

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
March 18, 2013

CALL TO ORDER/ DETERMINATION OF QUORUM

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

Members present — Chair Christine Kane, members Charlie Laing, Sam Harkins, Michelle Turck, and Betty Carr. Sam Phelan and Brian Walker were absent. Also present was planner Michele Greig.

BUSINESS SESSION

(Christine Kane was detained, so Deputy Chair Charlie Laing opened the meeting)

Charlie Laing confirmed the agenda as published. The March 4, 2013 draft minutes had been circulated among the members and reviewed. Betty Carr noted an error in the announcements, saying that the “Earn and Learn” training sessions would be held in March, not in May. Betty Carr made a motion to adopt the minutes as revised. Michelle Turck seconded the motion, and all members present voted in favor.

There were no announcements

PUBLIC HEARING

Emily Hartzog – 72 Station Hill Rd., Barrytown – Certificate of Appropriateness

Tim Liefer was present for the public hearing on an application for a Certificate of Appropriateness to enclose the front porch of an existing house on a 0.58-acre parcel in the H (Hamlet) Zoning District.

Charlie Laing read the public hearing notice that appeared March 12, 2013 in the Poughkeepsie Journal and Kingston Daily Freeman. Mr. Liefer explained the project saying that he would box in the porch, keep the original trim and ornaments, and paint the added features white to match the existing trim. He said that screened panels could be installed in the summer and more weather resistant panels installed in the winter.

Charlie Laing then opened the hearing for comments and questions from the public. There were none.

The Board then reviewed a referral response from the Hamlet/Design Review Committee. In an email dated March 18, 2013, Chair Chris Gilbert said that the members generally agreed that the proposed modifications were functional and traditional, were visually in keeping both with the house and with the neighboring structures and would not adversely impact the character of the hamlet. He said that the Committee recommended that the Board issue a Certificate of Appropriateness for the project.

Since there were no comments from the public, Sam Harkins made a motion to close the public hearing. Michelle Turck seconded the motion, and all members present voted in favor.

Michelle Turck then made a motion that the Board issue the Certificate of Appropriateness. Betty Carr seconded the motion, and all members present voted in favor.

(Since a quorum would not exist without Michelle Turck, who had recused herself from the Farmers Market project which was next on the agenda, Charlie Laing suggested that the Catlin project be discussed next)

REGULAR SESSION – OLD BUSINESS

Todd and Maribeth Catlin – 38 North Drive – Minor subdivision

Mark Graminski, P.E., and Todd & Maribeth Catlin were present for further discussion of an application to create three (3) residential building lots of 2.72 acres, 4.19 acres and 4.34 acres from an 11.26-acre lot in the R1.5 Zoning District.

Mr. Graminski recapped the project saying that all the proposed parcels would access off North Drive and that an existing common driveway would be extended to include the new parcels. He said he had added the buildable acreage table, the delineated army corps wetland, the proposed sewage disposal systems, the common driveway details and the test hole and perk test data to the plan.

(At this point, Christine Kane joined the meeting)

Mr. Graminski went on to say that he was aware that there was a concern among the neighbors about drainage. He said he had looked at the existing drainage patterns and had traced the stormwater runoff as it ran to the army corps wetland, then down to the neighboring Chen property, across Manor Road and eventually to the Sawkill Creek. He said he was confident that by adding more culverts to direct drainage and by adding rain gardens and other stormwater management features, the stormwater from the proposed new impervious surfaces would be controlled and that there would be no increase in runoff leaving the property. He said that he would prepare a Stormwater Pollution Prevention Plan for the project, even though the project was under the threshold for requiring such a document.

The Board and the applicant then reviewed a GreenPlan memo which suggested that the applicant obtain a sign-off letter regarding sight distance from the Town Highway Department, submit a draft driveway maintenance and easement agreement and submit information on the trees to be removed.

