

draft  
**Town of Red Hook Planning Board  
Meeting Minutes  
September 19, 2005**

**CALL TO ORDER/ DETERMINATION OF QUORUM**

The meeting was opened at 7:38 p.m. and a quorum determined present for the conduct of business.

Members present — Jennifer Fier, John Hardeman, Charles Laing, Sam Phelan, Paul Telesca, David Wright and Chair Christine Kane. Planning Consultant Michele Greig and Town Board liaison Jim Ross were also present.

**BUSINESS SESSION**

Christine Kane confirmed the meeting agenda and said the next scheduled meeting would take place on Monday, October 3, 2005.

The minutes of the August 22, 2005 meeting had been sent to the members and reviewed. David Wright made a motion to accept those minutes, and Jennifer Fier seconded the motion. Six members voted in favor; John Hardeman abstained.

There were no announcements

**PUBLIC HEARINGS**

**Elisabeth Vondell – 227 Whalesback Rd. – Special Use Permit**

Tom Vondell was present for the public hearing on an application for Special Use Permit to authorize the establishment of an accessory apartment in an existing 6 bedroom building on a 1.026-acre substandard-size lot in the RD3 District.

Christine Kane read the public hearing notice that appeared September 13, 2005 in the Kingston Daily Freeman.

Tom Vondell explained that the project would convert the 6-bedroom house into a 1-bedroom apartment and a 3-bedroom apartment and that since purchasing the property, he had made numerous safety and aesthetic improvements to the site.

Christine Kane read a letter, dated September 19, 2005, from John and Patricia Moore, 237 Whalesback Road. Mr. and Mrs. Moore opposed the project saying that additional people would add to the current problems of excessive noise and unleashed dogs. Mr. Vondell said that some family members lived in the house and that there were other unleashed dogs in the neighborhood.

Sheila Fitzgerald, 240 Whalesback Road, agreed that there were already too many people living on the small lot and that approval of this application would allow more people to live there.

Mr. Vondell said that since the last meeting, he had installed the concrete septic covers recommended by his engineer, and he had confirmed that the apartment would be 526 sq. ft. in size, within the maximum allowed 620 sq. ft.

Paul Telesca said that the requested apartment was a permitted use and that other Town agencies existed to take care of noise and dog problems.

Christine Kane said that the lot was a sub-standard sized lot with a 1908 sq. ft. building on it, and that the Board must decide whether the requested action would create a more intense use. The Board generally agreed that the action would not create a more intense use and that the Town Zoning Regulations allowed the establishment of an apartment on a lot greater than 1 acre.

John Hardeman asked if the Regulations mandated that the owner of the building also occupy the principal residence in which the apartment was to be created. It was found that the Regulations did not stipulate that the owner of the building live on the site.

Mr. Vondell said that there was space in the parking area for 7 cars. Sam Phelan pointed out that an aerial photograph showed that this was one of the largest parcels in the neighborhood. He also requested that the parking area be better defined and that spaces in the parking area be specifically allotted to each apartment. The Board generally agreed that Mr. Vondell could use railroad ties or a similar material to delineate the parking area and that he should install small, unobtrusive signs to allot the spaces.

Christine Kane reviewed part 1 of the EAF and with the input of the Board, completed part 2. David Wright made a motion to issue a negative SEQR declaration, Paul Telesca seconded the motion, and all members voted in favor.

Christine Kane then closed the public hearing.

Paul Telesca made a motion to adopt an offered resolution granting the requested Special Use Permit, revised to include the above conditions regarding the parking area. Jennifer Fier seconded the motion, and all members voted in favor. This resolution is attached to, and made part of, these minutes.

#### **Ragnar Manor Farm/ DiStefano– 91 Sengstack Lane (Tivoli) – Subdivision Plat**

Since the applicant had requested that the public hearing be continued to a future date, she was not present for the public hearing on her application to create one new 10-acre lot and an approximately 18.286-acre remaining lands lot from an approximately 28.286-acre parcel in the LD (Limited Development) and Certified Agricultural Districts.

