

APPROVED

Town of Red Hook Planning Board Meeting Minutes February 27, 2006

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 — Jennifer Fier, Sam Phelan, Charles Laing, John Hardeman, Paul Telesca, David Wright, and Chair Christine Kane. Planning Consultant Michele Greig and Town Council member Jean Bordewich was also present.

BUSINESS SESSION

Christine Kane confirmed the meeting agenda.

The Board agreed by consensus to schedule a visit to the Hourihan and Ross proposed subdivision sites on Saturday, March 4, 2006 at 11 a.m. Members of the Agricultural and Open Space Advisory Committee will be contacted to see if that time is convenient.

PUBLIC HEARINGS

Freedman/ Pfaff – West Kerley Corners Rd. (Tivoli) – Lot Line Alteration

Marie Welch, L.S. was present for the public hearing on an application for Lot Line Alteration to authorize conveyance of 0.737 acres from the lands of Sandra Freedman to the adjacent lands of Judith Pfaff at 283 West Kerley Corners Road in the RD3 Zoning District.

Christine Kane read the public hearing notice that appeared February 21, 2006 in the Kingston Daily Freeman.

Ms. Welch explained the project and said that there had been no changes since the last presentation.

Christine Kane asked if there was any comment from the public. There was none, so she then closed the public hearing.

Ms. Welch agreed to revise the plat to incorporate a clarification of the road frontage measurement.

Jennifer Fier objected to the lack of denoted utilities, septic systems, water supplies and setbacks on the plat. Ms. Welch said these items were not normally included on a Lot Line Alteration plat.

Christine Kane reviewed the EAF part 1 and, with input from the Board, completed part 2.

Charles Laing made a motion to adopt an offered resolution issuing a Negative SEQR Declaration for the project and approving the Lot Line Alteration. John Hardeman seconded the motion, and the resolution was adopted by a vote of 6 to 1. That resolution is attached to, and made part of, these minutes.

John & Susan Pelosi – 48 Old Post Road (Upper Red Hook) – Certificate of Appropriateness

John Pelosi was present for the public hearing on an application for Certificate of Appropriateness to authorize the issuance of a building permit for the construction of a 14' x 15' addition to an existing residence on a 0.33-acre lot in the Hamlet (H) Zoning District.

Christine Kane read the public hearing notice that appeared February 21, 2006 in the Kingston Daily Freeman. She then opened the public hearing.

Christine Kane read a report from the Hamlet/ Design Review Committee which had reviewed the project, found it to be in keeping with the character of the neighborhood and recommended the issuance of a Certificate of Appropriateness.

There had been two letters submitted regarding this project. Christine Kane first read a letter from Theresa Laibach, 51 Old Post Road North, which raised issues about already crowded on-street parking, congested driving lanes on Old Post Road, and high-speed traffic entering the area from Route 9. Christine Kane then read a letter from Paul C. Laibach, of the same address, who, as a school bus driver, raised similar concerns about access to the area by school buses and emergency equipment as well as student safety. He also cited a discrepancy between the Planning Board public hearing notice and the ZBA public hearing notice regarding the size of the proposed addition. The Planning Board notice described the proposed addition as 14'x15', while the ZBA notice said 14' x 30'.

Mr. Pelosi explained that he wished to remove an existing 14' x 15' porch and add a 14' x 30' kitchen. The net additional coverage would be 14' x 15'. He said that the additional coverage would necessitate a variance and that his project was on the March 8, 2006 ZBA agenda.

He also said that there were two gravel parking areas associated with the property but that since he had experienced vandalism when parking in one area, he and his wife used only the other parking area. He added that he realized that since his home was located on a triangular lot surrounded by public streets, parking was a problem but added that he and his wife normally parked at night in the gravel parking areas. He said that he hadn't realized that his neighbors were concerned about the parking issues and that he would try to find a solution.

Pete Hubbell, 41 Old Post Road, said that since the proposed addition would be placed at the rear of the house, he did not feel that it would exacerbate the neighborhood's on-street parking issues and that he was comfortable with the project.

