

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
January 26, 2009

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:33 p.m. and a quorum determined present for the conduct of business.

Members present — Chair Christine Kane, Sam Harkins, Wil LaBossier, Paul Telesca, Charlie Laing and alternate Kris Munn. Planner Michele Greig was also present.

BUSINESS SESSION

Christine Kane confirmed the agenda. The minutes from the December 15, 2008 and the January 5, 2009 meetings had been distributed and reviewed. Charlie Laing made a motion to approve those minutes. Wil LaBossier seconded the motion, and all members present voted in favor.

Christine Kane said that a seminar on both the NYS Agricultural Districts Program and the Agricultural Assessment Program was scheduled for Wednesday, February 18 from 7 pm to 9 pm at the Farm and Home Center. She urged anyone interested to register.

She also said that two hard copies of the Centers and Greenspaces Plan, developed by the Intermunicipal Task Force were available for members to borrow. She said that the Town Board had referred the plan to the Planning Board for review and preliminary comments and that members should sign out a copy at the Planning Office or review it online and be prepared to discuss the plan at the first meeting in March. Michelle Grieg said she would be available for discussion and to answer questions for board members in the interim.

REGULAR SESSION-PUBLIC HEARINGS

Red Hook Self Storage – 7320 S. Broadway – amended Site Plan

Martin Willms was present for the public hearing on his application for amended site plan to install additional metal storage buildings on a ± 4.451-acre parcel in the B1 & B2 Zoning Districts. Mr. Willms explained the project to the public, after which Christine Kane opened the hearing for public comment.

Linda Keeling of Pitcher Lane referred to a letter she had submitted that morning to the Board listing the reasons for her opposition to the project. The environmental reasons included, among others: the entire business is located over the aquifer, additional roofs would mean increased water runoff resulting in soil erosion and pollution on adjacent properties, and storage of toxic chemicals would pose a threat to the aquifer. The regulatory reasons included, among others: insufficient road frontage in the B1 Zoning District, the water supply and complete septic system had not been located on the submitted map, and that approving the project would mean an increase of a non-conforming use. Safety issues included, among others: fire department access would be hindered by an existing retaining wall, and the new spacing of buildings may not comply with fire codes. The economic reasons included, among others, the possible assessment of the parcel as a residential not a commercial property, which has had a negative

tax impact on other Red Hook residents. She also said that rather than install new storage buildings, Mr. Willms could use other properties in the community during these difficult economic times. Finally, her letter stated that several mathematical errors had been made on the documents and map and that no provision had been made for landscaping.

Christine Kane then reviewed the referral response letter from the Dutchess County Department of Planning and Development. The letter referred to an earlier letter from DC Planning to the Zoning Board of Appeals at the time of the ZBA's consideration of Mr. Willms' application for a variance. That earlier letter recommended a denial of the variance and, if the ZBA chose to grant it, stated that a super majority of the members must vote yes, which the Planning Board found had been the case.

The current letter reiterated the Department's concern about the addition of buildings to a property which may be impacted by the construction of a Town connector road parallel to Rte. 9. The Department urged the Board to determine whether this connector road was still planned and, if so, exactly where it would be located. The Board reviewed a set of draft plans for that road. Christine Kane said that a copy of Mr. Willms' map had been sent to Morris Associates, the firm which had drafted the road plans, with a request that the engineers verify that the addition of the proposed buildings would not hinder the construction of the connector road in the future.

In response to another DC Planning concern, the Board generally agreed that the side yard setback for the proposed garage extension was adequate.

Mr. Willms said that in response to DC Planning's objection, he had walked the property with the Town Supervisor and that he had compromised by giving up one of the larger proposed buildings, which would have been a better plan for him, and had agreed to two small spaces.

Mr. Willms also said that a self-storage business is a permitted use in the business district. He said that as far as he knew, the Town Board did not have a time line for moving forward with the road. He added that his business was in existence before the road was proposed and that he believed that extending the road across his property might be poor planning.

