

draft
**Town of Red Hook Planning Board
Meeting Minutes
April 18, 2005**

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:35 p.m. and a quorum determined present for the conduct of business.

Members present — John Hardeman, Charles Laing, Paul Telesca (for the first half of the meeting), David Wright (for the second half of the meeting), and Chair Christine Kane. Sam Phelan and Jennifer Fier were absent. Planning Consultant Michele Greig was also present.

BUSINESS SESSION

The Chair confirmed the meeting agenda as published.

The minutes of the April 4, 2005 meeting had been sent to the Members and reviewed. John Hardeman made a motion to accept those minutes. The motion was seconded by Paul Telesca, and all members present voted in favor.

The Chair asked if any Member would be able to attend Northern Dutchess Alliance meeting on April 28, 2005 at the Red Hook Firehouse. Charles Laing said he may be able to attend. He will confirm with the clerk.

The Chair then read a draft letter to Mary Lou Muirhead, thanking her for her years of service to the Board and her contributions to the community. The Board generally agreed to send that letter.

PUBLIC HEARINGS

Devereux Foundation—NYS Route 9 and Old Post Road—Subdivision Plat

Tim Race, L.S. with the Chazen Companies, and John Kavanaugh of the Devereux Foundation were present for the public hearing on applications for an Amendment to the Special Permit and for Subdivision Plat Approval to authorize the creation of a 5.2-acre residential building lot and a 54.4-acre institutional lot from a 59.6-acre parcel in the (I) Institutional and Certified Agricultural Districts.

The Chair read the public hearing notice that appeared April 11, 2005 in the Kingston Daily Freeman. She then opened the hearing for public comment.

Mr. Race explained the project to the Board and the public. He said that the proposed lot and residential facility fall within the Scenic Corridor Overlay and that the planned setbacks exceed those required by the Town regulations. He said that the Foundation will keep most of the large trees and vegetation, making the proposed one-story facility barely visible from Route 9. He said that there would be a driveway easement over the existing driveway to access the proposed facility.

Mr. Kavanaugh said the proposed building would be an 8-bed apartment-type supervised facility for disabled adults who had aged out of the educational program. The proposed facility would help those clients gain the necessary skills to function more independently. Some residents would come from the Red Hook Devereux campus, some from other Devereux facilities, and some from other facilities. A few residents might eventually be able to live in a less restrictive facility, but most would continue to need the supervision provided by the proposed Devereux facility. Mr. Kavanaugh added that the proposed facility would be built using Housing and Urban Development funding and that it was not designed to be interactive with the Devereux educational campus.

Charles Laing asked if anyone had checked with the Town Historian to see whether the existing house on the proposed smaller lot had any historical value. Mr. Kavanaugh said that this had been done as part of the HUD application and that the existing house had been found to be of no historical significance.

Mr. Race said that the coverage figures had been submitted and had been found to be within the required limits for both the proposed new lot and the remaining campus land. He said that landscaping had been shown on the site plan prepared for HUD.

Most Planning Board members had made an informal site visit and were familiar with the location.

The Chair then read the referral response from the Agricultural Advisory Committee, which recommended that steps be taken to ensure preservation of the remaining open space. Mr. Race said that the coverage requirements would restrict further development or subdivision of the educational campus and that the 5-acre zoning in the district would prohibit further subdivision of the smaller proposed lot.

Mr. Kavanaugh said that the existing house would be removed but that the old stone foundation was hidden by brush and would not be removed. He said construction and demolition waste would be disposed of according to all codes, as required by HUD.

Charles Laing made a motion to establish the Planning Board as Lead Agency under SEQR. John Hardeman seconded the motion, and all members voted in favor.

Planning Consultant Michele Greig asked the applicants to change their answers to two questions on the EAF part 1. Mr. Kavanaugh made the corrections.

The Chair read the EAF part 1, and with input from the Board, completed part 2.

Ms. Greig said that the phrase concerning removal of the stone foundation should be removed from the draft Negative SEQR Declaration. The Planning Board found no need to add language about a historic structure to the document.

John Hardeman made a motion to issue a Negative SEQR Declaration with the one above revision. Paul Telesca seconded the motion, and all members present voted in favor.

The Chair then closed the public hearing.

John Hardeman made a motion to adopt an offered resolution granting Subdivision Plat Approval to the project. Charles Laing seconded the motion, and all members present voted in favor.

Ms. Greig said that a community residence was a permitted use in the Institutional District and that Site Plan Approval was not required. Mr. Race requested that Ms. Greig's determination be recorded in the meeting minutes.

