

**Town of Red Hook
Planning Board
Meeting Minutes
April 5, 2004**

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:30 p.m. by Acting Chair Sam Phelan and a quorum determined present for the conduct of business.

Members present—John Hardeman, Christine Kane, Mary Lou Muirhead, Paul Telesca, David Wright and Acting Chair Sam Phelan. Chair Paul Thomas was absent. Also present were consultant Art Brod and Town Board liaison Jim Ross.

BUSINESS SESSION

The minutes of the March 15, 2004 meeting had been sent to the Board members and reviewed. David Wright made a motion to accept the minutes. The motion was seconded by Christine Kane, and all the members present voted in favor.

Acting Chair Sam Phelan announced that thirty (30) days had passed since Notices of Intent to Serve as SEQRA Lead Agency had been sent out for both the Bard College Curatorial Studies Center project and also the Bard College Robbins House project. Since no objections have been received, John Hardeman made a motion that the Town of Red Hook Planning Board serve as SEQRA Lead Agency for both projects. Christine Kane seconded the motion, and all the members present voted in favor.

Acting Chair Sam Phelan read a letter, erroneously dated April 6, 2004, from Timothy A. Ross, P.E., authorized agent for the Michael and Henry Ruella Major 7-Lot Subdivision and Associated Lot Line Alteration, located on the north side of NYS Rte. 199 in the RD3 District. The letter requested a ninety (90) day extension of the Conditional Final Approval deadline. John Hardeman made a motion that the Planning Board grant the extension. Mary Lou Muirhead seconded the motion. All members present except Christine Kane voted in favor. Christine Kane abstained from voting because she was unfamiliar with the project.

Mary Lou Muirhead read a draft resolution, written by Chair Paul Thomas, commending past Chair Marcella Appell for her many years of service to the Planning Board and to the Red Hook community. Christine Kane made a motion to adopt the resolution. John Hardeman seconded the motion, and all members present voted in favor. The Clerk will send a copy of the resolution with a cover letter to Marcella Appell and to the Red Hook Town Board. A copy of the resolution is annexed to, and made part of, these minutes.

PUBLIC HEARING

Meri Puccio/ Julia & Isabella Restaurant – NYS Route 9 North – Site Plan

Ray Quintero and Meri Puccio were present to represent their application for an Amendment to an Approved Site Plan to authorize the addition of 320 square feet of enclosed dining space to Julia & Isabella Restaurant in the R 1.5 District.

Acting Chair Sam Phelan read the public hearing notice that appeared on March 30, 2004 in the Kingston Daily Freeman.

Acting Chair Sam Phelan also read a response by the Dutchess County Department of Planning and Development to the application and materials sent for review. The County Planning Department urged the Planning Board to stipulate increased landscaping, specifically including trees along NYS Route 9, and designated pedestrian walkways as conditions for granting approval. The Acting Chair then opened the discussion for public comment.

There was general discussion about separating pedestrians and vehicular traffic in the parking lot. Board members brought up various ideas including a delineated pedestrian walkway, a one-way traffic flow through the parking lot, and using plantings to channel traffic and pedestrians. Currently, vehicles park so close to the building that pedestrians are forced to walk behind them to and from the restaurant. Placing bumpers approximately eight (8) to ten (10) feet from the building would allow for vehicle overhang and still give pedestrians space to walk next to the building.

Kathy Stewart suggested using a trellis and plantings to set off a walkway.

Doreen Ruff added that there was already a landscaped buffer at the handicapped entrance. She also worried that such a front walkway would take up needed parking space in a "double-loaded" lot. Art Brod said that, if the measurements on the sketch plan were correct and cars were to be parked on both the east and west sides of the parking lot, the lot was already too small as it was. It was concluded that the measurements were incorrect and that there was sufficient parking space.

There was general consensus among the Board members that deciduous trees should be planted along Route 9. The applicants were agreeable to such landscaping as well as foundation plantings along the front of the building.

Jeff Ackerley, President of the Red Hook Chamber of Commerce, stated that landscaping can be an economic hardship for a small business. He was concerned that landscaping requirements were becoming excessive.

Since there were no further comments from the public or from Board members, the Acting Chair closed the public hearing.

REGULAR SESSION (OLD BUSINESS)

Meri Puccio/ Julia & Isabella Restaurant – NYS Rte 9 North – Site Plan Approval

The Acting Chair read the short EAF Part 1 and with input from the Board completed Part 2.

Consultant Art Brod summarized a resolution for Site Plan Approval offered to the Board.

The Board agreed by consensus to add as a condition for approval a requirement to landscape both in front of the restaurant and along NYS Route 9.

Paul Telesca made a motion to adopt the offered resolution granting Site Plan Approval with the added landscaping conditions. David Wright seconded the motion, and all members present voted in favor. The resolution is annexed to, and made a part of, these minutes.

Kenneth and Evelyn Anderson – Baxter Road and Fisk Street – Subdivision Sketch Plan

Ken and Evelyn Anderson appeared before the Board to represent their application for Sketch Plan Endorsement involving the creation of an existing parcel and two (2) vacant land parcels for an 81-acre tract principally in the Town's R1 District and in part within the Village of Red Hook.