Mr. Graminski said that the new lots would be tied into the Red Hook Water District #1 and that the water line would come in from North Drive. He said that the water supply plan would be part of his application to the County Health Department and that after a favorable response from the Board at this meeting, he could move ahead with details of the grading, drainage and septic systems. He said he had designed the plan so that there would be over 100 feet of separation between the septic systems and the wetland, as required by the Town regulations.

Christine Kane asked if there would be pull-offs along the driveway for emergency vehicles and others. Mr. Graminski pointed out two pull-off areas. He said that the existing driveway was paved and that the improvements would be gravel. Several members were not in favor of the increased width of the driveway covered in gravel. They suggested that the driveway could be

either one material throughout or completely paved to a certain point and then completely gravel from there to the end

The Board asked Mr. Graminski to revise his area and bulk regulations table, to provide more detailed plans suitable for review by the Town Engineer and to obtain sign-off letters from the Town Highway Superintendent and from the Red Hook Fire Department. The Board authorized the secretary to refer the plans to the Town Engineer as soon as they were submitted. Mr. Graminski was also asked to provide a revised buildable acreage table to show the subtraction of the “poles”. Michele Greig said that the unbuildable features should be subtracted from the parent parcel and then the remainder divided into the number of desired lots.

The Board then discussed the issue of the creation of flag lots. The members generally agreed that there were already a number of flag lots on North Drive and that there were no wetlands or other environmental features that would be adversely impacted by the creation of these flag lots. Christine Kane said that the important issue for this subdivision was stormwater management.

The project was tentatively scheduled for the April 1st meeting. Mr. Graminski agreed to submit the revised plans and the SWPP as soon as possible.

PUBLIC HEARINGS (CONTINUED)

(Michelle Turck recused herself from the Board’s review of the next project)

Hudson Valley Farmers Market, LLC – Pitcher Lane – Special Permit and Site Plan

Norman Greig and attorney Bart Lansky were present for the public hearing on an application for a special permit and limited site plan approval to establish a farmers market at an existing agricultural business site on a 108-acre parcel in the AB (Agricultural Business) Zoning District.

Christine Kane took over as chair and read the public hearing notice that appeared March 12, 2013 in the Poughkeepsie Journal and Kingston Daily Freeman. Mr. Greig explained the Farmers Market project and the site plan. Christine Kane then opened the hearing for public comment.

Christine Kane reviewed issues brought out by a March 18, 2013 emailed letter from Linda Keeling. She said that Ms. Keeling stated that there were a regulated wetland and a floodplain not shown on the maps and that it would be helpful if contours were shown since the land behind the barn rose significantly. Mr. Greig said that the slope behind the barn was less than 1%; that while there was a wetland on Ms. Keeling’s side of the street, it did not extend across the street to the Farmers Market area; and that there was no floodplain within the project area.

Christine Kane said that Ms. Keeling believed that the east parking area was problematic agriculturally due to spoils from irrigation ponds. She said the letter stated the area was previously planted in grapes. She said the letter further stated that there was a house foundation there and that the Board should consider requiring fencing around that foundation to keep the public away. Mr. Greig said that there was no foundation there.

Christine Kane said that Ms. Keeling found Mr. Greig’s estimate of the number of vendors to be inconsistent—that in one instance he said there would be 20 vendors and in another he said there would be 23. Mr. Greig said that the number of vendors was varied and “self-weeding”, that less successful vendors stopped coming and other vendors came when they had something to sell. He said he did not have a maximum number in mind. Christine Kane said

that the number of vendors did determine how many parking spaces were needed, among other issues. Mr. Greig said he had unlimited parking. He confirmed that in case the market expanded, he had an additional road access so that one curb cut could be “in” and the other “out”.

Mr. Greig said that in the short term, the vendors could use parking spaces in the front of the retail area but later they would use a vendor parking area behind the barn.