Ms. Greig said that an error had been made, since the Amendment to the Foundation's Special Use Permit had not been approved prior to the vote on the subdivision application. She said that the applicant had provided coverage calculations showing that the existing development on the remaining parcel would comply with zoning regulations, so the vote on the Amendment could go forward.

John Hardeman made a motion to rescind the Subdivision Plat approval. Paul Telesca seconded the motion, and all members present voted in favor.

The Board then generally agreed to require the applicant to add evergreen screening to shield the proposed building and parking lot from NYS Route 9.

Paul Telesca made a motion to adopt both the resolution granting the Amendment to the Special Permit and the resolution granting Subdivision Plat Approval. John Hardeman seconded the motion, and all members voted in favor. Copies of those resolutions are attached to, and made part of, these minutes.

REGULAR SESSION (OLD BUSINESS)

TGS Associates/ Hardscrabble Commons – NYS Route 9 and Metzger Road – Site Plan & Special Permit

Todd Baright, Gary Baright and Art Brod of Planners East were present for a continuation from April 4, 2005 of the discussion of applications for Site Plan Approval and Special Use Permit 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 within an undeveloped portion of the 13.159-acre Hardscrabble Plaza site.

Mr. Brod said that there were no new or revised plans but that some issues had arisen from the various reviews.

The Board and the applicant first discussed GreenPlan's suggestion that the proposed self storage building be moved closer to the proposed road at the rear of the property and that it be comprised of retail space, rather than self storage space, on the first level. Mr. Baright outlined a number of reasons that self storage in the entire building would be preferable to the Commons development, to the Red Hook community and to the economic feasibility of the project. He said that there would be sufficient retail space available in the buildings proposed for later phases of the Commons development and that there was a local need for more self storage space. He said that the self storage building would be well screened from traffic and from residents of the proposed apartments and that self storage use would not generate a large number of cars, which might concern apartment residents and congest the traffic flow within the Commons. In

addition, he said, the self-storage building had been part of the plan endorsed by Dutchess County Planning and Scenic Hudson.

Paul Telesca said that at an informal meeting held on Friday, April 15, 2005 and consisting of Todd Baright, GreenPlan's Ted Fink and himself, the three agreed that the self storage building was a permitted use and that retail space would necessitate more paving and parking areas. He said that both he and Mr. Fink believed that Mr. Baright had already revised his plan to accommodate suggestions by Scenic Hudson and Dutchess County Planning. He said that he believed Mr. Fink was not averse to keeping the self storage building in the plan.

Ms. Greig said that moving the building closer to the proposed rear road would narrow the field of vision and slow traffic. She also encouraged the applicant to redesign the building so that it could be converted to retail space in the future.

The Board members generally agreed that they were comfortable with retaining the self-storage building in the plan. They said that sufficient retail space was planned for future phases of the project and that if additional retail space were eventually needed, the self-storage building could be expanded in the front to accommodate that use and reach closer to the road. The applicant was encouraged to review architectural details of the second level of the building and attempt to vary them in a way that complemented the details of the proposed mixed-use building. As currently planned, the lower level of the self-storage building would be hidden by evergreen trees planted on a long, approximately 4 ft. high berm. The Board generally agreed that planting taller trees without the berm would accomplish the same goal and could be an option.

Ms. Greig said that current zoning regulations did not adequately accommodate the proposed plan. The Board determined that Planners East should confer with GreenPlan to develop a rezoning package to reflect the development of a traditional neighborhood district.

Mr. Brod said that the NYS Office of Parks, Recreation and Historic Preservation had suggested that a Phase I archaeological survey be conducted because of Hardscrabble's proximity to St. Margaret's Home. He went on to say that an in-depth archaeological survey was conducted of the St. Margaret's site during the Hannaford Supermarket approval process in 2000, and he requested that that survey be reviewed, making another such survey of Hardscrabble Commons unnecessary. Ms. Greig said GreenPlan would review those documents.

Mr. Brod said that the NYS Department of Environmental Conservation had asked about extending the Village water supply to Hardscrabble Commons. He said that the Town should be considering not only the construction of water mains to access Village water but also the legal arrangement by which the water supply would be extended. He encouraged the Town to create a water district rather than entering into a contractual agreement with the Village.

Mr. Brod questioned the need for a referral of the project to the Agricultural Advisory Committee. Ms. Greig said that because the site contained both prime soils and soils of Statewide importance, the project must be referred. The Board made that referral.