Tara Sullivan, 140 Echo Valley Road, said that while there was generally off-street parking for residents of the homes in that area, any visitors had to park in the street and that such problems were simply a result of the layout of historic neighborhoods.

The Board generally agreed that the problems of increased coverage and on-street parking were two separate issues and that the Planning Board's responsibility here was to ascertain whether the proposed addition was in keeping with the historic character of the hamlet. Mr. Pelosi described the proposed materials and architectural design of the addition as extensions of the materials and design of the existing house.

Sam Phelan proposed that the Planning Board make a recommendation to the ZBA, saying that should the ZBA grant the area variance allowing the increased coverage for the lot, the Planning Board would request that the ZBA also resolve some of the on-street parking problems and make sure that 2 or more parking spaces were available on Mr. Pelosi's property.

David Wright made a motion to issue a Certificate of Appropriateness for the project. Sam Phelan seconded the motion and repeated the proposed recommendation to the ZBA.

Before a vote was taken, however, the Board generally agreed to table the motion until after the ZBA public hearing on March 8. If the ZBA decided not to grant the variance, Mr. Pelosi could return with plans for a smaller kitchen addition, which would then be eligible for the Certificate of Appropriateness.

Kevin Kelly/ Hudson Valley Motorcar – South Broadway – Amended Site Plan

Kevin Kelly and David Dew Bruner were present for the public hearing on an application for Amended Site Plan approval to authorize establishment of a used car lot accommodating approximately 26 cars in an existing shopping center in the B1 Zoning District.

Christine Kane read the public hearing notice that appeared February 21, 2006 in the Kingston Daily Freeman.

Mr. Kelly said that he had incorporated the Board's suggestions regarding landscaping, notations and extended curbing in his revised plan. He had also submitted the cut sheets for the proposed light over the freestanding sign.

Christine Kane read the referral response from Dutchess County Planning. She asked if the building's landlords would extend the landscaping in front of the building, as suggested by County Planning. Mr. Kelly said that he had asked but that the landlords had said they would not. Mr. Kelly said that he would, however, widen his portion of the planting strip, another County planning suggestion.

Christine Kane then opened the hearing for public comment. There was none.

The Board asked Mr. Kelly to revise his drawing to include a parking schedule indicating the number of parking spaces required for his proposed use and the number proposed. He agreed. He also agreed to shape the planting strip so that it balanced the strip on the north side of the building.

Christine Kane then closed the public hearing. She reviewed the EAF part 1 and, with input from the Board, completed part 2. John Hardeman made a motion to issue a negative SEQR declaration for the project. David Wright seconded the motion, and all members voted in favor.

The Board generally agreed to add several conditions to an offered approval resolution. These conditions would require that the applicant 1) narrow the entrance to the parking area, 2) make that entrance one-way and 3) install signage directing traffic in one direction through the parking to a one-way exit onto Old Farm Road, all as suggested by Dutchess County Planning. The applicant must also revise his drawings to reflect the changes in landscaping and to add a parking schedule.

John Hardeman made a motion to adopt the revised resolution granting Amended Site Plan approval. Charles Laing seconded the motion, and all members present voted in favor. A copy of that resolution is attached to, and made part of, these minutes.

7 Pines, LLC – Norton Road – Subdivision Plat

Tom LeGrand, Tom Mannix, and Donald Wise were present for the public hearing on an application for subdivision plat approval to create six (6) residential building lots ranging from 5+ acres to 40+ acres from a total 126.7-acre parcel on both sides of Norton Road in the RD3 District.

Christine Kane reviewed the pertinent GreenPlan memo, which had been sent to the applicants. The applicants agreed to revise conservation note #1, to revise their drawings to show the location of each proposed septic system and the placement of each proposed home on the individual lots. They also agreed to add a notation to the plat prohibiting any clear cutting outside the building envelopes and indicating that all improvements, including the house and septic system locations, would be located as shown on the plat. Third, they agreed to add a notation to the plat regarding advising potential lot owners of required DEC permits. They also agreed to submit updated plans to DEC in order to facilitate DEC's permitting review of the driveways on lots 1 and 5. Finally, they agreed to add a zoning legend stating both the required and proposed area and bulk specifications for each individual lot.