Christine Kane said that Ms. Keeling had asked about handicapped access. Mr. Greig confirmed that he had located two handicapped parking spaces on the plan. He said those spaces had a hard surface. He said that handicapped access would not be an issue once all parking was on the east side because it would all be “level in”.

Since Ms. Keeling asked about vendors who cooked on the premises, Mr. Greig said that there was no cooking at the market, that some vendors brought prepared cooked items and that those vendors had to submit health certificates as a requirement of their registration. He said that those certificates were not posted but that they were on file.

Christine Kane said that Ms. Keeling asked about fire inspection and a limit on the number of people in the barn. Mr. Greig said that he assumed all that would be handled by the Building Inspector.

Christine Kane said that Ms. Keeling asked about bathroom facilities. Mr. Greig said that a port-a-potty was available now and would be located near the handicapped parking spaces on the lower level when all parking moved to the east side.

Christine Kane said that Ms. Keeling stated that this approval was sought for Saturdays only and that the addition of other days should require another approval. She said that Ms. Keeling also was concerned that the market would morph into a large scale festival or “event” with music and other activities. Mr. Greig confirmed that he had had festivals in the past in other areas of the farm but that the market area was limited and he would not have such an event there.

Asked for his definition of “local” farm products, Mr. Greig said that he considered products from New York State to be local.

Mr. Greig confirmed that potable water was available in the building and that no vendor needed to obtain water from Gigi’s next door. He said he provided electricity for those vendors who needed it, but, he said, most didn’t need it. He repeated that vendors did not actually cook at the market but that a few brought prepared foods that needed to be kept warm.

Robert McKeon, Crestwood Road, said that he was involved in another farmers market located in an old building and asked whether the new zoning regulations talked about bringing the building up to code for a change in use. Christine Kane said that the C of O would involve a visit from the Town Building Inspector, who would likely be doing a fire inspection and looking at the electrical systems, bathrooms, water, etc. Sam Harkins, Village Building Inspector, said that the farmers markets were not considered a place of assembly, so there would be no posted limitation on the number of people allowed. He said the use would be considered “mercantile”.

Mr. Greig confirmed that there were already lighted exit signs, emergency lighting and fire extinguishers in the barn.

Asked about delineating parking spaces, Mr. Greig said that, as he did in the pick-your-own areas, he would park the first few cars in the lot, and the others would naturally follow the pattern. Sam Harkins said there must be signs for the handicapped spaces. The Board agreed that some sort of fencing or delineation should extend beyond the handicapped spaces, at least on the days of the market, so that customer parking did not stray into the vendor parking.

Since there were no more comments from the public, Charlie Laing made a motion to close the public hearing. Betty Carr seconded the motion, and all members present voted in favor. Christine Kane said that since the project was a Type 2 action under SEQR, no SEQR determination was needed.

The Board then reviewed a draft resolution approving the project. Mr. Lansky objected to condition A; however, Christine Kane said that requiring the applicant to abide by statements he had made about his plans at Planning Board meetings was normal procedure. After the addition of conditions regarding fencing along the edge of the parking area, the payment of all fees and the submission of plans in the number and form required by the Town regulations, Sam Harkins made a motion to grant a special permit and limited site plan approval to the farmers market. Charlie Laing seconded the motion, and all members present voted in favor.

Preserve at Lakes Kill – Feller Newmark Road – Preliminary Subdivision Plat Approval

Michael Bodendorf, P.E. was present for a continuation of the public hearing on an application to create 11 lots on a total $\pm$ 100.45-acres in the AB (Agricultural Business) and RD3 Zoning Districts.

In answer to questions about the proposed road mitigation, Mr. Bodendorf referred to newly submitted graphics. He said that the wall proposed for one option would be approximately 6.3 ft. at its highest point and that it would be stepped. He said that if permission were obtained to re-grade outside the right-of-way for the other option, it appeared that two (2) property owners would be involved. He said that letters to them had either just gone out or would go out shortly.