Christine Kane read the public hearing notice that appeared in the September 13, 2005 Kingston Daily Freeman. She briefly reviewed the project and then opened the hearing to accept public comment.

Christine Kane read two letters from the Tivoli Architectural Review Committee expressing concern over the future of the site, asking to be kept informed, and citing Tivoli's commitment to keeping the area around the Village agricultural and open when at all possible.

Robin Logan, 96 Sengstack Lane, said that she had signed a contract to purchase the proposed 10-acre parcel and that she was committed to keeping it undeveloped. She expressed concern that the application appeared to be progressing through the Planning Board's review process so quickly. Christine Kane explained that the Board had originally been assured that Ms. Logan was committed to purchasing the 10-acre lot and that both Ms. Logan and the applicant Ms. DiStefano agreed that a conservation easement prohibiting any further development would be placed on the property. Without written documents from both Ms. Logan and an agency equipped to hold such easements, she said that the Board would scrutinize the application in a much different manner.

Sarah Sweeny, 28 Stony Brook Road, said that the neighbors were concerned and confused about the current direction of the application. She added that a 'For Sale' sign had appeared on the parcel that day.

Hildegard Eberling, 18 Sengstack Lane, asked to be added to the mailing list of people concerned about the project.

Joe Scarpulla, 116 Sengstack Lane, asked whether the applicant would have to start over in the process if she reconfigured the lot lines. The Board generally agreed that it would have to see her new plan before it made that decision. Mr. Scarpullo also asked what a Limited Development Zone was. Sam Phelan said that such a zone required minimum 5-acre parcels and that some additional restrictions applied to development in that area.

Christine Kane read the Agricultural Advisory Committee's review of the application. Ms. Logan asked for a copy of that review.

The public hearing was continued to October 3, 2005.

#### **Kunzang Palchen Ling - NYS Route 9G – Special Use Permit and Site Plan**

Joseph Berger, P.E., Herman Gorgens, architect, and John McIlravy were present for the continuation of the public hearing on applications for Special Use Permit and Site Plan Approval for Place of Worship and associated Guest Rooms on a 5.023-acre parcel in the RD3 Zoning District, the Scenic Overlay (SC-O) District and the Hudson River National Historic Landmarks District.

Mr. Berger explained the project to the public and to the Board.

Christine Kane asked if there were any public comments. There were none. She then reviewed the progress of the application and the recommendations made by Paul Thomas, former Planning Board Chair, after his visit to the site. The Board generally agreed that these recommendations had been addressed.

Mr. Berger said that he had submitted a revised landscaping plan which showed new plantings in the front of the building, the location of the proposed sign and the revised location of the driveway.

The Board generally agreed that the new plantings as well as the commitment of the applicant to add any necessary trees in the double setback area in order to shield the proposed building from the view of those traveling along NYS Route 9G were mitigating

factors contributing to the consistency of the project with the Town's Local Waterfront Revitalization Plan. Jennifer Fier made a motion to accept the project's LWRP. Charles Laing seconded the motion, and all members were in favor.

Christine Kane reviewed the EAF part 1 and, with input from the Board, completed part 2. Sam Phelan made a motion to issue a negative SEQR declaration for the project. Jennifer Fier seconded the motion, and all members voted in favor.

Christine Kane then closed the public hearing.

Jennifer Fier said that she was still concerned that the blue roof on the building would be too bright and would be visible from the road. She also asked why the specific site for each plant was not indicated on the landscape plan. Mr. Berger said that the landscape architect, David Dew Bruner, preferred to indicate general locations for the plantings, which gave him the leeway to arrange the plantings to the best advantage as he installed them.