Mr. LeGrand said the applicants had met with Dutchess Land Conservancy representatives and walked the property with them. The Conservancy representatives had indicated that they were interested in holding an easement on the entire parcel and that the final locations of the building envelopes would be decided in conjunction with the Conservancy. The Board and applicants agreed that submission of the easement, subject to review by the Planning Board attorney, could be a condition of final plat approval.

The Board referred the project to the Town Fire Chief, Town Engineer, and the Town Highway Superintendent.

The Board generally agreed to keep a draft negative SEQR declaration on file so that a public hearing could be opened. Christine Kane read the public hearing notice that appeared February 21, 2006 in the Kingston Daily Freeman. She then opened the hearing for public comment.

Amy Dubin, 107 Pitcher Lane, asked about the threat of segmentation. The Board assured her that the conservation easement would preclude any future development on the parcel.

Tom Syler, address unknown, asked if the homes would all be single family residences. Mr. LeGrand said yes.

Christine Kane read a letter from James E. Kick, Trustee of the Old Rhinebeck Aerodrome. Mr. Kick was concerned that future homeowners would be bothered by the noise from planes taking off and landing at the Aerodrome. He also cited increased traffic along Norton Road during the Aerodrome season and possible safety concerns if a plane malfunctioned during takeoff or landing.

The Board noted that the house on proposed lot #1 was at the end of the Aerodrome runway and directly under the flight path. Even though significant vegetation, including mature oak trees, offered some protection, the Board generally agreed that potential homeowners must be aware of and accept the seasonal activities and the potential risks of living near the facility. To that end, the applicants should replace the name "Palen" as owner of the adjoining property with "Old Rhinebeck Aerodrome". The applicants should also add a notation to the plat advising potential lot owners of those activities and risks.

Since there was no further comment from the public, Christine Kane closed the public hearing.

The project was tentatively scheduled for the March 20, 2006 agenda.

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road – Subdivision Plat, Site Plan & Special Permit

Peter Setaro, P.E. and Steve Tinkelman were present for the continuation of the public hearing on applications for Special Permit, Site Plan and Subdivision Plat Approval (Sketch Plan) to create 51 residential building lots ranging from 0.12 acres and up on 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.

Mr. Tinkelman said that the applicants would, at the second March meeting, be giving a presentation outlining architectural and design elements and the review structure that would prevent too much architectural duplication.

Mr. Setaro said that because the Village has been developing an incentive package, the applicants had been unsure about the final size of the lots. Those lot sizes have now been set, and the applicants will soon be submitting subdivision plats. He said that the lot lines had been extended to the center of the streets and that easements would give the homeowners association access to the streets.

The applicants said that there were now more connections between the service roads and the connecting streets and more pedestrian pathways and sidewalks. One lot had been shifted from the north end of the development to the south, and the lots along the new connector road had been made deeper, each encompassing about 2 acres.

Mr. Tinkelman went on to say that while the Town Board has not made a final decision, the applicants now assume that the Town will not take ownership of the large open space at the southeast end of parcel. He said that a conservation easement would be placed on that area and that the homeowners association could develop a recreation plan for it.

Asked about the community septic system, Mr. Setaro said that the current plan was to install an individual septic tank in each lot. The effluent would be piped into mains under the street and from there to common leach fields under the open spaces. He said that a 'transportation corporation' would be formed which would control and maintain the community septic system. This transportation corporation would have to be approved by both the Town and Village Boards. The County Health Department would oversee the design of the system as well as the construction of the tanks and other equipment. He acknowledged that there could be some other options; for instance, the Town could form a special taxing district and could thereby oversee the system or Dutchess County Water and Wastewater could take on those roles.

Mr. Tinkelman said some house elements would be optional, such as direct vent or masonry chimneys, porches, decks and garages, and that there would be several choices of architectural styles and siding, roofing and trim colors for the homeowner, although side-by-side duplication would be prohibited. At the same time, there were some required standards: porches could be no less than 6 ft. deep; a homeowner's garage must match his or her house; curbing must have a prescribed radius; siding on all facades must be hardiplank; lighting must meet certain specifications; appliances, windows and insulation must be Energy Star compliant, and so on. The homeowner would design and install his own landscaping within certain parameters. Mr. Tinkelman said that the goal was to achieve a balance of control and personal expression.