Christopher Klose, Echo Valley Rd., read a letter from the Egbert Benson Historical Society in Red Hook that stated that the Board of Directors, on behalf of the over 150 members of the organization, opposed the alteration of Feller Newmark Road to accommodate the development project. He said that the letter went on to say that Feller Newmark Road dated from the earliest settlement of Red Hook and was one of the “few roads left that retained vivid rural character from end to end” and was one of the community’s historic scenic treasures. He said the letter ended by saying that if Red Hook was to retain its historical heritage, scenic beauty and agricultural future, the road should not be compromised.

Mr. Klose said that, on a personal note, the road was not only historic but was an agricultural artery. He said that the wall was unattractive and that the stone-faced block was similar to that used in mountain top removal mining in West Virginia. He said that the trees along Feller Newmark Road had been planted in the early 1920’s to provide protection for people and animals and that they had been planted by “public subscription” or taxation, which should be considered.

Robert McKeon, Crestwood Rd., asked for input from the Town Board and from the Town Highway Department. He said that allowing a developer to come in and alter community roadways to accommodate a development would be a precedent. He went on to say that if the Planning Board could conduct a site visit for development, it could also conduct a site visit for agriculture, and he invited the Board to his farm to assess the impact the project would have.

He then listed the many organizations that his farm hosted or assisted, from 4H to cancer therapy, and outlined how his farm was integral to the survival of other local farms. He also stressed how the increased traffic would impact his farm, which straddled the road and depended on crossing the animals from one side to the other. He emphasized the safety risks to both people and animals. He said that the road currently served the farms along it and that the proposed changes would result in a road to service residential development.

Don O'Shea, Feller Newmark Rd., said that the proposed wall reminded him of the Long Island expressway and was an insult to the character of Red Hook. He said he would not like to see that kind of precedent set.

Michele Greig asked whether the proposed reduction of the vertical road curve would require blasting. Mr. Bodendorf said that blasting was not anticipated but that the applicants were not sure yet.

Charlie Laing asked whether blasting would be needed to cut back the slope. Mr. Bodendorf said he thought that it was rippable but that the applicants would need to do exploratory testing to be sure. Charlie Laing also asked whether a fence would be needed on top of the retaining wall to provide safety. Mr. Bodendorf said that by code, probably yes but that it probably was unlikely that people would be up there. He said that the land behind the wall would be private property and the landowner could do whatever he wanted.

Michele Greig said that if the wall were constructed in the Town's right-of-way, it would become the Town's responsibility to maintain. She asked what the estimated costs of that maintenance would be. Mr. Bodendorf said that if the wall was installed correctly, there should be little maintenance. He said the size of the blocks was "overkill" for this situation. He said that it was a "gravity wall" and as long as the proper drainage was installed behind it, there should be no problem.

Michele Greig also asked about the drainage features along the road. She noted that an easement would be needed and that the drainage features would be the Town's responsibility to maintain. She asked whether Mr. Bodendorf had an estimated cost for that maintenance. Mr. Bodendorf said that routine maintenance would probably involve checking the pipe and periodically cleaning silt from the culvert. He said that if the French drain system worked correctly, large objects should be filtered out by stones or a grate. He said that as long as the vegetation took hold properly, there should be little other maintenance.

Christine Kane noted that the Planning Board had received 49 additional letters and emails opposing the wall, the cutting of the trees and the changing of the character of the road. She went on to say that the Board had not yet received input from the Town Board.

Kris Munn, North Drive, asked whether it had yet been determined who would approve the road changes. Christine Kane said, no, that question was not yet resolved.

Christine Kane said that the Planning Board was waiting for comments from the Town Engineer.