The Acting Chair summarized a meeting which took place Thursday, April 1, 2004 and which focused on the Anderson subdivision and a proposed Town road through that property. Participants in that meeting included Town Supervisor Marirose Blum Bump, Town Board member Jean Bordewich, Town Planning Board Chair Paul Thomas, Town Planning Board member Sam Phelan, Mr. and Mrs. Anderson, excavator Keith Lore, soils and water expert Craig Vogel, and Director of the Dutchess County Office of Planning and Development Roger Akeley. The group agreed by consensus to allow the Dutchess County Department of Planning and Development a period of ninety (90) days in which to gather information and to formulate comprehensive development options for the southeast quadrant of the Town, focusing on the area closest to the Village. Mr. and Mrs. Anderson's parcel is located within that area.

Mr. Anderson stated that he was willing to defer action by the Planning Board on his proposed subdivision sketch plan for the ninety (90) day period. He also stated, however, that he wants to be kept informed about the County's progress and to participate in any appropriate meetings concerning the comprehensive plan. He does not want any surprises at the end of the ninety (90) day period. He also stated that if the County is unable to formulate an acceptable plan at the end of ninety (90) days, he wants his application for sketch plan endorsement to appear on the agenda for the next Planning Board meeting; that is, the first meeting in July, 2004. By consensus, the Board agreed to this request.

There was general discussion about the role of the Village in any such comprehensive plan. The Acting Chair stated that there was no representative from the Village at the April 1, 2004 meeting but that it became apparent at that meeting that the Village has many concerns about any road connecting NYS Rte 9 South and Rte 199 East. Mr. Anderson added that the Village realizes there are both advantages and disadvantages to routing traffic around the Village center.

The Board and the Andersons then turned to the topic of a Farmland Protection Plan. The Agricultural Advisory Committee has stated that such a plan is appropriate for Mr. Anderson's parcel. Mr. Anderson stated that he does not know what the Agricultural Committee wants from him. He also repeated his previous contention that because his soils are classified as Type 3 and 8, not Type 1 or 2, his parcel should be exempt from review by the Committee. Mr. Brod explained that the reference to soil types in the "important farmlands" section of the Town Zoning Law was a publishing error and that in fact Mr. Anderson's parcel was eligible for Committee review. The Planning Board agreed that it would specifically request the County take into account "important farmlands", as defined under the Town's Zoning Law, in its work.

Common Fire Foundation – West Kerley Corners Road (CR 78) – Subdivision Sketch Plan

Mark Graminski, P.E. and L.S., appeared before the Board to present new sketch plans which incorporate a Conservation Easement protecting approximately 30 acres in Lot 3. This plan would effectively prohibit any further subdivision of the entire parcel. Building envelopes on each of the lots will also be established.

Mary Lou Muirhead made a motion that the Board conceptually endorse the sketch plan as prepared by Mark Graminski, P.E. and L.S., and direct the Planning Consultant to prepare the draft of a more detailed resolution for adoption at the April 19, 2004 meeting. Christine Kane seconded the motion, and all members present were in favor.

Stephen Buscarino/Lisa Racano (Kidz Kare Day Care) NYS Rte. 9G and West Kerley Corners Road – Site Plan and Special Use Permit

Stephen Buscarino, Lisa Racano, and Tim Ross, P.E., appeared before the Board to present additional data in support of applications for Site Plan Approval and Special Use Permit for development and occupancy of an 80-child Day Care Center on a 3.36-acre parcel in the RD3 District.

Doreen Ruff gave a power-point presentation about the proposed day care center. She stated that the facility would be open Monday through Friday from 6 a.m. until 6 p.m. Services will include meals and health care. There will be approximately seventeen (17) employees.

The new submissions included elevations and renderings of the building, a description of the interior and exterior spaces, site plans, engineering plans, and lighting plans. The building will measure 5160 square feet and will be constructed by Creative Homes. It will be one story with a full basement for storage.

Lisa Racano stated that because of safety issues, there will be no entrance from West Kerley Corners Road. She also has been in contact with the Red Hook Central School, and there will be a scheduled bus stop in front of the facility. Both the a.m. and p.m. routing at this location is northbound; therefore, no children will be crossing NYS Route 9G.

Tim Ross assured the Board that there are existing catch basins for storm water runoff, that the planned septic system will be more than adequate, that the Village of Tivoli will supply drinking water, and that no septic waste will leach into the nearby stream.

Paul Telesca made a motion to adopt an offered resolution accepting both the application for Special Use Permit and the application for Site Plan Review and providing for coordinated environmental quality review under SEQRA. Christine Kane seconded the motion, and the members present were all in favor. A copy of the resolution is annexed to, and made part of, these minutes.

The Acting Chair said that the project should be reviewed again at the April 19, 2004 meeting, after the Board members have had a chance to look over the information. The consultant and the Town Engineer will also have had time to submit their technical review by that time. A public hearing will be set for May 3, 2004, but the Board will not

be able to close the hearing on that day because comments from involved and interested agencies may not yet have been received and the SEQRA compliance procedure will not have been completed.