Asked about the data used in the traffic study included in the project package, Mr. Brod he had used ITE numbers to calculate vehicle trips per day and per hour for both existing and proposed uses at the Hardscrabble location. He agreed to provide traffic data and code numbers to the Board and to the Town Engineer. He said that developing traffic data at full build-out could result in inaccurate calculations since the applicants were not sure how the project would develop during Phase II and beyond.

The Board agreed to set a date of May 16, 2005 to open the public hearing.

(At this point, David Wright arrived and Paul Telesca left)

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road – Subdivision Plat

Darin Dekoskie from Morris Associates and Keith Lore were present to continue the discussion from March 7, 2005 of an application for Subdivision Plat Approval (Sketch Plan) to create 51 residential building lots ranging from .12 acres on up and an open space lot from a 65.3-acre parcel, partially in the Village of Red Hook and partially in the R1 District in the Town of Red Hook.

The Chair began by summarizing the Agricultural Advisory Committee's referral response, which generally favored this particular project but urged the Board to protect the open space.

She then summarized comments made by Dutchess County Planning. Mr. Dekoskie said that he would respond.

Mr. Dekoskie said that Morris Associates was working on a drainage analysis and had initiated a traffic study conducted by Collins.

Mr. Dekoskie went on to say that although the Town zoning regulations required the proposed road between Glen Ridge Road and Fisk Street be 26 ft. in width, Dutchess County Planning recommended a width of 20 feet. Ms. Greig said most municipalities were rewriting their requirements to specify narrower roads of 18 to 20 feet. The Board generally agreed that narrower roads slowed down traffic speed but that the road must be wide enough to accommodate emergency vehicles turning into and out of the development. Mr. Dekoskie said that the Red Hook Town Fire Chief had reviewed the road and found it adequate. Ms. Greig said that the Planning Board could write an opinion and make recommendations to the Town Board. The Town Board could then discuss the recommendations with the Highway Superintendent.

Mr. Dekoskie said that the interior roads of the development would be wider to allow for parking on one side. At the request of the Board, he said he would submit a street diagram.

Finally Mr. Dekoskie said that the original storm-water drainage plan had been revised and the large above-ground retention basin removed. Storm water would now drain into underground filtration basins which would distribute the water so that it could be filtered through the subsoil.

The project was tentatively scheduled for a reappearance before the Board on May 16, 2005.

REGULAR SESSION (NEW BUSINESS)

Bard College/ Soccer Field Expansion – Campus Road (Annandale) – Site Plan

John Gall and Kristen Hall of Bard College, Jim Catella of the Clark Company, Darin Dekoskie of Morris Associates, and Brian McCarty of Musco Lighting appeared before the Board with an application for Site Plan Approval to authorize renovations to an existing 252 ft. x 400 ft. soccer field and the creation of a 261 ft. x 360 ft. soccer field in the Institutional (I) District.

Mr. Gall said that the College planned to include lighting in the renovation of the existing field but that the new field would not be lighted.

Mr. Catella said that the renovated field would be a high-end field with 6 light poles. He said that the lights would be environmentally disciplined yet provide safety for the athletes. He referred to the lighting plan which he said showed that light levels would quickly drop to zero a short distance away from the field. Visors and shields on the lights would prevent lighting spills, sky glow and glare. He said that reducing the number of poles would necessitate raising the height of the remaining poles and increasing the number of lights on each pole.

Mr. Gall said that there would be no additional parking area, that very few if any trees would be removed from the site and that the College archaeologist had already begun his report.

Kristen Hall said that the field would be lit only for the home night soccer games. Some home games occur on weekends during the day, she said, so not all home games would require the lights.

Ms. Greig said that since the College was in the Historic Landmarks District Overlay, a full EAF was necessary as well as a visual addendum. She said that the Villages of Tivoli and Saugerties should be included as interested agencies since the lights may be visible from those locations. Because of its proximity to a county road, the project must also be referred to Dutchess County Planning. Mr. Catella and Mr. Gall agreed to float balloons to the projected height of the poles and to take pictures from various locations on and away from the campus in order to evaluate the visibility of the poles. Newspapers would be asked to publish the date of these balloon floats as well as a rain/wind date. Legal notices would also be published.

The project was tentatively scheduled for May 2, 2005, at which time the Board would vote on a resolution of Intent to serve as Lead Agency for the SEQR review.

Red Hook Terminal South – 7269 South Broadway – Site Plan

John Sullivan of Day Engineering and Brian Bottini were present with an application to authorize the conversion of an existing 1,347 sq. ft. residential building to retail space on a 0.46-acre parcel in the B1 District.