Mr. Bodendorf asked when the public hearing had been determined to be "informational". He said that he had been under the impression that the hearing was being held on the preliminary plat. Christine Kane said that the hearing had been deemed informational from the beginning. She said that the Board did not hold official hearings on applications unless the applicants were

present and that, in this case, the applicants had indicated late in the afternoon on the day the hearing was to open that they would not be coming. She said that there had been a room full of people who had come for the hearing, and the Board had decided to hear those comments and gather information. She said that in addition, the Board had not moved forward with the SEQR process and had not made a SEQR determination, which is required before the public hearing on a subdivision application is opened.

Mr. Bodendorf asked why the applicants had been asked to write a letter extending the review period for the preliminary plat. Michele Greig said that the Board had made that request for the safety of all parties while it was waiting for a legal opinion. Mr. Bodendorf said he was expecting the preliminary plat review to end that night and wanted to know what the timeframe was. Christine Kane said that the next step would be to close this informational hearing and move forward toward a SEQR determination. To that end, she said, Michele Greig would make a list of the as yet unresolved issues and unanswered questions derived from the public hearing, and, she said, that list would be reviewed by the Board for completeness and submitted to the applicants for response.

For the benefit of the new members, Michele Greig explained the procedure going forward and also the difference between a Negative SEQR declaration and a Positive SEQR declaration.

Michelle Turck said that it seemed to her as if the Board would have to know whether the wall was going to be built before it could decide between a Neg Dec and a Pos Dec.

Mr. Bodendorf said that he did not want to come back until he had an answer to that question and until comments had been received from all the departments, boards and agencies that the Planning Board had contacted.

Since there were no further comments from the public, Michelle Turck made a motion to close the hearing. Betty Carr seconded the motion, and all members present voted in favor.

The project was tentatively scheduled for the April 15, 2013 meeting.

Mr. Bodendorf said again that he had understood that this was the hearing on the preliminary plat. Michele Greig suggested that if there were questions, the applicants' attorney could submit a letter to which the Planning Board's attorney could respond.

REGULAR SESSION – OLD BUSINESS (CONTINUED)

MC Acres – Middle Rd.- Minor Subdivision Plat

Mark Graminski, P.E. was present for a discussion of an expired application for subdivision plat approval to create two (2) residential lots of $\pm$ 9.278 acres and $\pm$ 18.726 acres and a remaining lands lot of $\pm$ 36.622 acres from a total $\pm$ 64.627-acre parcel in the RD3 Zoning District.

For the benefit of the newer Board members, Christine Kane explained the lot line alterations and accompanying farmland protection plan filed some years ago on the entire Kesicke Farm by the Vosburgh family. She said that as each family member developed his/her portion of the farm, Winnakee Land Trust would pick up a conservation easement on the agreed-upon agricultural lands of that portion.

Mr. Graminski pointed out the only change between this new plan and the plan that was approved for MC Acres in 2011. He said that the minor change followed more accurately the

contours of the land and protected a small section of agricultural land. He said that the change would involve about 1/10 of an acre.

He said the three lots would share a common existing driveway coming in from Middle Road. He confirmed that a conservation easement would be placed over the entire three lots with building envelopes for the residences. He also confirmed that Winnakee Land Trust would hold the easement.

Charlie Lang noted that the old Hucklebush railroad bed was on the list of potential Town trails. Mr. Graminski said that the improvements had been kept off of that line.

Mr. Graminski said that DEC had re-verified the wetlands. Michele Greig said that the wetlands delineation must be put on a mylar, signed by DEC and filed as a sheet with the subdivision. Michele Greig said that there was also specific language that DEC wanted to see on the mylar and in the deed. Mr. Graminski said he would also get a permit for wetland disturbance to improve the farm road in the wetland adjacent area.

Michele Greig said that since the previously approved subdivision plat was never filed, this project could not be considered an amended subdivision; rather, it must be considered a new project and so must have a new application, EAF, and other documents.

Mr. Graminski confirmed that a portion of the parcel was in the Town of Rhinebeck.