REGULAR SESSION (NEW BUSINESS)

Linden Farms and Thomas & Rita Dee – West Kerley Corners Road – Subdivision Sketch Plan and Plat

Mark Graminski, P.E. and L.S., was present as authorized agent to submit a sketch plan and an application for a Lot Line Alteration to correct a 0.75-acre deed overlap between land owned by Linden Farms and land owned by the Dees.

Mr. Graminski stated that both parties have agreed to divide the land in question about equally.

John Hardeman made a motion to adopt the following offered resolution:

The Town of Red Hook Planning Board hereby acts as follows on the March 22, 2004, Application by Mark Graminski, P.E. and L.S., as agent for Linden Farms and Thomas & Rita Dee, for Sketch Plan Endorsement for a combined 0.75-acre lot line alteration to correct a deed overlap involving their combined parcels totaling 265.325 acres in the RD3 and Certified Agricultural Districts:

1. Endorses, subject to concurrence by the Agricultural Advisory Committee, the Sketch Plan entitled 'Proposed Lot Line Alteration for Linden Farms / Lands of Frank A. Migliorelli and Salvatore J. Leone and Lands of Thomas A. Dee and Rita S. Dee', prepared by Mr. Graminski and dated March 22, 2004.
2. Classifies the proposed subdivision as a 'Minor Subdivision / Lot Line Alteration with respect to Lands of Linden Farms and Lands of Thomas & Rita Dee' under the Town's Land Subdivision Regulations and the Proposed Action as an 'Unlisted Action' under SEQRA.
3. Accepts the Application for Subdivision Plat Approval as adequate for Planning Board, consultant and public review.
4. Schedules a Public Hearing on the Application for Monday, April 19, 2004, at 7:45 p.m. and directs the Clerk to both provide timely notice thereof and circulate the related Agricultural Data Statement.
5. Advises both Linden Farms and Thomas & Rita Dee that consolidation, or merger, deeds will be required to merge each of the annexation parcels with the lands of the appropriate acquiring party, which deeds shall be submitted to the Planning Board in draft form prior to final approval of the subdivision and recorded in the Dutchess County Clerk's Office simultaneously with the filing of the Approved Subdivision Plat.

Christine Kane seconded the motion, and all the members present voted in favor.

Susan & Bob Davis – Woods Road – Special Use Permit

Susan Davis appeared before the Board to present an application for Special Use Permit to authorize construction of a single-family dwelling on a 20-acre parcel within 1,000 feet of the Hudson River in the LD (Limited Development) and HL-O (Historic Landmarks Overlay) Districts.

Mr. Brod stated that any proposed construction in a Historic Overlay District needs a Special Use Permit. The same is true of any proposed construction within 1,000 feet of the Hudson River. Therefore, this project actually requires applications for two (2) Special Permits. In addition, any construction in a Historic Overlay District is a Type I action under SEQRA. In this case, the parcel is adjacent to state land (Clermont State Park), which also makes it subject to SEQRA review as a Type I Action.

Mr. Brod offered a procedural resolution accepting the applications and beginning the SEQRA process with the issuance of a Notice of Intent to Serve as Lead Agency. The Notice of Intent must be accompanied by a Full EAF Part 1, and a Coastal Assessment Form must also be submitted. Chris Kane made a motion to adopt the procedural resolution. Paul Telesca seconded, and all the members present voted in favor. A copy of the resolution is annexed to, and made part of, these minutes.

A public hearing was scheduled for May 3, 2004 at 7:50 p.m. The Board delegated Christine Kane, John Hardeman and Sam Phelan to conduct a field visit.

Christopher Gilbert – Spring Lake Road – Two (2) Subdivision Sketch Plans

Chris Gilbert presented two (2) applications for Sketch Plan Endorsement, one for each of two (2) parcels which are distinct but connected for a distance in excess of 500 feet along one side. One application proposed the creation of two (2) residential building lots from a 6.6-acre parcel. The other proposed the creation of an existing house lot and two (2) residential building lots, each approximately 2.0 acres, from a 6.18-acre parcel. He indicated on the sketch plan that the proposed building lots would each be served by a shared driveway.

Mr. Brod stated that because the parcels share a lengthy boundary and to avoid a matter of segmentation under SEQRA, the two projects should be considered together and, after sketch endorsement, combined into a single proposed 5-Lot Major Subdivision.

The Acting Chair stated that while both parcels lay within the Hamlet of Upper Red Hook, the parcels would not come under the jurisdiction of the Hamlet Review Committee until someone has applied for a building permit.

John Hardeman made a motion to adopt the following resolution granting sketch plan endorsement and combining the two proposals into a 5 Lot Major Subdivision:

The Town of Red Hook Planning Board hereby acts as follows on the below Applications by Christopher Gilbert for Subdivision Sketch Plan Endorsement involving lands on the south side of Spring Lake Road in the Hamlet (H) District:

- For the creation of two (2) residential building lots with shared driveway from a 6.6-acre parcel (TMP 15-6373-01-297797).