Mr. Bottini said that this application was the continuation of a previous application to allow an antiques store on the site. During the earlier discussions, finding locations for a sufficient number of parking spaces had been a problem.

Ms. Greig said that because the building had housed a gas station and a dry cleaning business in the past, she recommended first testing the well for petroleum, solvents, and MTBE. She also said that the parking spaces should be located to the side or rear of the building and that the applicant should consider landscaping and possibly installing a sidewalk in the front. In addition, she said he should show existing and proposed trees on his site plan and should try to reduce the number of curb cuts if possible. She said that the red maple proposed for a location near the street would not be salt-tolerant and suggested the applicant choose a more suitable species. Finally, she said that because the project was located on a State road, it must be referred to Dutchess County Planning for review.

Mr. Bottini said that the septic tank was located a short distance behind the building, which precluded paving that area. John Hardeman asked whether there was a concrete area immediately behind the building and whether that area could be considered a location for three employee parking spaces. The applicant and the Board generally agreed that this plan might be a solution.

Ms. Greig said that while sidewalks are generally prohibited on a State right-of-way, applicants could request permission to install one.

Finally, the applicant was told that any work he chose to undertake before his site plan was approved would be at his own risk.

John Hardeman made a motion to adopt an offered resolution to establish the Board as Lead Agency for the project under SEQR. Charles Laing seconded the motion, and all members present voted in favor.

Red Hook Terminal North – 7269 South Broadway – Site Plan

John Sullivan and Brian Bottini were present with an application to authorize conversion of a 1,200 sq. ft. existing residential building to office space on a 1.37-acre parcel in the B1 District.

The Board and the applicant generally agreed to defer consideration of the application until the applicant decided on a tenant or use for the building.

ADJOURNMENT

Upon being advised by the Chair that there was no further business to come before the Board, John Hardeman made a motion to adjourn the meeting. David Wright seconded the motion, and all members voted in favor. The meeting was adjourned at 10:40 p.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk to the Planning Board

Attachments

Resolution granting Conditional Final Subdivision Plat Approval to Devereux Foundation
Negative SEQR Declaration for proposed Devereux Subdivision
Resolution granting Amendment to Special Permit to Devereux Foundation

Resolution Granting Subdivision Plat Approval

Date: April 18, 2005

Name of Project: Devereux Subdivision

Name of Applicant: Devereux Foundation

Motion made by John Hardeman
Seconded by Charles Laing

Whereas, the Town of Red Hook Planning Board has received an application for subdivision approval for a proposed two lot subdivision of a ±59.60 acre parcel located on Route 9 in the Institutional (I) District and the Scenic Corridor Overlay (SC-O) District in the Town of Red Hook; and

Whereas, the parcel is located within a certified agricultural district, the applicant submitted an Agricultural Data Statement, and the Planning Board forwarded said statement to all owners of farm operations within 500' of the subject parcel; and

Whereas, the application is subject to the Town's Important Farmlands Law and the Planning Board forwarded the application to the Town's Agricultural and Open Space Advisory Committee for its review and comments; and

Whereas, the Planning Board considered the comments on the Agricultural Data Statement and review responses from the Agricultural and Open Space Advisory Committee in its review of the application; and

Whereas, the Planning Board declared itself Lead Agency for the proposed action, reviewed the EAF Part 1, and adopted a Negative Declaration for the proposed action on April 18, 2005; and

Whereas, the Planning Board held a Public Hearing on the Subdivision application on April 18, 2005.

Now therefore be it resolved, that the Planning Board approves the subdivision plat subject to the following condition:

1. New plantings of evergreen trees will be shown on the plat west of the proposed structure so as to screen the structure from the Route 9 corridor.

Roll Call Vote:

Member Jennifer Fier	absent
Member John Hardeman	yes
Member Charles Laing	yes
Member Sam Phelan	absent
Member Paul Telesca	yes

Member David Wright	absent
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
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617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: April 18, 2005

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Devereux Subdivision and Amended Special Use Permit

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: **The applicant proposes to subdivide a $\pm$ 59.60 acre parcel into two (2) lots, a $\pm$ 5.2 acre residential building lot and a $\pm$ 54.4 acre lot that is currently in an institutional use. The property is located in the Institutional (I) District and the Scenic Corridor Overlay (SC-O) District. The proposed use of the $\pm$ 5.2 acre lot is a community residence, a permitted use in the I District. An existing house on the property will be demolished. A one-story community residence to house eight (8) developmentally disabled adults will be constructed. The community residence will be served by an individual well and septic system, and the property will be accessed from a common driveway. The applicant seeks an Amended Special Use Permit for the Devereux Alternative-Care Facility on the remaining $\pm$ 54.4 acre lot.**

