit certification through either the Dutchess County Health Department or a licensed professional engineer that the existing on-site water supply is sufficient to accommodate the additional demands of the accessory apartment.
- (4) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
- (5) Payment of any and all outstanding escrow balances for consultant review.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy:

- (1) All proposed improvements shall have been completed in accordance with the approved Special Permit Site Plan and Special Permit Building Plan.

C. The following are general conditions which shall be fulfilled throughout the operation of the project:

- (1) This permit authorizes an accessory apartment a maximum of 537 square feet of habitable space in size, and limited to a maximum of one (1) bedroom.
- (2) The accessory apartment shall be self-contained, with separate cooking, sleeping and sanitary facilities for use by the occupant(s).
- (3) Two off-street parking spaces for the accessory apartment, in addition to two parking spaces for the single family dwelling on site, shall be provided at all times.
- (4) The applicant shall continue to comply with all conditions imposed by any outside agencies in their permits.

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, and a copy sent to the applicant.

On a motion by **Sam Phelan**, seconded by **Lisa Foscolo**, and a vote of **Chrisitne Kane**, **Charlie Laing**, **Lisa Foscolo**, **Brian Kelly** and **Sam Phelan** for, **none** against, and **Sam Harkins** and **Kallie Robertson** absent, this resolution was adopted on November 21, 2016.

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

Kathleen Flood
Kathleen Flood, Clerk to the Planning Board

11-22-16
Date

617.6

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

Name of Action: Elias/Voigt Accessory Apartment

Whereas, the Town of Red Hook Planning Board is in receipt of a Special Permit application from Susan Elias and Reinhard Voigt to create a $\pm$ 460 sq. ft. one-bedroom accessory apartment in an existing single family dwelling on a $\pm$ 5.7 acre parcel of land located at 44 Read Road in the RD3 Zoning District, Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated April 7, 2016 and revised November 21, 2016 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 not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Planning Board has determined that there may be other involved and/or federal agencies on this matter including the Dutchess County Department of Health.

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 Charlie Laing, seconded by Brian Kelly, and a vote of 5 for, and 0 against, and 2 absent, this resolution was adopted on November 21, 2016.

Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS

Date: November 21, 2016

For: Bruce and Odile Chilton
Tax Parcel #6173-00-524427

The applicant, whose property is located at 1288 Annandale Road, Red Hook, wishes to remove an existing back porch and replace it with a 16 x 21 four season room with full foundation, and winterize a small existing studio with the addition of a ½ bath connected to the existing septic system.

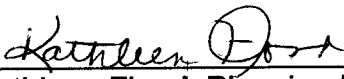
The application and supporting documents were sent to the Hamlet Design Review Committee November 1, 2016.

The Hamlet Design Review Committee submitted comments to the Planning Board November 19, recommending that the project be approved with no further review.

The project was classified as a Type II action with no further SEQR review required. No Public Hearing was held.

The Planning Board has reviewed and discussed the proposed plans and determined that the project proposed is 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,

On a motion by **Charlie Laing**, seconded by **Brian Kelly**, and a vote of **Christine Kane, Charlie Laing, Lisa Foscolo, Brian Kelly and Sam Phelan** for, **none against** and **Sam Harkins and Kallie Robertson absent**, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Bruce and Odile Chilton for the proposed construction described above.

Certified by: 
Kathleen Flood, Planning Board Secretary

Date: 11-2-16