- For the creation of an existing house lot and two (2) residential building lots, all with shared driveway, from an adjacent 6.18-acre parcel (TMP 15-6373-01-255766).
1. Considers as one under both the Town's Land Subdivision Regulations and SEQRA the combined Applications for creation of an existing house lot and four (4) residential building lots, three (3) of which are 'additional lots', through Resubdivision of adjacent lots set forth on FM 8348.
 2. Identifies no substantial planning or zoning issues with respect to the Resubdivision, with all lots in excess of the minimum lot area standard of 1.5 acres, and, thus, endorses the combined Sketch Plan.
 3. Authorizes submission of an Application for Subdivision Plat Approval and advises the Application will be classified as a "Major 5-Lot Subdivision / Resubdivision of FM 8348" under the Town's Land Subdivision Regulations and the Proposed Action an "Unlisted Action" under SEQRA.
 4. Advises the Applicant that among other agency approvals, the following will be required as part of the subdivision plat review and approval process:
 - Dutchess County Health Department Approval for individual on-site water supply and sanitary sewage arrangements.
 - Dutchess County DPW access permits for proposed shared, or common, driveway locations on Spring Lake Road, which driveways will further be the subject of common driveway ownership, easement and maintenance agreements.
 5. Further advises the Applicant that pursuant to Zoning Law Section 143- 45 the issuance of any Building Permit within the Subdivision will have to be preceded by the Planning Board's issuance of a Certificate of Appropriateness in a process including input from the Town's Hamlet Buildings Review Committee.

Mary Lou Muirhead seconded the motion, and all members present voted in favor. In addition, the Board delegated Paul Telesca and John Hardeman to conduct a site visit.

Bard College – Annandale Road (CR 103) – Campus Master Plan

The Board reviewed new submissions of the Campus Master Plan Update and the Generic Environmental Assessment Form.

Mary Lou Muirhead made a motion that the Board issue a Notice of Intent to Serve as Lead Agency for SEQRA review. John Hardeman seconded the motion, and all members present voted in favor. The motion reads as follows:

Town of Red Hook Planning Board hereby acts as follows on the proposed Bard College Campus Master Plan Update and associated Generic Environmental Assessment Form, each prepared by Buckhurst Fish & Jacquemart and dated

March 2004, which documents have been submitted in anticipation of Amendment of the College's 'Educational Campus' Special Use Permit heretofore issued pursuant to the Town's Zoning Law:

1. Accepts the documents as adequate for initiating review of the Proposed Action under SEQRA, Article 8 ECL and Title 6 Part 617 NYCRR.
2. Classifies the Proposed Action as a "Type I Action" under SEQRA due, among other factors, to its location within the Hudson River National Historic Landmarks District.
3. Declares the Planning Board's intent to serve as SEQRA Lead Agency for coordinated environmental quality review of the Proposed Action and, thus, authorizes the directs the Clerk to distribute with the attachments noted therein the annexed Notice of Intent to Serve as Lead Agency to the listed involved and/or interested agencies.

Adjournment

Upon being advised by the Chair that there was no further business to come before the Board, Christine Kane made a motion to adjourn. David Wright seconded the motion, and all members present were in favor. The Chair declared the meeting adjourned at 9:35 p.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk to the Planning Board

Annexed Attachments

Resolution commending past Chair Marcella Appell for her dedication to the Planning Board and to the Town of Red Hook
Resolution granting Site Plan Approval to Meri Puccio for addition to the Julia & Isabella Restaurant
Agricultural Advisory Committee's Response regarding the Common Fire Foundation Application for sketch endorsement
Resolution accepting applications from Stephen Buscarino and Lisa Racano for both Site Plan Approval and Special Use Permit and initiating SEQRA process in the matter of Kidz Kare Day Care Center
Resolution accepting applications for Special Use Permits from Susan and Bob Davis and initiating SEQRA process

RESOLUTION

WHEREAS, the Town of Red Hook Planning Board wishes to recognize Marcella Appell's distinguished service as Chairman of the Board and to thank Mrs. Appell for her many contributions to the Town and citizens of Red Hook:

NOW THEREFORE, the Board hereby resolves as follows:

1. Expresses its gratitude for Mrs. Appell's 26 years of service to the Board, the Town of Red Hook and its residents;
2. Recognizes Mrs. Appell's enlightened guidance of the Board during a period of increasing growth in the Town and her conscientious stewardship of the Town's planning efforts;
3. Commends Mrs. Appell's civility, fairness and integrity in her dealings with Board members and the public;
4. Acknowledges Mrs. Appell's steady leadership with respect to the many complex and contentious matters addressed by the Board during her tenure;
5. Recognizes Mrs. Appell's efforts in structuring the Board's procedures, her respect for the rule of law, and her diligence and professionalism; and
6. Conveys the personal appreciation of each member of the Board for Mrs. Appell's efforts and wishes her well in her future endeavors.