The Board generally agreed that the applicant should submit an "as planted" landscape plan, showing specific locations after the plantings were installed. The Board also generally agreed that the applicant should add a note to the plan saying that the trees separating and shielding the building from NYS 9G, those in the double setback area, not be removed and that that area be declared a "no clear" zone.

Jennifer Fier made a motion adopting an offered resolution granting Site Plan Approval and a Special Use Permit with the above conditions. Paul Telesca seconded the motion, and all members voted in favor. A copy of that resolution is attached to, and made part of, these minutes.

**TGS Associates/ Hardscrabble Commons – NYS Rte 9 and Metzger Rd. – Subdivision Plat, Site Plan and Special Use Permit**

Art Brod of Planners East, Tom Cummings, P.E., Todd Baright and Gary Baright were present for the continuation of a public hearing on applications to create a 6.283-acre lot and a 6.876-acre lot from a 13.159-acre parcel and to authorize modifications to the existing site, construction of a 2-story, mixed retail and apartment building and a 2-story, 24,000 s.f. total floor area, self-storage facility on the proposed Lot 1, all at the Hardscrabble Plaza site in the B1 District.

Mr. Brod said that archaeologist Andy Krievs of Hartgen Archaeological Associates would conduct a Stage 1A survey of the site and would submit his report to the NYS Office of Parks, Recreation and Historic Preservation.

Todd Baright said that grass pavers would be installed in the service access road in front of Holy Cow, that plantings covered nearly 11% of the parking lot, that the road in front of the self-storage building would be 36 feet wide, that blue spruce trees would be planted to buffer the Levy residence from the site, that powder-coated metal fencing would be installed in front of the self-storage building, and that the dumpster enclosure would be constructed of pressure-treated heavy deck board, painted to match the buildings. Todd added that the plan would be corrected to note that both the metal fencing and the vinyl coated chain link fencing would be black.

Christine Kane read the Town Engineer's review of the newly submitted site plan. Asked about delineating the fire lanes, Todd Baright said that he had received a letter from Fire Chief Arvine Coon, Jr. stating that delineated fire lanes were not necessary. Asked about the current access into and egress from Hardscrabble Commons, the Board and the applicant agreed that M&T Bank's easement into the one-way exit onto Rte. 9 limited any options for modifying that problem during Phase 1 of development but that more possibilities might arise as Hardscrabble was further developed. The Board and the applicant did agree on certain revisions to the site plan to improve traffic flow and agreed that lines could be possibly be added to the exit designating right- and left-turn lanes.

Ms. Greig reminded the applicant team that it still must submit proposed signage, a plan for the mechanical equipment, a lighting plan and a drainage plan.

The public hearing was continued to October 3, 2005.

### **Bard College / Science and Computation Center – Campus Road – Site Plan**

At the applicant's request, this public hearing was continued to October 3, 2005.

### **REGULAR SESSION (OLD BUSINESS)**

#### **Steven Bear – 398 Spring Lake Road – Special Use Permit**

Steven Bear was present for a discussion of his application for Special Use Permit to authorize the addition of a bathroom to existing single-family residence within 100 feet of Spring Lake on a .22-acre parcel in the RD3 District.

Mr. Bear confirmed that the size of his lot was 0.60 acres and that his house was 1502 sq. ft. He submitted figures from Zoning Enforcement Officer Bob Fennell showing that his house with the added bathroom met the coverage requirements.

The Board discussed possibility that Mr. Bear would need to apply for an area variance from the setback requirements. It then determined to confer with Mr. Fennell for a determination.

The Board tentatively set a public hearing date for October 3, 2005.

#### **Rondack Construction/ Glen Pond Road Office Buildings – Site Plan**

Art Brod of Planners East, Ron Goodman and BJ Radell were present for a discussion of an application for Site Plan Approval to authorize construction of two (2) one-story buildings totaling 9600 sq. ft. for business and/or office use on a 1.889-acre site in the B1 Zoning District.