Amy Dubin said that the project seemed to be shown in isolation--that the public had a difficult time seeing how it was an extension of the positive attributes of the Village. She went on to say that the two egresses from the development were insufficient and would cause traffic bottlenecks. She was also concerned about the grid-like street pattern and a dead-end interior street that would hamper traffic circulation.

Mr. Tinkelman said that the applicants had, at a previous meeting, given a Powerpoint presentation, which surveyed the architectural styles seen in the Village, the setbacks from the road, the side yards, the porches and other visual elements. He said that this survey had been used in designing the development. He added that there had been a great deal of input from Dutchess County Planning in the layout of the streets and the development as a whole.

Mr. Tinkelman said that, in all cases except the large lots along the new public road, the developer would build the homes, with input from the homeowner. The developer would also build the multi-unit buildings, with input from the first homeowner to purchase a unit in that building.

Tom Gardener, 15 Glen Pond Rd., also had concerns about the apparent symmetry of the development. He said that the development should mirror the Village's asymmetry.

Jim Michaelides, 32 Glen Ridge Rd., was concerned that the traffic studies were inaccurate. He also found the drawings to be flawed, especially as they depicted recent developments near the proposed project. He said that the developers should consult 'as built' drawings to determine what actually had been built, not what had been proposed.

Tara Sullivan, 140 Echo Valley Rd, raised concerns about construction of the development over a major Town aquifer. Ms. Greig said that building over an aquifer was not prohibited but that the Town must carefully scrutinize uses and the septic

system. She added that a community septic can be more protective than individual septs because it is more likely they will be properly maintained. She also said that the applicants must submit certification that none of the uses prohibited in the aquifer protection area would occur.

Ms. Sullivan asked whether non-point pollution had been addressed. Mr. Setarao said that these issues would be addressed by the DEC. Ms. Greig added that environmental issues had been covered during the Village's SEQR review and that the Town could mainly review design issues.

Kathy Stewart, Spring Lake Rd., asked whether the Town wasn't part of the coordinated review. She also said that the Red Hook School District had not been included in the SEQR review. Ms. Grieg said that the Town was included in the coordinated review but was not the lead agency. She added that the impact of the development on the school district would have been assessed under 'community impacts' during the SEQR review.

Peter Berardi, 61 Glen Ridge Rd., said that he lived at what would become the eastern end of the new town road. He said that Glen Ridge Road would change from a cul-de-sac to a through-road, and he raised safety concerns. He said that Glen Ridge Road had no sidewalks and no street lights and that the children were accustomed to walking in the street to other houses to play. He asked whether the Town had talked about this potential problem. The Board generally agreed to research this subject.

Mr. Berardi also asked if the houses on the 2-acre lots would be moved back, now that the lots were deeper. Mr. Tinkelman said that existing trees would be retained to provide a visual buffer in front and that there would be shared driveways to minimize impacts.

Christine Kane read letters from the Town Trails Committee and the Conservation Advisory Committee. The letters said that although a trail probably would not be built in the large open space, the Committees supported the placement of a conservation easement on that space and its maintenance by the homeowners association. These letters also recommended a 'reed bed' septic system and asked that the developers research this option. Mr. Setaro said that he had suggested a 'reed bed' system for other developments in the past but that the Health Department had not allowed them.

Mr. Tinkelman had requested that the public hearing be closed, but the Board found too many issues outstanding and continued the public hearing to March 20, 2006.

Rondack Construction/ Glen Pond Road Office Buildings – Glen Pond Road - Site Plan

Art Brod, Ron Goodman, Tom LeGrand and Mark Graminski, P.E. were present for the continuation of the public hearing on 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 B2 Zoning District.

Mr. Graminski outlined the changes made since the last submission. He said that signage and a bulk regulations legend had been included, details of the drainage areas had been worked out, and more plantings had been included in the landscape plan. He said there would be no light fixtures on the buildings; outdoor lighting would come from fully shielded fixtures on poles in the parking lots.