**Town of Red Hook Planning Board
Resolution Granting Conditional Site Plan Approval in the matter of the application by
Meri Puccio for a 320 sq. ft. addition to an existing restaurant, 'Julia & Isabella' on the
west side of NYS Route 9 in the R1.5 District**

April 5, 2004

Motion made by Member Paul Telesca

Second by Member David Wright

The Town of Red Hook Planning Board hereby acts as follows on the February 12, 2004, Application by Meri Puccio for Site Plan Approval to authorize a 320 s.f. addition to the front of an existing restaurant, 'Julia & Isabella', on the west side of NYS Route 9 North in the R1.5 District, the building layout and related addition depicted on various sketch plan drawings accompanying the Application:

1. Determines In consideration of input provided by the Town's ZEO in a memorandum dated March 5, 2004, to the Chair that the proposed addition which will not increase the overall area of the site occupied by enclosed building area or unenclosed deck area, while shifting some 320 s.f. to the former category, is a permissible expansion of this existing non-conforming use.
2. Waives in consideration of the established commercial use, the limited scale of the proposed expansion and the above review by the ZEO requirement for submission of more detailed site and/or architectural plans as part of the site plan review and approval process.
3. Further determines upon review of the Part 1 EAF, completion of EAF Part 2 and consideration of the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR that the Proposed Action, an 'Unlisted Action' under SEQRA, will cause no potential significant adverse effects on the environment and, thus, deems an Environmental Impact Statement to not be required.
4. Approves the Application for Site Plan Approval, i.e. Amendment of Approved Site Plan, and authorizes the Chair to stamp and sign the Site Plan upon the Applicant's satisfaction of each of the below conditions within the next six (6) calendar months:
 - a. Submission of not less than three (3) copies of the drawings for execution by the Chair and distribution to the Applicant, the ZEO/Building Inspector, and the Planning Board file.
 - b. Payment of any fees or reimbursable costs due the Town of Red Hook.

- c. Landscaping of site, specifically the planting of a minimum of six (6) deciduous trees between the parking area and NYS Route 9 and also the planting of low shrubs in front of the restaurant.

Roll Call Vote:

Member John Hardeman	yes
Member Christine Kane	yes
Member Mary Lou Muirhead	yes
Member Paul Telesca	yes
Member David Wright	yes
Acting Chair Sam Phelan	yes

Resolution Declared: **APPROVED**

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

Paula Schoonmaker, Asst. Clerk to the Board

Date

Referral Response

April 2, 2004

From: Agriculture and Open Space Advisory Committee

To: Planning Board, Town of Red Hook

Re: *Common Fire Subdivision*

Highlights: The applicant seeks to subdivide a 52 acre parcel in the Ag District to create three parcels on the western portion of the site. The location is adjacent to significant farmlands and is within our Committee's soon to be proposed Agricultural Reserve District area which we are going to recommend that development be transferred away from. This parcel possesses Dutchess Complex soils (DwB class 3 - *statewide importance*) with several other moderate or poorer quality soils in the remaining areas. The northern end or roadside portion is in NYS DEC wetlands which traverse in and out of the rear of the property. The applicant proposes to permanently protect a portion of the rear inland area. The parcel is not currently being farmed but has been in the past. Viability of the land for agricultural use may be better accomplished after subdivision by annexation or use by adjoining parcels.

Response: Farmland Preservation: The committee felt that the parcel is a link (admittedly a weak one) in the contiguous area of farmlands that are representative of West Kerley Corners Road. Development constraints may be responsible for the fact that the lots are proposed for the better quality soils and not the weaker ones. Zoning code p. 14416.1 calls for the *development on poorer soils and within the woodland* which was suggested to be challenging by the applicant's agent, Mark Graminski. All committee members agreed that permanent preservation of the majority of land is required. Some also felt that while clustering would be impractical in this situation, the lots might possibly be arranged to closer to each other to allow for preservation of more Dutchess Cardigan soils. *Zoning Code 143-47* calls for the cluster *principle* to be utilized in all subdivisions

Open Space Preservation: The stated goal in the Master Plan *Objectives (1c p.3)* that there should be "**open space preservation in every development**" is represented in this revised sketch. Greenway compact principles also call for development to blend into the landscape, off the road and into the interior. The application reflects that design element.

Summary: The application is close to being what the committee would give a full endorsement to. The suggestion that the arrangement of the lots be closer together should at least be explored. The purpose of 143-47 of our zoning code was to provide greater flexibility in density to allow for maximum preservation of *irreplaceable assets*. While this is in an R3 zone, all lands that are defined in 143-4 as Important Farmlands can be built on the least amount of lot area that Board of Health will permit.

RESOLUTION accepting applications for Site Plan Approval and Special Use Permit in the matter of Stephen Buscarino/ Kidz Kare Day Care Center

The Town of Red Hook Planning Board hereby acts as follows on the December 18, 2003, Application for Site Plan Approval executed by Stephen Buscarino and the February 10, 2004, Application for Special Use Permit executed by both Mr. Buscarino and Lisa Racano, each as supplemented by supporting documents submitted on March 26, 2004, for site development, building construction and occupancy of an 80-child Day Care Center on a 3.36-acre parcel (portion of Subdivision granted Conditional Plat Approval by Planning Board on December 1, 2003) at the intersection of NYS Route 9G and West Kerley Corners Road in the R3A District:

1. Acknowledges grant by the Town's Zoning Board of Appeals on February 12, 2004, of an Area Variance as requested by the Applicant so as to authorize subject to Site Plan Approval, issuance of a Special Use Permit, and other reviews, permits and approvals, an 80-child Day Care Center, having twice as many enrollees as a Day Care Center authorized in accordance with the 40-child maximum otherwise provided under the Section 143-77 of the Town's Zoning Law.
2. Accepts the above Applications, inclusive of the below-listed supporting documents, as adequate for initiating Planning Board, consultant and public review.
 - * Preliminary Site Plan and Topographic Survey Site Plan, Sheets 1 of 2 and 2 of 2, respectively, prepared by Welch Surveying, stamped by Marie T. Welch, L.S., dated October 8, 2003, and revised to March 26, 2004.
 - * Site Plan with Sewage Disposal System prepared and stamped by Timothy Anton Ross, P.E., dated March 21, 2004.
 - * Site Illumination Plans prepared by R. Mosier of Day-Brite/Capri/Omega, dated March 23, 2004, and by Paul Gregory of Selux, dated March 19, 2004, and associated Day Brite Lighting and Semperlux catalog cut sheets.
 - * Schematic Building Elevations prepared for and/or by Creative Homes, Builder, and Chelsea Modular Homes, Inc., Manufacturer.
 - * Project Narrative for Site Plan and Special Use Permit Approval / Kidz Kare of Red Hook, a bound document prepared by Lisa Racano & Stephen Buscarino and dated March 21, 2004, including therein a building floor plan and exterior renderings of the facility.
 - * Full Environmental Assessment Form Part 1 dated March 23, 2004, and certified by Mr. Buscarino.

3. Determines the Proposed Action, while an 'Unlisted Action' under SEQRA, to be an action that would benefit from coordinated environmental quality review among the several involved agencies and, thus, declares the Planning Board intent to serve as SEQRA Lead Agency for such coordinated environmental quality review; identifies the NYS Department of Transportation, the NYS Department of Environmental Conservation, the NYS Department of Social Services, the NYS Office of Children and Family Service, the Dutchess County Health Department, the Board of Trustees of the Village of Tivoli, and the Town of Red Hook Zoning Board of Appeals as the other potential involved agencies with permitting, approving and/or financing roles with respect to this project; further identifies the Dutchess County Department of Planning and Development, Village of Tivoli Water Department, the Town of Red Hook Design Review Committee, the Town of Red Hook ZEO/Building Inspector's Office as interested agencies; and directs the Clerk to distribute the annexed Notice of Intent to Serve as Lead Agency with cited attachments to both the involved and interested agencies and the other parties noted therein.
4. Refers the Applications to the Dutchess County Department of Planning and Development for initial review and input with it recognized that the 'full statement referral' under Section 239 GML will not be effected until either a Draft EIS has been accepted or a Negative Declaration issued by the SEQRA Lead Agency.
5. Refers the Applications to the Town Planning Consultant, PLANNERS EAST, and the Town Engineer, D.F. Wheeler Engineers, for detailed technical review and report not later than May 3, 2004.
6. Refers the Site Plan and Building Elevations, including the renderings set forth within the bound Project Narrative, to the Town's Design Review Committee for review and input due to the project's location in a 'gateway setting' within the Scenic Corridor Overlay (SC-O) District.
7. Schedules the opening of a Public Hearing on the Applications for Monday, May 3, 2004, at 7:35 p.m. with it understood that the Public Hearing will not be closed and neither the Planning Board with respect to the Applications nor any of the other involved agencies with respect to any permits or approvals within their jurisdiction can take any action on these matters until the SEQRA process has been completed and, in the case of the matters before the Planning Board, the Section 239 review process has also been completed.

RESOLUTION accepting applications for two (2) Special Permits in the matter of Susan and Bob Davis

The Town of Red Hook Planning Board hereby acts as follows on the March 17, 2004, Application by Susan and Robert Davis for Special Use Permits, as supplemented through March 30, 2004, to authorize construction of a single-family dwelling and related site improvements on a 19.22-acre site (TMP 15-6175-00-255660) situate within the Limited Development (LD) and Historic Landmarks Overlay (HL-O) Districts as established under the Town's Zoning Law and the Hudson River National Historic Landmarks Districts, such Special Use Permits being as follows:

- To authorize pursuant to Zoning Law Section 143-30(A) and (B) the intended building construction and related site development within 1000 feet of the high water mark of the Hudson River, with the dwelling located approximately 397 feet eastward of the high water mark and some 113 feet above the mean water's surface.
 - To authorize pursuant to Zoning Law Section 143-46 the intended building construction and related site development within the Historic Landmarks Overlay (HL-O) District, which District is coincident with the portion of the Hudson River National Historic Landmarks District located within the Town of Red Hook.
1. Accepts the combined Applications inclusive of the March 30, 2004, transmittal memorandum and both site and building sketches presented by the Applicant as adequate for initiation of Planning Board, consultant and public review.
 2. Classifies the combined Applications as a 'Type I Action' under SEQRA due to its location within the Hudson River National Historic Landmarks District, which classification requires the Applicant's submission of a Full EAF Part 1 which has been received (*or has yet to be received*) and its circulation by the prospective lead agency to all other potential involved agencies, the NYS Office for Parks, Recreation and Historic Preservation, and other required parties, including NYSDEC and the Dutchess County Health Department.
 3. Declares the Planning Board's intent to serve as SEQRA Lead Agency for this project and directs the Clerk to circulate the annexed Notice of Intent with cited attachments.
 4. Schedules a Public Hearing on the Applications for Monday, May 3, 2004, at 7:50 p.m. and directs the Clerk to provide timely notice thereof.