Mr. Goodman said that he was submitting a revised site plan showing the septic system located under the parking lot, thus taking that system out of the 300 ft. buffer zones around two (2) Red Hook Village wells. He was also submitting a list of wetland plantings to surround the retention ponds.

Mr. Brod said that the team had applied for two variances: one to allow an individual driveway access to the site and the other to allow a portion of the parking access way to lie within the required rear parking setback. He said that public hearings for both variances had been scheduled for October 12, 2005 but that the ZBA could not act without a SEQR determination on the project from the Planning Board. He said that he

would soon be filing an application to correct dimensional errors on the Eye Associates subdivision plat and that that application, too, would require a public hearing.

Mr. Brod then referred to a recent letter from the Village of Red Hook opposing any development on that parcel. He requested that a public hearing be scheduled so that all views could be aired. He said that the Dutchess County Board of Health had recently increased the buffer zones around the Village wells from 200 feet to 300 feet for sewage systems. The question now was whether the stormwater retention ponds must also be placed outside the 300 foot buffer or whether they could be located outside a 200 foot buffer. Ms. Radell said that a meeting with the Dutchess County Health Department would be taking place during the coming week to discuss buffer requirements. Ms. Greig encouraged the applicants to include representatives of the Village in those discussions.

Christine Kane read a letter from Scenic Hudson opposing several aspects of the project one of which was the construction of an individual driveway into that parcel.

Asked whether he had conferred with Roger Husted about Eye Associates' relinquishing its driveway in order to share a driveway with the proposed site, as the Board had requested, Mr. Goodman said he had spoken to Mr. Husted but that both believed the idea to be impractical.

The Board said that it looked forward to a report from the Town's Design Review Committee on the design of the proposed buildings. It also requested the Clerk to research the resolution and documents filed with the Eye Associates subdivision to see if a shared driveway was mandated at that time.

A public hearing was scheduled for October 3, 2005.

### **REGULAR SESSION (NEW BUSINESS)**

#### **Kirchoff/ Hoffman property – Old Farm Road - sketch conference**

Joseph Kirchoff and Scott Cruickshank were present to discuss a concept plan to create approximately 60 dwelling units on a 42-acre parcel in the R1 Zoning District and Certified Agricultural District.

Mr. Kirchoff said that the proposed development would be pedestrian-friendly with a traditional neighborhood design. He said there would be a green open space in the center of the development, a clubhouse, and private roads. The development would be managed by a homeowner's association. There would be 1-, 2- and 3-bedroom town homes and cottages, with varying styles, large front porches and garages in the rear. Water would be supplied by the Village, and the central septic system would be located under the park or out into the wetlands. Of the 42-acre parcel, 26 acres (mostly federal and state wetlands) would be left open space, owned by the homeowners association. . He said that the open space was in keeping with the Town's farmland protection plan

Mr. Kirchoff went on to say that there would be no lot lines in this project-- that each dwelling owner would own a percentage of the entire project.

Some members of the Board said that this project was consistent with the Town's Master Plan, locating density near the Village and setting aside open space. Other

members of the Board believed that the 16 acres of prime soil and level land could support a farming operation and should not be given up to housing. Some believed that the number of dwellings was too great.

The Board said that the applicants should submit density calculations along with their application, EAF and supporting documents. Ms. Greig recommended that the applicants confer with the Agricultural Advisory Committee very early in the application process.

### **OTHER BUSINESS**

The Planning Board generally consented to Empire State Development Corporation's intent to serve as Lead Agency for a SEQR review in connection with Montgomery Place's proposed site improvements to four historic cottages in Annandale. Christine Kane reminded the Board that it had reviewed these improvements several months ago and concluded that they were not significantly different from those proposed in a site plan approved by the Board in 1988 and that no further Planning Board review was needed.