The Board generally agreed that it would investigate the objections raised by Ms. Keeling and that it would await a response letter from Morris Associates before going further with the review.

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

The project was scheduled for the February 9, 2009 agenda.

REGULAR SESSION – NEW BUSINESS

Michael Pollok – 64 Pondview Drive – Special Permit

Michael Pollok, Phil Seymour and David Seymour were present with an application for a special permit to construct an accessory apartment within a new independent garage on a $\pm$ 32.159-acre parcel in the RD3 Zoning District. Mr. Pollok explained that the apartment would be used by his mother. He also said that there was already a garage for the principal house and that this new independent garage would be for the apartment.

Mr. Seymour said that the apartment would have approximately 610 sq. ft. of habitable living space with a walk-up storage attic above. He said that the basement would be partially full and partially a crawl space. He said that the ceilings in the living space would all be 7' 6" high and that the dormers in the roof were merely decorative. He said that the design of the apartment would match the larger residence and that although the apartment would have its own septic system, it would share a water supply with the main house. The Board agreed with the applicant that the proposed apartment would be well within the proper setbacks.

The Board determined the project to be an Unlisted Action under SEQR. Charlie Laing made a motion to establish the Board as lead agency for the SEQR review. Wil LaBossier seconded the motion, and all members present voted in favor.

Mr. Seymour said that he had submitted the plans to the Health Department but had not yet received a response.

A public hearing was set for March 2, 2009. Christine Kane said that the Agricultural Data Statements would be circulated to the appropriate land owners.

(At this point, Christine Kane briefly left the room, and Charlie Laing took over the duties of chair for the next project)

Spring Lake Road Development- 307 Spring Lake Road – Subdivision Plat

Mark Baisch and Lyle Kamesaki, both of Landmark Properties LTD and Robert Luntz of Resolution: 4 Architecture were present with an application for sketch plan approval to create 21 lots on a ± 64.081-acre parcel in the RD 3 Zoning District.

Mr. Baisch introduced the project saying that the proposed development would appeal to people who were interested in conservation, low energy usage and the economy. He said that the target market would not necessarily be people from Red Hook but rather would be people who wanted a vacation, retirement or second home closer to nature. He said the pre-fabricated modular homes would incorporate LEED technology and would be between 1500 and 2300 sq. ft. in size. He added that different modules could be seen on the Resolution: 4 Architecture website.

Mr. Baisch went on to say that the site for each home would be ½ to ¾ of an acre and that the remaining land would be put under a strict conservation easement which would be the responsibility of a home owners' association. Charlie Laing said that a conservation easement must be held by a municipality or a land trust, not a home owners' association.

Mr Baisch also said that there would be no pools, clubhouses or similar structures because they were expensive to maintain and infrequently used. He said no significant recreation was planned except walking trails. He said that the developers would work within the Town's current zoning.

Mr. Baisch said that the only structure on the land was the old paper recycling building, which would be removed and the site cleaned up. In answer to a question about the pond, he said that it had been a settling pond for paper-making sludge and that it had been remediated.

Ms. Greig commented that while it might seem that 21 units could be placed on 64 acres in the RD 3 Zoning District, it was probable that there were not 64 buildable acres and that the number of units would have to be reduced. Moreover, she said that the single access to the site made

the proposed road a cul-de-sac, which limited the number of residences to 12 and limited the length of the cul-de-sac road.

Christine Kane said that there were a significant number of steep slopes on the property and asked what the applicants were proposing for septic and water supply systems. Mr. Baisch said that, as part of their commitment to LEED technology, they would install gray water reclamation systems, low flow water fixtures and dual flush toilets, all of which would reduce the water impact to 30% to 40% of a normal home. He said that the homes would have individual septic systems and either shared or individual water supplies. He said that they needed more discussion with the Dutchess County Health Department.