5. Refers the Applications to the Dutchess County Department of Planning and Development for review and advisory opinion pursuant to Section 239 GML.
6. Due to location within the Historic Landmarks Overlay (HL-O) District further refers the Applications to the Town's Design Review Committee for review and comment.

Notice of Intent to Serve as Lead Agency under SEQRA; Lead Agency Must Be Designated within Thirty (30) Calendar Days

April 5, 2004

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 for the purpose of designating a Lead Agency for the coordinated environmental quality review of the below Proposed Action:

Project Name: Kidz Kare Day Care / Steven Buscarino and Lisa Racano

Location: NYS Route 9G at West Kerley Corners Road, Town of Red Hook, Dutchess County

SEQRA Status: Unlisted Action subject to Coordinated Environmental Quality Review

Project Description:

Applications by Steven Buscarino and Lisa Racano to the Town of Red Hook Planning Board for Special Permit and Site Plan Approval and related permits, approvals, licenses and compliance determinations from other involved agencies to authorize construction of a 5000 s.f. single-story building and related site improvements, including access driveway from NYS Route 9G, water service connection from the Village of Tivoli, and on-site sanitary sewage facilities, to accommodate an 80-child Day Care Center to be known as "Kidz Kare" on a 3.36-acre parcel in the R3A District.

Declaration of Intent to Serve as Lead Agency:

Please take notice that, under the applicable standards of Title 6 Part 617.6(d) NYCRR, the Town of Red Hook Planning Board has concluded that it should be designated as Lead Agency for the coordinated environmental quality review of the Proposed Action.

Therefore, this Notice, accompanied in all instances by the Full EAF Part 1 and a copy of the Preliminary Site Plan, is being sent to you and all other identified involved agencies with request for consent in writing to the Town Planning Board's serving as Lead Agency. Should you not respond within thirty (30)

calendar days from the date shown above, it will be interpreted as consent the Planning Board serve as Lead Agency.

In either case you will continue to be notified of any SEQR determination made and the scheduling of any related proceedings and hearings. Copies of all subsequent environmental documents will also be distributed to you.

Should you not agree with the Town Planning Board's designation as Lead Agency, you are advised to follow the procedures outlined in Title 6 Part 617.6(e) NYCRR.

In addition to your consideration of Lead Agency designation, the Planning Board would welcome any comments you may have regarding the Proposed Action. Receipt of these comments within thirty (30) calendar days would be appreciated.

In this regard, additional renderings of the proposed building are attached for two of the interested agencies, namely the Dutchess County Department of Planning and Development and the Town of Red Hook Design Review Committee.

Contact Person: Paul G. Thomas
Planning Board Chairman, Town of Red Hook
(845) 758-4613 (Telephone) / (845) 758-0492 (FAX)

Distribution with Attachments:

Involved Agencies:

New York State Department of Environmental Conservation
Region 3 Office, Division of Regulatory Affairs
21 South Putt Corners Road
New Paltz, New York 12561

New York State Department of Transportation
Region 8 Office
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, New York 12603-2594

New York State Office of Children and Family Service
OCFS Yonkers Regional Office
525 Nepperham Avenue, Suite 203
Yonkers, New York 10703

Dutchess County Health Department
Environmental Health Division
387 Main Street
Poughkeepsie, New York 12601

Village of Tivoli Board of Trustees
Village Hall
1 Tivoli Commons
Tivoli, New York 12583

Town of Red Hook Zoning Board of Appeals
Town Hall
7340 South Broadway
Red Hook, New York 12571

Interested Agencies and Persons:

New York State Department of Environmental Conservation
Main Office, Regulatory Affairs
625 Broadway
Albany, New York 12233

Dutchess County Department of Planning and Development
27 High Street
Poughkeepsie, New York 12601

Village of Tivoli Water Department
Village Hall
1 Tivoli Commons
Tivoli, New York 12583

Town of Red Hook Design Review Committee
Town Hall
7340 South Broadway
Red Hook, New York 12571

Town of Red Hook ZEO/Building Inspector's Office
Town Hall
7340 South Broadway
Red Hook, New York 12571

Notice of Intent to Serve as Lead Agency under SEQRA; Lead Agency Must Be Designated within Thirty (30) Calendar Days

April 5, 2004

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 for the purpose of designating a Lead Agency for the coordinated environmental quality review of the below Proposed Action:

Project Name: Robert and Susan Davis Residence

Location: TMP 15-6175-00-255660, Woods Road, Town of Red Hook, Dutchess County

SEQRA Status: Type I Action, located within Hudson River National Historic Landmarks District

Project Description:

Application by Robert and Susan Davis to the Town of Red Hook Planning Board for Special Use Permit(s) and related permits, approvals and compliance determinations from other involved agencies to authorize construction of single-family dwelling and related site improvements on a 19.22-acre parcel within the Town's Limited Development and Historic Landmarks Overlay Districts, the latter coincident with the portion of the Hudson River National Historic Landmarks District within the Town of Red Hook. The proposed dwelling is located 397 feet eastward of the Hudson River and elevated approximately 113 feet above water level.