Christine Kane read a letter addressed to Greg Antonakos from ZEO Bob Fennell regarding the Red Hook Terminal South property on NYS Route 9. The letter said that because Mr. Antonakos, who was leasing the property, had not complied with the site plan submitted by Red Hook Terminal and approved by the Planning Board in July 2005, no certificate of occupancy would be issued. Christine Kane said that Mr. Antonakos would be coming before the Board with an application to amend the site plan.

The Board generally agreed to request the Town Board to authorize GreenPlan to review certain troublesome zoning issues and to draft zoning changes for consideration by the Town Board. The Board also agreed that because several large and complicated projects would likely be coming in for review soon, it would ask the Town Board to expedite its decision. Ms. Greig suggested that subcommittees from the Planning Board be formed to give input on these draft zoning changes.

### **ADJOURNMENT**

Advised by Chair Christine Kane that there was no more business to come before the Board, Dave Wright made a motion to adjourn. John Hardeman seconded the motion, and all members voted in favor. The meeting was adjourned at 11:10 p.m.

Respectfully submitted

Paula Schoonmaker

#### **Attachments:**

Resolution granting a Special Use Permit to Elisabeth Vondell

Resolution granting a Special Use Permit and Site Plan Approval to the Kunzang Palchen Ling Place of Worship

Negative SEQR Declaration for Kunzang Palchen Ling

**Town of Red Hook Planning Board  
Resolution Granting Special Use Permit to Elisabeth Vondell to Authorize Creation  
of an Accessory Apartment within an Existing Single Family Dwelling at 227  
Whalesback Road in the RD3 District**

September 19, 2005

Motion made by Paul Telesca  
Seconded by Jennifer Fier

**Whereas**, the Town of Red Hook Planning Board received an application dated August 2, 2005 from Elisabeth Vondell for the conversion of an existing single-family dwelling to accommodate an accessory apartment; and

**Whereas**, the ± 1.026 acre parcel (TMP 6273-00-202670) is located on Whalesback Road in the Town of Red Hook in the RD3 District; and

**Whereas**, the proposed action requires a Special Use Permit pursuant to the Town of Red Hook Zoning Law §143-64; and

**Whereas**, the Planning Board has reviewed an Application for Special Use Permit dated August 2, 2005, a Short Environmental Assessment Form (EAF), dated August 3, 2005, a site layout and floor plan (undated) for the proposed accessory apartment; and

**Whereas**, a public hearing was held September 19, 2005, and

**Whereas**, the Planning Board has been duly designated Lead Agency in the review of this action and determines in consideration of the Short EAF and the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR, that the Proposed Action, an 'Unlisted Action' under SEQR, will cause no potential significant adverse effects on the environment and, thus, issues a Negative Declaration deeming an environmental impact statement is not required; and

**Whereas**, the Planning Board deems the proposed development to satisfy both the "General Standards" for all special permit uses set forth at Zoning Law §143-51 and the 'Specific Standards' for an 'Accessory Apartment within existing single-family dwellings' as set forth at §143-64.

**Now therefore be it resolved**, that the Planning Board issues the requested Special Use Permit, subject to the Applicant's satisfaction of the following condition:

- that the parking area be delineated by railroad ties or similar materials and that small, unobtrusive signs be installed showing that parking spaces are allotted to specific apartments

and authorizes the Building Inspector and/or Zoning Enforcement Officer to issue first a Building Permit and then a Certificate of Occupancy upon the Applicant's compliance with all pertinent laws, codes, rules or regulations, including the Building Code of the State of New York, under their jurisdiction.