Discussing stormwater drainage, Mr. Graminski said that the stormwater detention areas would comply with the Phase 2 Stormwater Drainage Regulations and that there would be some pre-treatment of run-off. He said that all sediment and disturbance would remain on-site. He said that the design of the system and the components to be used would be state-of-the-art and that both the Board of Health and the Village of Red Hook were satisfied with the plan.

Mr. Graminski went on to say that there would be 400 ft. of separation between the sewage disposal system and the northernmost Village well, a distance which was in excess of that required by the Board of Health. He also said that the septic system had been moved so that it would be 10 ft. from the lot line.

Mr. Graminski also said that there was 200 ft. of separation between the southerly Village well and the closest stormwater detention area. Although the Board of Health would normally require 300 ft., since at 35-38 ft. the Village well is considered a 'shallow' well, in this case the BOH has termed the separation distance to be adequate because of the state-of-the-art design and components. He said a letter from the BOH waiving the 50% increase in separation would be forthcoming. He also said that a stormwater pollution prevention plan had been submitted to the Planning office.

The Board generally agreed to research the proposed path for a possible road extending from Hannaford's Supermarket to Glen Pond Road.

Tara Sullivan, 140 Echo Valley Rd., asked whether zoning regulations permit two principal buildings on a lot. Ms. Greig said that although the zoning regulations prohibit more than one principal building on a residential lot, they do not prohibit more than one principal building on a lot in the B2 district.

Ms. Sullivan then asked if these two buildings would exceed the allowed coverage on the lot. Ms. Greig said that the total allowed coverage on that lot would be 16,000 sq. ft. and that the total of these two buildings would be approximately 9,600 sq. ft.

Ms. Sullivan then asked if Village Mayor Dave Cohen had been consulted about the project since the southerly well had been determined to be a shallow well. She said she believed he was under the impression that it was a deep well. She said that she would speak to the mayor.

Tom Gardener, 15 Glen Pond Rd., addressed several points about the project. First, he said that the 'pole' of a flag lot was intended as an access, not as the location for a sewage disposal system. Second, he had measured the Eye Associates lot and found it not to reach the 200' width required of a flag lot. Third, he said that the requested variance was 'self-imposed', needed simply because the applicant wants a bigger building than would be allowed if he complied with the area and bulk regulations. Fourth, he quoted the Board of Health regulations saying that the Village has complete legal control of the land within a 200 ft. radius of its wells. He pointed out that part of the proposed building would be within that 200 foot buffer, so the Village would not have control of that area. Fifth, he said that if indeed the Board of Health had determined that it would waive the extra 50% separation between the southernmost shallow well and the nearby stormwater detention area, that determination should be challenged. He said the Village and Town should insist on the required 300 ft. Sixth, he said that there would be

no access for tractor-trailers or other large trucks. Finally, he said that the applicants had made a conservative estimate of how much water might be discarded by the various uses in the building.

Mr. Graminski said that the buildings were intended for office use and that the wastewater had been calculated at 0.1 gallons per day per square foot, as required under the Board of Health guidelines. The Board asked the applicants to note 'office use' on the plan.

Tara Sullivan asked if the buildings could be used for medical offices. The applicants said that this use was permitted by the zoning.

Mr. Graminski was asked if the newly added sidewalks had been included in the stormwater runoff calculations. He said yes. He was then asked why the stormwater detention ponds were not lined. He said that the state-of-the-art plan used vegetation as part of the stormwater treatment and that a liner was not necessary.

The Board generally agreed to refer the project to the Town Highway Superintendent for review and comments. It asked for a new letter from Village Mayor David Cohen stating that the Village was satisfied with the Board of Health's waiver of an increase in separation between the shallow well and the stormwater detention area. It also asked the applicants to try again to fit some trees in the parking lot islands. Finally, it asked the applicants for a parking schedule.

The applicants will ask the ZEO for a determination regarding the necessity of a variance.

The project was tentatively scheduled for the March 20, 2006 agenda.