Declaration of Intent to Serve as Lead Agency:

Please take notice that, under the applicable standards of Title 6 Part 617.6(d) NYCRR, the Town of Red Hook Planning Board has concluded that it should be designated as Lead Agency for the coordinated environmental quality review of the Proposed Action.

Therefore, this Notice, accompanied by the Full EAF Part 1 and copies of the Project Sponsor's site plan and building sketches, is being sent to you and all other identified involved agencies with request for consent in writing to the Town

Planning Board's serving as Lead Agency. Should you not respond within thirty (30) calendar days from the date shown above, it will be interpreted as consent the Planning Board serve as Lead Agency.

In either case you will continue to be notified of any SEQR determination made and the scheduling of any related proceedings and hearings. Copies of all subsequent environmental documents will also be distributed to you.

Should you not agree with the Town Planning Board's designation as Lead Agency, you are advised to follow the procedures outlined in Title 6 Part 617.6(e) NYCRR.

In addition to your consideration of Lead Agency designation, the Planning Board would welcome any comments you may have regarding the Proposed Action. Receipt of these comments within thirty (30) calendar days would be appreciated.

Contact Person: Paul G. Thomas
Planning Board Chairman, Town of Red Hook
(845) 758-4613 (Telephone) / (845) 758-0492 (FAX)

Distribution with Attachments:

Involved Agencies:

New York State Department of Environmental Conservation
Region 3 Office, Division of Regulatory Affairs
21 South Putt Corners Road
New Paltz, New York 12561

New York State Office for Parks, Recreation and Historic Preservation
Field Services Bureau
Post Office Box 189 – Peebles Island
Waterford, New York 12188

Dutchess County Health Department
Environmental Health Division
387 Main Street
Poughkeepsie, New York 12601

Interested Agencies and Persons:

New York State Department of Environmental Conservation
Main Office, Regulatory Affairs
625 Broadway
Albany, New York 12233

Dutchess County Department of Planning and Development
27 High Street
Poughkeepsie, New York 12601

Town of Red Hook ZEO/Building Inspector's Office
Town Hall
7340 South Broadway
Red Hook, New York 12571

Notice of Intent to Serve as Lead Agency under SEQRA; Lead Agency Must Be Designated within Thirty (30) Calendar Days

April 5, 2004

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 for the purpose of designating a Lead Agency for the coordinated environmental quality review of the following Proposed Action:

Project Name: Bard College / Campus Master Plan Update

Location: Bard College Campus, Annandale Road, Town of Red Hook, Dutchess County

SEQRA Status: Type I Action, located within Hudson River National Historic Landmarks District

Project Description:

Application by Bard College for Amendment of "Educational Campus" Special Use Permit by the Town of Red Hook Planning Board in consideration of March 1994 Campus Master Plan Update setting forth a schedule of some twenty-one facility improvement and expansion projects, categorized as either short-term (approved/immediate construction), middle-term (2-5 years) or long-term (5-10 years) within its 550-acre property in the Town's Institutional (I) District.

Declaration of Intent to Serve as Lead Agency:

Please take notice that, under the applicable standards of Title 6 Part 617.6(d) NYCRR, the Town of Red Hook Planning Board has concluded that it should be designated as Lead Agency for the coordinated environmental quality review of the Proposed Action.

Therefore, this Notice, accompanied by the Full EAF Part 1 and a copy of the Campus Master Plan Update, is being sent to you and all other identified involved agencies with request for consent in writing to the Town Planning Board's serving as Lead Agency. Should you not respond within thirty (30)

calendar days from the date shown above, it will be interpreted as consent the Planning Board serve as Lead Agency.

In either case you will continue to be notified of any SEQR determination made and the scheduling of any related proceedings and hearings. Copies of all subsequent environmental documents will also be distributed to you.

Should you not agree with the Town Planning Board's designation as Lead Agency, you are advised to follow the procedures outlined in Title 6 Part 617.6(e) NYCRR.

In addition to your consideration of Lead Agency designation, the Planning Board would welcome any comments you may have regarding the Proposed Action. Receipt of these comments within thirty (30) calendar days would be appreciated.

Contact Person: Paul G. Thomas
Planning Board Chairman, Town of Red Hook
(845) 758-4613 (Telephone) / (845) 758-0492 (FAX)

Distribution with Attachments:

Involved Agencies:

New York State Department of Environmental Conservation
Region 3 Office, Division of Regulatory Affairs
21 South Putt Corners Road
New Paltz, New York 12561

New York State Office for Parks, Recreation and Historic Preservation
Field Services Bureau
Post Office Box 189 – Peebles Island
Waterford, New York 12188

Interested Agencies and Persons:

New York State Department of Environmental Conservation* (NOI Only)
Main Office, Regulatory Affairs
625 Broadway
Albany, New York 12233

Dutchess County Department of Planning and Development
27 High Street
Poughkeepsie, New York 12601