Roll Call Vote:

|                      |     |
|----------------------|-----|
| Member Jennifer Fier | yes |
| Member John Hardeman | yes |
| Member Charles Laing | yes |
| Member Sam Phelan    | yes |
| Member Paul Telesca  | yes |
| Member David Wright  | yes |
| Chair Christine Kane | yes |

Resolution declared: **APPROVED**

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

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Paula Schoonmaker, Assistant Clerk to the Board      Date

**Town of Red Hook Planning Board  
Resolution Granting (Conditional) Site Plan Approval and Approval for Special Permit in the Matter of the Kunzang Palchen Ling House of Worship on NYS Route 9G in the RD3 Zoning District, the Scenic Overlay District and the National Historic Landmarks District**

September 19, 2005

Motion made by Jennifer Fier  
Seconded by Paul Telesca

The Town of Red Hook Planning Board hereby acts as follows on the June 9, 2005 applications by Kunzang Palchen Ling for Special Use Permit and Site Plan Approval to authorize the construction and establishment of a Place of Worship with Resident and Guest Rooms pursuant to the Zoning Law Schedule of Use Regulations and related Section 143-78 on a 5.023-acre project site (TMP 15-6173-00-595014) situate on NYS Route 9G in the RD3 Zoning District, the Scenic Overlay District and the National Historic Landmarks District, all as depicted on the following Site Plan drawings:

- Site Plan and Erosion Control Plan prepared by Berger Engineering and Land Surveying, dated May 5, 2004 and revised to June 8, 2005.
  - Site Details prepared by Berger Engineering and Land Surveying, dated June 8, 2005.
  - Entrance Plan Route 9G prepared by Berger Engineering and Land Surveying, dated August 27, 2004 and revised to June 8, 2005.
  - Architectural Sketch Plans, seven sheets, including building elevations and floor plans, prepared by Edifice Designs and Drafting Service, dated September 14, 2004
  - Landscape Sketch Plans, 2 sheets, prepared by David Dew Bruner, dated August 31, 2005
1. Determines upon review of the Full Environmental Assessment Form (EAF) Part 1 submitted by the Applicant, its own completion of EAF Parts 2 and 3, as necessary to reflect the maximum 60-person congregation cited by the Applicant and provided for through the engineering design and improvement plans, and in consideration of the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR determines the Proposed Action, a 'Type I Action' under SEQR due to its location in the National Historic Landmarks District, will cause no potential significant adverse effects on the environment and thus issues the annexed Negative Declaration deeming an environmental impact statement to not be required.

2. Deems, in consideration of both its review of the Application for Special Use Permit and a June 14, 2004 opinion letter received from the Town's Zoning Enforcement Officer, the intended use to satisfy both the General Standards for Special Permit Uses established at Zoning Law Section 143-51 and the Specific Standards for a 'Place of Worship' in the RD3 District set forth at Zoning Law Section 143-78.
3. Issues subject to the conditions set forth below the requested Special Use Permit and authorizes the Building Inspector and/or Zoning Enforcement Officer to issue a Building Permit for the proposed approximately 13,440 sq. ft. building and a subsequent Certificate of Occupancy for the intended Place of Worship with Resident and Guest Rooms:
  - Satisfaction of any pertinent codes, laws, rules or regulations within the purview of the Town's Zoning Enforcement Officer, including but not limited to the Uniform Building Code of the State of New York.
  - Requirement that the Certificate of Occupancy specifically limit occupancy of the structure to a congregation of not more than sixty (60) persons and further that the occupancy of the resident and guest rooms be limited to occupancy, whether permanent or temporary, by a total of not more than four (4) persons.
4. Deems the proposed layout to satisfy the extraordinary requirements set forth at Zoning Law Section 143-48 for development within the Scenic Overlay (SC-O) District and grants Site Plan Approval in accordance with the above-cited Site Plan drawings and subject to the conditions and requirements of the Special Use Permit as set forth immediately above and further authorizes the Chair to stamp and sign the Site Plan upon the Applicant's satisfaction of each of the below conditions within six (6) months of the Planning Board's adoption of this resolution:
  - Securing of required highway access permit from NYS DOT.
  - Securing of required design approval from the Dutchess County Health Department for intended on-site water supply and sanitary sewage disposal system.
  - Notation on site plan to prohibit, now and in the future, the clearing of existing trees needed as visual buffer from NYS 9G in the double setback area on the western portion of the parcel.
  - Addition of necessary trees, now and in the future, to maintain and enhance that visual buffer from NYS 9G.
  - Submission of "as planted" landscape plan.

