

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
April 21, 2014

CALL TO ORDER AND DETERMINATION OF QUORUM

Christine Kane opened the meeting at 7:50 pm. A quorum was determined present for the conduct of business.

Members present — Sarah Gilbert, Sam Harkins, Charlie Laing and Christine Kane.

On a motion by Sam Harkins and seconded by Sarah Gilbert, the minutes of the April 7, 2014 meeting were unanimously approved.

PUBLIC HEARING

Bard College Regional Demonstration Project to Improve Storm Water Management Using Green Infrastructure at Olin – site plan

Public hearing on application to replace an existing impermeable crushed gravel parking area with a permeable 75 space parking area using porous asphalt, with additional related improvements.

Christine Kane read the Public Hearing Notice published in the Poughkeepsie Journal and the Kingston Freeman to open the hearing.

Project Engineer Rod Morrison, Bard College Office of Sustainability Director Laurie Husted and Landscape Architect Barbara Restaino were present to represent the applicant.

Mr. Morrison distributed drawings of the project and provided an overview of the improvements proposed. He noted the benefits of the project such as treating a significantly increased amount of campus storm water runoff and reducing the hard surfaces by 30%.

Ms. Restaino described the drainage areas, landscape improvements and buffers. She said the landscape is also designed to make the area attractive and accessible to the public, with a goal of educating people about the merits of the project's green storm water management practices. She indicated a crushed gravel trail around the constructed wetland built with recycled material from the old parking lot.

Charlie Laing said he had visited the site, and was wondering what would be done with the huge amount of material that would be removed from the existing parking lot. Mr. Morrison said the College will stockpile the material for future use.

Mr. Lang asked how much disturbance would take place between the end of the gravel parking area and the existing wetland. Mr. Morrison said that the area would be improved to inhibit the invasion of phragmites. Mr. Laing asked if some of the current landscape could be retained. Mr. Morrison and Ms. Restaino said they would try to salvage as much of the valuable, healthy trees and shrubs as possible.

The board reviewed responses and comments about the project received from the Dutchess County Planning Department, the Town Board of Red Hook, New York State Office of Parks, Recreation and Historic Preservation, New York State Department of Conservation, and Hudson River Heritage.

The board reviewed and discussed comments from planning consultant Greenplan, suggesting changes to the Local Waterfront Revitalization Program Consistency Determination, and a memo from the town engineer.

Further discussion with the applicant's representatives focused on the removal of existing trees and what varieties trees would be added to the landscape.

At the request of the applicant, Mr. Laing made a motion to waive the requirement of a full survey of the property. Sam Harkins seconded and all members voted in favor.

The board generally agreed that third party verification of the wetlands would not be necessary since the project area will remain within the previously disturbed area.

The Board reviewed and revised the LWRP, and made one change regarding lighting in the Full Environmental Assessment Form (FEAF) part 2, and then reviewed FEAF part 3.

At the conclusion, Charlie Laing made a motion to close the public hearing. Sarah Gilbert seconded and all members voted in favor.

Mr. Laing made a motion to accept the revised LWRP. Mr. Harkins seconded and all members voted in favor.

Mr. Laing then made a motion to adopt the Negative Declaration. Mr. Harkins seconded and all members voted in favor.

A draft resolution granting site plan approval was reviewed next. At the conclusion, Sarah Gilbert made a motion to grant conditional approval to the project. Sam Harkins seconded and approval was unanimously granted by the board.

OTHER BUSINESS

Doug Angona was present for a pre-application conference regarding property he is interested in purchasing at 245 Lasher Road. He presented consent from the current landowner to discuss the property with the board.

Mr. Angona said that the property, consisting of two large buildings on ten acres was last used as an assisted living residence for approximately 35 mentally handicapped people, and the permit for that use expires at the end of May 2014. He said New York State no longer allows facilities of that size so it would never be used for that purpose again. He said he is interested in buying the property and converting it into a 20 room hotel. He said he would live in the second building until the project was done.

The board determined that the property lies in the Agricultural Business District, and noted that Hotels are not permitted in that zoning district, but Inns with a maximum of 10 guest rooms are. Mr. Angona

said that the buildings are too large for that use. Christine Kane said that Mr. Angona could approach the town board to request a change in zoning for the property, linking it to the properties behind that are RD3.

Mr. Angona said no permit could be found in the town hall for the property. Christine Kane suggested that the town search further, and that the zoning administrator would have to determine what activity is permitted by the permit in effect until the end of May.

ADJOURNMENT

There being no further business before the board, Sarah Gilbert made a motion to adjourn. Sam Harkins seconded and all members voted in favor. The meeting was adjourned at 9:20 pm.

Respectfully submitted,

Kathleen Flood
Secretary

**Resolution Granting Site Plan Approval to
Bard College Regional Demonstration Project for Improving
Stormwater Management at Olin**

Name of Project: Bard College Regional Demonstration Project for Improving Stormwater Management at Olin

Name of Applicant: Bard College

Date: April 21, 2014

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Bard College to replace an existing gravel parking lot with permeable asphalt, and to install bioswales, bioretention areas, a constructed wetland, sidewalks and associated landscaping on a $\pm$ 2.17 acre project site within a $\pm$ 115.3 acre parcel (Tax Map Parcel No. 6173-00-600630) in the Institutional (I) Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Site Plan prepared by LRC Group and Restaino Design PC (13 Sheets) dated April 11, 2014; and

Whereas, the proposed action substantially conforms with the depiction within 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 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 April 17, 2014, 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 April 21, 2014, 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, 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 April 17, 2014 that the project was a matter of local concern; and

Whereas, on April 21, 2014, 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 hereby grants Site Plan approval to Bard College for the Regional Demonstration Project for Improving Stormwater Management at Olin 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:
 - A. Correct the Tax Map Parcel ID number on the plans.
 - B. Revise the plans to include a landscape maintenance note stating that the applicant shall maintain the landscaping throughout the duration of the use.
 - C. Clarify the references to the applicant's engineer and the Town Engineer in the Notes on Sheet SP-1.
 - D. The applicant shall address the comments of the Crawford & Associates memo dated April 18, 2014 to the satisfaction of the Town Engineer.
 - E. 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.
 - F. 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 conditions shall be fulfilled prior to the issuance of a Certificate of Compliance:
 - A. All proposed improvements shall have been completed in accordance with the approved Site Plan. In the event that a Certificate of Compliance 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.
3. 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 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.

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 Sarah Gilbert, seconded by Sam Harkins, and a vote of 4 for, 0 against, and 2 absent, this resolution was adopted on April 21, 2014.

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

Kathleen Flood, Clerk to the Board

Date