REGULAR SESSION (OLD BUSINESS)

Leone & Migliorelli (Linden West) – Linden Avenue – Subdivision Plat

Mark Graminski and Dr. Sal Leone were present for the discussion of an application for Subdivision Plat (sketch plan) approval to create four (4) residential building lots and a remaining lands lot from an approximately 120.4-acre parcel in the R1.5 Zoning District and the Certified Agricultural District.

Mr. Graminski said that the plan had been revised so that all the proposed lots had road frontage and so that all lots conformed to zoning regulations.

Ms. Greig suggested that the applicants show the building envelopes for the proposed future residential lots and indicate that the remainder of lot 4 is to be placed under a conservation easement. The applicants could add a notation on the plat indicating that development could take place on the northerly portion of that lot and that the westerly portion would be dedicated to the Town.

The applicants reiterated their belief that a portion of Lot 3 may be used by the Town for recreation.

The Board determined to refer the project to the Agricultural and Open Space Committee as soon as the revised plats are submitted.

The project was classified as an unlisted action under SEQR. Charles Laing made a motion to establish the Board as lead agency in the SEQR review. Paul Telesca seconded the motion, and all members voted in favor.

The project was tentatively scheduled for the March 20, 2006 agenda.

Martin's Foods/ St. Margaret's Home – South Broadway – Subdivision Plat

Amy Dubin was present for the discussion of a revised application for Subdivision Plat approval to create a 1.76-acre lot containing St. Margaret's Home from a 13.212-acre parcel in the B1 Zoning District.

Ms. Dubin said that Martin's Foods had generously agreed to donate additional land to the St. Margaret's parcel. She said that both the Town and Martin's Foods had agreed that a 20 ft. wide evergreen buffer must be maintained between the two parcels in the area shown on the plat.

Christine Kane read sign-off letters from NYS Office of Parks, Recreation and Historic Preservation and from the Farmland Protection Bureau. She also read a positive response from the Agricultural Advisory Committee.

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

A public hearing was scheduled for March 6, 2006.

REGULAR SESSION (NEW BUSINESS)

Eye Associates – Glen Pond Road – Lot Line Alteration

Roger Husted, Art Brod, Ron Goodman and Mark Graminski were presentation with an application to authorize conveyance of 0.205-acres from a 1.708-acre parcel to an adjoining 2.094-acre parcel located on Glen Pond Road in the B2 Zoning District.

Mr. Graminski explained that this action must be approved before the proposed Glen Pond Office Buildings site plan could be approved. However, he said that the drawings must be revised in order to bring the lots into compliance with zoning regulations.

The project was tentatively scheduled for the March 20, 2006 agenda.

ADJOURNMENT

Since there was no other business to come before the Board, Sam Phelan made a motion to adjourn. Paul Telesca seconded the motion, and all members present voted in favor. The meeting was adjourned at 12:30 a.m.

Respectfully submitted

Paula Schoonmaker
Assistant Clerk to the Board

Attachments

Resolution granting Lot Line Alteration to Sandra Freedman and Judith Pfaff

Resolution granting Amended Site Plan approval to Kevin Kelly/ Hudson Valley Motorcar

Negative SEQR Declaration for Hudson Valley Motorcar

**Town of Red Hook Planning Board
Resolution Granting Final Approval in the Matter of the Sandra Freedman/ Judy Pfaff Lot Line Alteration at 283 West Kerley Corners Road in the RD3 Zoning District**

February 27, 2006

Motion made by Charles Laing
Seconded by John Hardeman

The Town of Red Hook Planning Board hereby acts as follows on the January 16, 2006, application by Sandra Freedman for Subdivision Plat Approval/ Lot Line Alteration involving the intended transfer of a 0.737-acre portion of a 5.345-acre parcel with frontage at 283 W. Kerley Corners Road, in the RD3 District (TMP 15-6274-00-437791) to and for merger with the adjacent 'Land of Pfaff' lying to the west (TMP 15-6274-00-455781), all as depicted on a Survey Map entitled 'Lot Line Alteration prepared for Sandra Freedman and Judy Pfaff' prepared by Marie Welch, L.S., and dated January 13, 2006:

1. Determines in consideration of the Short EAF, and 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 not cause any potential significant adverse effects on the environment and, thus, issues a Negative Declaration deeming an environmental impact statement to not be required.
2. Approves the Application for Minor Subdivision / Lot Line Alteration' and authorizes the Chair to stamp and sign the Subdivision Plat upon the Applicant's satisfaction of each of the below conditions and/or requirements within the next one hundred eighty (180) calendar days:
 - a. Stamping of the Subdivision Plat as a 'non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
 - b. Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town's Land Subdivision Regulations, including all required stamps and signatures.
 - c. Payment of any outstanding fees or reimbursable costs due the Town of Red Hook.
 - d. Submission of an acceptable draft of a consolidation deed intended for recording in the Dutchess County Clerk's Office immediately upon filing of the Subdivision Plat whereby the subdivided 0.737-acre portion of 'Land of Freedman' would be merged with the adjacent 'Land of Pfaff' to obviate what otherwise would be the creation of a non-complying parcel through this act of subdivision plat approval.

In taking this action the Planning Board has determined there to be no new residential building lots or dwelling unit sites created and, thus, deems not

applicable to this Application requirement for set-aside of recreation or other open space land or the alternate payment of a cash-in-lieu-of-land recreation fee.

Roll Call Vote:

Member Jennifer Fier	no
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

**Town of Red Hook Planning Board
Resolution Granting Amended Site Plan Approval in the Matter of Kevin Kelly/
Hudson Valley Motorcar at 7277 NYS Route 9 in the B1 District**

February 27, 2006

Motion made by Member John Hardeman

Seconded by Member Charles Laing

Whereas, the Town of Red Hook Planning Board received an application for Amended Site Plan approval from Kevin Kelly/ Hudson Valley Motorcar for a used car business in an existing shopping center in the B-1 District; and

Whereas, the ± 1.955-acre parcel is located at 7277 S. Broadway in the Town of Red Hook, Dutchess County, New York; and

Whereas, the proposed action requires Amended Site Plan Approval pursuant to the Town of Red Hook District Schedule of Use Regulations; and

Whereas, the Planning Board reviewed the application for Amended Site Plan approval dated December 9, 2005, a Site Plan dated January 27, 2006 and revised to February 17, 2006, Landscape Plans (undated) and illustrations of the proposed signage and lighting for the proposed facility and for the freestanding sign; and

Whereas, the Planning Board declared itself Lead Agency for the proposed action on February 6, 2006, reviewed a Short Environmental Assessment Form dated December 9, 2005, and adopted a Negative Declaration for the proposed action on February 27, 2006; and

Whereas, the Planning Board held a Public Hearing on the Site Plan application on February 27, 2006;

Now therefore be it resolved, that the Planning Board approves the Amended Site Plan as depicted in the referenced drawings 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 Site Plan drawings in the number and form specified within the Town's Zoning Law.
- b. Payment of any outstanding fees or reimbursable costs due the Town of Red Hook.
- c. Revised landscape plans showing wider planting strip along Route 9 and the addition of a street tree in front of parking space #1.
- d. Revised drawings showing:

- Change of entrance from Route 9 to entrance only and a narrowing of this entrance to accommodate this change.
- one-way signage directing traffic to exit the site on Old Farm Road
- parking schedule

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
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617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: February 27, 2006

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: Hudson Valley Motorcar Amended Site Plan

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant proposes establishing a used car business with associated site modifications in an existing business center on a 1.955-acre parcel.

Location: 7277 S. Broadway, 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 December 9, 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).

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

Kevin Kelly/ Hudson Valley Motorcar (applicant)

Planning Board
Town of Red Hook
planning@redhook.org

Dear Members of the Planning Board,

During the February 27, 2006 Planning Board meeting Public Hearing regarding Anderson Commons both myself and Peter Berardi of 61 Glen Ridge Road raised the issue of Glen Ridge Road being privately owned and maintained. These comments are not reflected in the meeting minutes.

As this issue should be considered under the proposed Anderson Commons road connection to Glen Ridge Road, I respectfully request that the meeting minutes be updated to include both my comments and Mr. Berardi's on the subject of Glen Ridge Road's being privately owned and maintained.

Very truly yours,

Jim Michaelides
32 Glen Ridge Road