Glade Keaney – 43 W. Willets Dr. – Minor subdivision sketch plan approval

Dan Wheeler, P.E., was present for continued discussion of an application for sketch plan approval to create two (2) residential lots from a 6.87-acre parcel in the RD3 Zoning District.

Mr. Wheeler and the Board agreed that there were several problems with the project. The first, said Michele Greig, was that there was only 77 feet of frontage, while 160 feet of frontage was required for a standard lot in the RD3 Zoning District and a minimum of 50 feet was required if a flag lot was allowed. Mr. Wheeler said he thought he should request a variance from the ZBA.

Michele Greig said that another problem was the size of the proposed lots, noting that neither lot met the 3 acre requirement of the RD3 Zoning District after the “poles” and unbuildable features were deducted. Mr. Wheeler said that one lot was nearly 3 acres.

Charlie Laing said that in reviewing a recent project, the Planning Board had exercised its authority by not allowing flag lots in that instance and that there had been no talk of applying to the ZBA for reduced frontage. Mr. Wheeler said that anytime something was proposed that was contrary to zoning, the applicant could apply to the ZBA. Charlie Laing said that flag lots were already an exception to zoning and that there was no inclination to allow substandard flag lots. Sam Harkins added that flag lots were not “by right”.

The Board noted that 54 feet of frontage was proposed for the flag lot and 23 feet proposed for the remaining conventional lot. Mr. Wheeler also confirmed that the larger proposed lot would be 2.97 acres and the smaller lot 2.28 acres. He said he could probably adjust the larger lot up to 3 acres. Christine Kane said that the contours showed steep slopes, and Mr. Wheeler said that he had deducted the steep slopes from his calculations.

Christine Kane recalled discussion at the August 20, 2012 meeting about the driveway already being shared. Mr. Wheeler confirmed that the driveway was already shared with a neighboring

parcel. He said that he did not believe there was an “official” easement and driveway maintenance agreement currently in place although he had submitted a document that was titled “Easement” and dated 1985.

Asked about the sight distances, Mr. Wheeler said that he did not have that information yet.

Charlie Laing noted that there was a stream running through the frontage. Mr. Wheeler said that the existing driveway ran over it.

Christine Kane said that this project was not the kind of subdivision the Planning Board liked to see. Mr. Wheeler said that if he did not have to deduct the “pole” and the steep slopes, the lots would have the required acreage. He asked for additional time to try to work out the problems discussed.

OTHER BUSINESS

April 1 meeting

Christine Kane said that three Board members had already indicated that they would be away on April 1. She asked the secretary to poll all members about their attendance to see whether there would be a quorum at that meeting.

ADJOURNMENT

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

Respectfully submitted,

Paula Schoonmaker

Attachments

Certificate of Appropriateness granted to Emily Hartzog
Special Permit and Limited Site Plan Approval granted to Hudson Valley Farmers Market

**Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS**

Date: March 18, 2013

For: Emily Hartzog Tax Parcel # 134889-6172-01-137842-0000

The applicant owns + 0.58 acres at 72 Station Hill Road in the Hamlet of Barrytown. She wishes to modify an existing front porch on the residence.

The application, survey, and related documents were sent to the Hamlet/Design Review Committee on March 6, 2013

The Hamlet/Design Review Committee reviewed the proposed changes and submitted its comments to the Planning Board on March 18, 2013. The Committee recommended that the Planning Board issue the Certificate of Appropriateness.

A public hearing was held March 18, 2013.

The Planning Board has reviewed and discussed the proposed plans and determined that the proposed project is compatible with the historic character of the property as well as with the neighboring properties and the district and that there will be no visual negative impact. Therefore,

The Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Emily Hartzog for the proposed project as described above.