- Filing of a Storm Water Pollution Prevention Control Plan with the Town of Red Hook Planning Board Office and the Building Department.
- Payment of any outstanding fee amounts or reimbursable costs due the Town of Red Hook.
- Submission of the final Site Plan drawings for stamping and signature in the number and form specified within the Town's Zoning Code.

Roll Call Vote:

|                      |     |
|----------------------|-----|
| Member Jennifer Fier | yes |
| Member John Hardeman | yes |
| Member Charles Laing | yes |
| Member Sam Phelan    | yes |
| Member Paul Telesca  | yes |
| Member David Wright  | yes |
| Chair Christine Kane | yes |

Resolution declared: **APPROVED**

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

\_\_\_\_\_  
Paula Schoonmaker, Assistant Clerk to the Board    Date \_\_\_\_\_

**617.7**  
**State Environmental Quality Review (SEQR)**

**Negative Determination**  
Notice of Determination of Non-Significance

**Date of Adoption:** September 19, 2005

**Lead Agency:** Town of Red Hook Planning Board

**Lead Agency Address:** Red Hook Town Hall, 7340 South Broadway, Red Hook, New York 12571

This Notice is issued pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the implementing regulations pertaining to said Article, together known as the State Environmental Quality Review Act ("SEQRA").

The Planning Board of the Town of Red Hook, as duly designated SEQRA Lead Agency, has determined that the Proposed Action described below will not have any potential significant adverse effects on the environment and, therefore, issues this Negative Declaration deeming a Draft Environmental Impact Statement to not be required.

**Title of Proposed Action:**

Kunzang Palchen Ling Place of Worship

**SEQR Status:**

Type I Action / Proposed Action located within Hudson River National Historic Landmarks District

|                                          |     |
|------------------------------------------|-----|
| <b>Conditioned Negative Declaration:</b> | YES |
|                                          | NO  |

**Description of Proposed Action:**

The Proposed Action includes issuance of a Special Use Permit and Site Plan Approval by the Town of Red Hook Planning Board and related permits, approvals and compliance determinations from other involved agencies to authorize construction of a place of worship and related site improvements including access driveway and water supply and sanitary sewage arrangements on a 5.147-acre parcel within the Town's RD3 Zoning District and Historic Landmarks Overlay District, the latter coincident with

the portion of the Hudson River National Historic Landmarks District within the Town of Red Hook.

**Location:**

NYS Route 9G, Town of Red Hook, Dutchess County, New York  
(TMP 15-6173-00-595014)

**Reasons Supporting This Determination:**

The Planning Board of the Town of Red Hook has reviewed the Full Environmental Assessment Form (EAF) Part 1, prepared and certified by the Applicant and completed EAF Part 2 and Part 3 in consideration of the “criteria for determining significance” set forth at Title 6 Part 617.7.c NYCRR.

The Planning Board has concluded the environmental effects of the Proposed Action will be as follows:

- Although there may be some short-term effects during construction of the project, there will be no substantial adverse change in existing air quality.
- Although there may be some construction period effects, the increase in overall storm water runoff upon completion of the project will be below the 1,000 gpd threshold requiring a SPDES permit, and there will be no substantial change in ground or surface water quality or quantity.
- There will be no substantial adverse change in traffic or noise levels as a result of the project; although, some additional traffic and noise may be experienced as is routine during the construction period.
- Although generation of an increased amount of solid waste is projected during construction of the project, the increase will not be so substantial as to have an adverse effect on the community’s ability to manage such solid waste.
- The project has been reviewed by the Town Engineer, who has determined that said project will not cause a substantial increase in the potential for erosion, flooding or drainage problems.
- Although there will be some removal of vegetation to carry out the proposed construction and site improvements, existing vegetation and forested areas will be preserved to the greatest extent practicable.
- The project will not cause substantial interference with the movement of any resident or migratory fish or wildlife species.
- The project will not impact a significant natural habitat area.
- The project will not have significant adverse effects on threatened or endangered animal or plant species.

