

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
August 19, 2013

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:30 pm by Charlie Laing, and a quorum was determined present for the conduct of business.

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

The minutes from the August 5, 2013 minutes were approved with corrections on a motion by Michelle Turck, seconded by Betty Carr and carried unanimously.

There were no announcements.

PUBLIC HEARING

Hilda MacDonald Trust / Brookmeadow (Steiner Farm) – 324 Budds Corners Rd. – Final Plat Approval

Charlie Laing read the notice of public hearing that was published in The Poughkeepsie Journal and the Kingston Freeman.

Kevin Battistoni was present to represent Hilda McDonald Trust and Frank and Ruth Migliorelli in an application to subdivide one (1) 4.24 acre residential building lot from a $\pm$ 90.23 acre parcel in the Agricultural Business Zoning District at Pitcher Lane that had been designated outside the conservation easement area in the agreement between the Steiner Farm and Dutchess Land Conservancy.

Mr. Battistoni reviewed the project, and the recent history of the project's land ownership. He reviewed the vegetative buffer plan that Michele Greig had approved. Ms. Grieg described the changes made as a result of the conversation at the Aug. 5 meeting.

Mr. Battistoni asked the board if the planting could be done close to or on the property line. The board generally agreed that it could. Mr. Battistoni said he would ask the surveyor to mark the boundary between the new lot and the existing farm field.

There were no more comments from the board or the public. Betty Carr made a motion to close the public hearing. Michelle Turck seconded and it was passed unanimously.

Michele Greig noted that the date on the corrected plat must be changed, and the lots should be labeled 1 and 2. Charlie Laing and Michele Greig reviewed the conditions of approval. Mr. Battistoni said that the applicant plans to install the vegetative buffer this fall. Ms. Greig stressed that the plantings should be verified when the installation is complete. Mr. Battistoni said that he would let Ms. Greig know within the next week when the planting would be scheduled, so that it could be verified.

Sam Harkins made a motion to grant final approval to the project. Betty Carr seconded, and the motion was unanimously carried.

Adjournment

Since there was no other business to come before the board, Michelle Turck made a motion to adjourn. Betty Carr seconded and the motion and it was carried unanimously.

Respectfully submitted

Kathleen Flood
Secretary

Attachments

Brookmeadow (Steiner Farm) approval resolution

Resolution Granting Final Subdivision Plat Approval to Steiner Farm 2 Lot (Brookmeadow) Subdivision

Name of Project: Steiner Farm 2 Lot (Brookmeadow) Subdivision

Name of Applicant: Hilda MacDonald Trust

Date: August 19, 2013

Whereas, the applicant has submitted an application for Final Subdivision Plat approval dated July 25, 2013 to the Town of Red Hook Planning Board to subdivide a ± 4.24 acre lot from a ± 90.23 acre parcel (Tax Map Parcel No. 134889-6273-00-441702) located in the AB Zoning District on Pitcher Lane, Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Final Subdivision Plat prepared by D.F Wheeler Engineers, P.C. consisting of two (2) Sheets (Sheets CS-1 and P-1) dated June 13, 2013; and

Whereas, on September 19, 2011, the Planning Board declared itself Lead Agency for the purpose of conducting an uncoordinated review of an Unlisted Action pursuant to SEQR; and

Whereas, on August 5, 2013, the Planning Board, in consideration of the Short Environmental Assessment Form dated July 21, 2011 and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), determined that the proposed action will not cause any potentially significant adverse impacts on the environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, the parcel is located within a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated July 21, 2011, which the Planning Board forwarded to all owners of farm operations within 500' of the subject parcel; and

Whereas, on August 19, 2013, the Planning Board conducted a public hearing on the Subdivision Plat application, at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board determined that the proposed action will create a need for recreational land and facilities, that it is not feasible to locate a park on the subject lands, and therefore requires the applicant to make a recreational fee payment; and

Whereas, the Planning Board now wishes to grant Final Subdivision Plat approval to the Hilda MacDonald Trust.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Final Subdivision Plat approval to the Hilda MacDonald Trust to subdivide a $\pm$ 90.23 acre parcel located on Pitcher Lane in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. The following conditions shall be fulfilled prior to the signing of the Subdivision Plat by the Planning Board Chairwoman:
 - (a) Approval from Dutchess County Department of Health for individual well and septic disposal system for the 4.24 acre lot.
 - (b) The following revisions shall be made to the Plat:
 - (i) Revise the acreage of the total lot area in the Site Data box on Sheet CS-1 to 90.23 acres. On a separate line, add Total Acreage of Lands of Frank A. Migliorelli: 228.26 acres.
 - (ii) Delete the references to "Sketch Plan" and "Proposed Site Plan" on Sheet P-1.
 - (iii) Replace the reference to 228.26 acres on Sheet P-1 with 86 acres.
 - (iv) Label the 86 acre parcel "Lot 1" and the 4.24 acre parcel "Lot 2."
 - (v) Add a note to the plat that no further subdivision of Lot 2 shall be permitted.
 - (vi) Add a note to the plat that Lot 1 is subject to a conservation easement held by the Dutchess Land Conservancy and no building envelope is associated with this parcel. Cite the liber and page number of the recorded easement.
 - (vii) Include on the plat the proposed landscaping of the vegetative buffer along the western and southern property boundaries of Lot 2, with a Landscape Schedule identifying the location, species, and size of materials at time of planting.
 - (viii) Replace the reference to "Salix Arctica" with a reference to "Salix Purpurea."
 - (ix) Include a landscape maintenance note with the Landscape Schedule stating that the property owner of Lot 2 shall maintain the vegetative buffer as shown on the plat, or a vegetative buffer of similar or greater thickness and height, throughout the duration of the use.
 - (x) Revise the plat to include a note that no building permit shall be issued for Lot 2 until a copy of the deed filed with the Dutchess County Clerk's Office for Lot 2 has been filed with the Planning Board and the Building Department.
 - (xi) The plat shall include a revision date.
 - (c) The applicant shall install the vegetative buffer shown on the plat.

- (d) The applicant shall provide the Planning Board with a copy of the deed for Lot 2, which shall include: 1) the Agricultural Notice from Chapter 72 of the Town Code; and 2) the note from the plat stating that the property owner shall maintain the vegetative buffer as shown on the plat, or a vegetative buffer of similar or greater thickness and height, throughout the duration of the use.
 - (e) The applicant shall verify that the corners of the tract have been marked by monuments or steel rods, as approved by the Town Engineer.
 - (f) Payment of recreation fee for one (1) new residential building lot to the Town of Red Hook.
 - (g) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 - (h) 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 P.E. and L.S. stamps and signatures.
- 2. The applicant shall file the deed for Lot 2 simultaneously with filing the plat with the Dutchess County Clerk's Office, and shall provide the Planning Board and the Building Department with a record of the filing prior to the issuance of a Building Permit for Lot 2.
 - 3. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant and contained in the Short Environmental Assessment Form and the negative declaration adopted by the Planning Board on August 5, 2013 shall be considered conditions of this Subdivision Plat Approval.
 - 4. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

On a motion by Sam Harkins, seconded by Betty Carr, and a vote of 4 for, 0 against, and 3 absent, this

Resolution declared Approved on August 19, 2013.

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

Kathleen Flood, Clerk to the Board

Date