Certified by: _____ Date: _____
 Clerk

Resolution Granting Special Use Permit and Limited Site Plan Approval Hudson Valley Farmers Market

Name of Project: Hudson Valley Farmers Market

Name of Applicant: Norman Greig

Date: March 18, 2013

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan and Special Permit approval from Norman Greig to permit the operation of a Farmers Market on the Greig Farm; and

Whereas, said proposed Farmers Market is located on one parcel of land (Tax Map Parcel No. 6274-00-980090) that consists of 108 acres in the Agricultural Business (AB) Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the application is proposed for use of a barn and adjoining outdoor area for about twenty (± 20) farmers to sell their own farm products; and

Whereas, the Farmers Market is proposed in a Greig Farm barn, a portion of which was used by Alison Wines for a retail shop and tasting room and is now available for the use; and

Whereas, the applicant submitted a Sketch Plan document, dated January 15, 2013 and as revised on March 11, 2013, that provides notes indicating that there will be no evening hours and therefore no changes to the existing exterior lighting, there will be no permanent signage, and handicapped parking spaces will be located adjacent to the entrance; and

Whereas, the Special Permit approval for the Hudson Valley Farmers Market also requires Site Plan approval in accordance with §§ 143-39.1(C)(3)(f) and 143-90 of the Zoning Law; and

Whereas, the Planning Board has reviewed the application and the Sketch Plan document against the requirements of Article VII of the Zoning Law, § 143-114(C)(1), and has determined that the proposal is limited in scope and warrants a Minor Site Plan review due to the use of an existing Greig Farm barn for the Market, the absence of any construction or grading activities associated with the Market, the lack of any changes to existing lighting, permanent signage or parking, and the incidental use of the barn to the principal agricultural use of the Greig Farm; and

Whereas, the State of New York, at Article 22, Section 259 of the Agriculture and Markets Law, *“encourage(s) farmers’ markets in the state”* and the Town of Red Hook, by its Comprehensive Plan and Zoning Law has established a goal *“of protecting rural and agricultural lands, discouraging incompatible nearby land uses, and promoting*

agriculture as a component of the local economy now and in the future,” among other purposes designed to encourage agriculture; and

Whereas, the Planning Board, previously reviewed the project application and the Short Environmental Assessment Form (EAF) and determined that the action was a Type 2 Action pursuant to SEQR because it consists of agricultural farm management practices consistent with generally accepted principles of farming; and

Whereas, on March 18, 2013, the Planning Board conducted a public hearing on the Site Plan and Special Use Permit application at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board has deliberated on the application and all the matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board grants Site Plan and Special Use Permit approval to Norman Greig to establish the Hudson Valley Farmers Market in accordance with the plans and documents heretofore submitted upon the following conditions:

1. The applicant will comply, at all times, with the General Standards for Special Permit Uses enumerated in § 143-51 of the Zoning Law.
2. The following specific conditions shall be fulfilled throughout the operation of the Hudson Valley Farmers Market in accordance with § 143-51(K) of the Zoning Law:
 - A. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant in the record of the Planning Board meetings where Mr. Greig appeared between January 2013 and March 2013, shall be considered conditions of this Site Plan and Special Use Permit Approval.
 - B. The Hudson Valley Farmers Market shall be operated during daylight hours only. Lighting for use during hours of darkness shall require a new Special Use Permit.
 - C. The signage used for the Hudson Valley Farmers Market and the use of temporary structures (if any) may be in place not more than 24 hours prior to or following the sales activity.
 - D. The Farmers Market shall be used solely for the sale of agricultural products that are local, regional or have statewide significance.
 - E. The Farmers Market shall operate only on Fridays, Saturdays and Sundays.
 - F. Fencing shall be installed on the west side of the parking lot during market hours.
 - G. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application shall be paid in full.
 - H. Applicant shall submit Site Plan drawings for stamping and signing in the number and form specified under the Town’s Zoning Law.

On a motion by Sam Harkins, seconded by Charlie Laing, and a vote of 4 for, 0 against, and 3 absent, this resolution was adopted on March 18, 2013.

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

Paula Schoonmaker, Secretary

Date