- The project will not have other significant adverse impacts on natural resources.
- The project will not impair the environmental characteristics of a Critical Environmental Area (CEA) as designated by NYSDEC.
- The project will not create a material conflict with the Town's current plans as officially approved or adopted, including but not limited to the Town Master Plan and the Town Zoning Law, for the proposed use is a permissible use at its RD3 District location under the Zoning Law provided that sensitivity to building and supporting improvements' design and placement are demonstrated through the Special Use Permit review process.
- While the Kunzang Palchen Ling project includes an approximately 13,400 sq. ft. building, approximately 34 ft. in height to the top of the roof with a cupola adding 8 additional ft. to the total height, visibility from NYS Route 9G will be obscured by stands of existing trees exceeding the height of the building, substantial setbacks from the road and a knoll behind which the building will be located. Visibility from neighboring residences will be obscured by existing trees. These natural and topographical features plus the substantial setbacks combine to cause the Planning Board to determine that the Kunzang Palchen Ling project will not impair the character or quality of important aesthetic resources or of community character, including nearby properties listed as "contributing structures" within the Hudson River National Historic Landmarks District. Input from the NYS Office of Parks, Recreation and Historic Preservation was sought by the Planning Board, and no adverse impacts on cultural resources (historical and archaeological) were identified by OPRHP.
- Although the project will upon its completion require the use of energy for heating, cooling, lighting and other purposes, there will be no major change in the use of energy by either quantity or type associated with the Proposed Action.
- The project will not create a hazard to human health with all construction and site development activities undertaken in accordance with pertinent environmental regulations.
- The project will not cause a substantial change in the use, or the intensity of use, of land including agricultural, open space or recreational resources, or in the capability of land to support these resources.
- While worship services may attract up to 40 people on significant days, the project will not encourage or attract a large number of people to the site for more than a few days, compared to the number of people who would come to such place absent the proposed action.
- The project will not cause the creation of a material demand for other actions that would result in one of the above consequences.
- The project will not cause changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when

considered together result in a substantial significant adverse impact on the environment.

- The project will not, in combination with other projects either on-going or known to be proposed within the vicinity of the Proposed Action, none of which has or would have a significant impact on the environment, cumulatively meet one or more of the criteria set forth at Title 6 Part 617.c NYCRR.

**For Further Information:**

Contact Person: Christine Kane  
Chair, Town of Red Hook Planning Board

Address: Town Hall, 7340 South Broadway, Red Hook, New York 12571

Telephone: (845) 758-4613 (Telephone) / (845) 758-0492 (FAX)

**Distribution of Copies of This Negative Declaration:**

- Town of Red Hook Planning Board (Lead Agency)
- Marirose Blum Bump, Town Supervisor
- Town of Red Hook Town Board
- John McIlravy (applicant) 37 Pinewood Lane, Red Hook, NY 12571
- New York State Office for Parks, Recreation and Historic Preservation,  
Field Services Bureau, Peebles Island Complex  
P.O. Box 189  
Waterford, New York 12188
- Dutchess County Health Department  
Environmental Health Division  
387 Main Street,  
Poughkeepsie, New York 12601
- New York State Department of Transportation  
Region 8 Office  
Eleanor Roosevelt State Office Building  
4 Burnett Boulevard  
Poughkeepsie, NY 12603
- Dutchess County Department of Planning and Development,  
27 High Street  
Poughkeepsie, New York 12601
- Environmental Notice Bulletin [enb@gw.dec.state.ny.us](mailto:enb@gw.dec.state.ny.us)