Location: Route 9, Town of Red Hook, Dutchess County NY

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form (EAF) for the action dated February 1, 2005, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The project site is located in the Town's SC-O District. An existing structure will be removed and replaced with a new structure located further from the road. The new structure will be located in excess of 200 feet from Route 9, in compliance with the Town's SC-O District regulations. The project will be partially screened by topography and existing vegetation, and additional vegetation will be planted to further screen the structure from Route 9. The Planning Board finds that these measures will mitigate impacts on aesthetic resources to the greatest extent practicable.
4. The project site is located within a certified agricultural district and is subject to the Town of Red Hook's Important Farmlands Law. An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcel. The Planning Board forwarded the application to the Town of Red Hook Agricultural and Open Space Advisory Committee for its review. The Planning Board considered comments on the Agricultural Data Statement and review responses from the Agricultural and Open Space Advisory Committee in its review of the application. The project site possesses Soils of Statewide Importance and has been used for grazing in the past, abutting orchards that are no longer maintained. The property has already been developed, and replacing the existing structure with a new structure will have little or no impact on the potential agricultural use of the site or on adjacent farmlands and agricultural operations. The Planning Board finds that that no impacts on agriculture are anticipated and therefore no mitigation is required.
5. The Planning Board has determined that, subsequent to the subdivision of $\pm$ 5.2 acres of land from the existing $\pm$ 59.6 acre parcel, the existing "alternate-care facility" located on the remaining $\pm$ 54.4 acre parcel complies with the special conditions for Special Use Permits and "alternate-care facilities" in the Town of Red Hook Zoning Law.

For Further Information:

Contact Person: Betty Mae Van Parys, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)

Marirose Blum Bump, Town Supervisor

Town of Red Hook Town Board

Dutchess County Department of Health

Resolution Amending Special Use Permit

Date: April 18, 2005

Name of Project: Devereux Alternate Care Facility

Name of Applicant: Devereux Foundation

Motion made by John Hardeman
Seconded by Charles Laing

Whereas, the Town of Red Hook Planning Board has received an application for an Amended Special Use Permit dated March 21, 2005 for the Devereux Foundation located on Route 9 in the Institutional (I) District and the Scenic Corridor Overlay (SC-O) District in the Town of Red Hook; and

Whereas, the Devereux Foundation was granted a Special Use Permit on May 4, 1988; and

Whereas, the existing use of the parcel is an "alternate-care facility" which is subject to the provisions of the Town's Zoning Law §143-50 and §143-51 governing Special Use Permits and §143-74 governing "alternate-care facilities;" and

Whereas, the Devereux Foundation proposes to subdivide the ± 59.6 acre parcel into two lots consisting of ± 5.2 acres and ± 54.4 acres; and

Whereas, the Planning Board has reviewed the provisions of the Zoning Law governing Special Use Permits and "alternate-care facilities" in addition to a site plan of the Devereux Foundation and calculations provided by the applicant for building coverage and open space; and

Whereas, the Planning Board has determined that, subsequent to the subdivision of ± 5.2 acres of land from the existing ± 59.6 acre parcel, the existing "alternate-care facility" located on the remaining ± 54.4 acre parcel will comply with the special conditions for Special Use Permits and "alternate-care facilities" in the Town of Red Hook Zoning Law; and

Whereas, the parcel is located within a certified agricultural district, the applicant submitted an Agricultural Data Statement, and the Planning Board forwarded said statement to all owners of farm operations within 500' of the subject parcel; and

Whereas, the application is subject to the Town's Important Farmlands Law and the Planning Board forwarded the application to the Town's Agricultural and Open Space Advisory Committee for its review and comments; and

Whereas, the Planning Board considered the comments on the Agricultural Data Statement and review responses from the Agricultural and Open Space Advisory Committee in its review of the application; and

Whereas, the Planning Board declared itself Lead Agency for the proposed action, reviewed the EAF Part 1, and adopted a Negative Declaration for the proposed action on April 18, 2005; and

Whereas, the Planning Board held a Public Hearing on the Amended Special Use Permit application on April 18, 2005.

Now therefore be it resolved, that the Planning Board approves the amendment to the Special Use Permit.

Roll Call Vote:

Member Jennifer Fier	absent
Member John Hardeman	yes
Member Charles Laing	yes
Member Sam Phelan	absent
Member Paul Telesca	yes
Member David Wright	absent
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