The Board reviewed the GreenPlan memo, and Ms. Greig said that the applicants must supply more information before SEQR could begin or the application adequately reviewed. She said the number of units allowed on the parcel was a major question to be addressed.

Ms. Greig also said that she was trying to obtain information about the site of the former Atlantic Asbestos Company, now an archived Superfund site, on Spring Lake Road, but she was not sure where on Spring Lake Road.

(At this point Christine Kane resumed the duties of chair)

Feller Newmark Road Development – Feller Newmark Road – Subdivision Plat

Mr. Baisch, Mr. Luntz and Mr. Kamesaki stayed before the Board to present an application for sketch plan approval to create 31 lots on a $\pm$ 94.5-acre parcel in the RD 3 Zoning District. Mr. Baisch said that this project was very similar to the previous project as far as the modular homes, low carbon footprint, and low water usage and would result in a community of like-minded people. Again, he said, there would be no clubhouses, pools or similar structures.

Charlie Laing said that he thought that people would rather look at the existing natural wetlands in the center of the parcel instead of the proposed man-made water feature.

The Board noted that the stream along the west side of the parcel was the Lakeskill.

Christine Kane noted that there were soils of statewide importance on this project site.

Charlie Laing asked whether the proposed trails might be made available to the public. Mr. Baisch said they would consider that option.

Ms. Greig said that, like the other application, more information was needed before a SEQR review could begin.

At this point several members of the audience asked how to find out about upcoming meetings. Christine Kane said that the agenda was posted on the Town website several days before the meeting. She also said that the members would try to speak up so that the audience could hear.

OTHER BUSINESS

Omnipoint

Ms. Greig said that she had reviewed the revised materials submitted by the applicants. She said that the engineering materials still had to undergo a technical review, and she asked

whether one of the Board members would volunteer to visit the site to determine whether there was a need for an evergreen buffer. Charlie Laing said that he would go. She said that she would like a full-scale set of plans for the Board and for the engineer and also a more comprehensive assessment of the "fall zone".

Still, Ms. Greig said that she believed that the Board could go ahead with the public hearing tentatively scheduled for February 9, 2009.

Bulkeley Farm

The Board discussed a letter submitted by David Bulkeley requesting input about his wish to subdivide a $\pm$ 1-acre parcel containing a small house from a large farm parcel on West Kerley Corners Road. A conservation easement would soon be placed on the remainder of the large parcel as part of a Purchase of Development Rights project. Two small lots had previously been subdivided from the parcel through the granting of a variance by the Zoning Board of Appeals.

Ms. Greig said that the small lot could be separated under the Important Farmlands Law, since it would be part of a Farmland Protection Plan. She said no variance would be needed. She said that even if the PDR program were delayed for some reason, a note could be placed on the plat stating that the 1-acre lot would use up 3 acres for density purposes.

The Board noted that a lot line alteration to add an adjacent farm road and small bridge would also be part of the application.

Centers and Greenspaces Plan

Ms. Greig said that the Intermunicipal Task Force had presented its Centers and Greenspaces Plan to the Town Board and that the Town Board wished the Planning Board members to review the plan and submit preliminary comments. She said that the complete plan was on the Town's website and that she had another hard cover copy she could make available. She said that the 7-8 page report tells generally what the plan would try to accomplish, so those pages would be a good place to start. She said that the plan made major changes in both the subdivision and zoning regulations and that perhaps the Planning Board should hold special meetings to discuss them. She said Charlie Laing had been involved since the beginning and could answer questions. She further said that all comments should be submitted within 4-6 weeks.

The Board members generally agreed to read the report and have comments ready by the March 2 meeting. The hard copies could be signed out from the Planning Board office. Christine Kane said that if members found they had numerous questions, time would be found for a special meeting.

Ms. Greig asked members to pay special attention to Traditional Neighborhood Development, the Agricultural Business District, and incentive zoning in and near the Villages.

ADJOURNMENT

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

Respectfully submitted,

Paula Schoonmaker