

TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
June 5, 2017

Christine Kane called the meeting to order at 7:30 pm and said that the Public Hearing advertised for the Schultz Minor Subdivision had been cancelled. A quorum was determined present for the conduct of business. Members present: Christine Kane, Sam Phelan, Sam Harkins, and alternate Bill Hamel. Kallie Robertson, Lisa Foscolo, Brian Kelly and Charlie Laing were absent. Also present were planning consultant Michele Grieg and engineering consultant Michelle Ewert.

Sam Harkins made a motion to approve the minutes of the May 15 meeting. Sam Phelan seconded and all members voted in favor.

Ms. Kane distributed information about a training program offered by the Cornell Cooperative extension on June 8.

OLD BUSINESS

Shafer's Hudson Valley – 8053 Albany Post Road – Site Plan, Special Permit

Continued discussion of revised sketch plan application to renovate and expand an existing 10-room motel to a 20-room motel on a 5.992 acre parcel, of which 2.3 acres are located within the B1 Zoning District and the remaining 3.6 acres are located within the RD3 District.

Applicant Vanessa Schafer and engineer Doug Clark were present.

Ms. Kane acknowledged that the Board had received a letter from Grant & Lyons LLC, who are representing neighbors of the project.

Michele Ewert discussed her engineering review dated 6-2-17. She said that she had a conversation with an Army Corps of Engineers (ACOE) representative and was told that a permit would be needed if any planting in the wetlands was to be done using machinery. Ms. Shafer said that all plantings would be done by hand.

Ms. Ewert referenced the letter received from Grant & Lyons and asked if the applicant had applied for a preliminary jurisdictional determination from ACOE. Mr. Clark replied that the applicant's wetlands consultant had made the request on Feb. 23, 2017. He said the two agencies that have jurisdiction are the DEC, who delineated and flagged the wetlands and signed off on the boundary validation and the ACOE. He said for the purposes of design, the applicant stayed away from both wetlands, and did request a preliminary jurisdiction determination. He said that the opinion of the applicant's wetlands consultant, the two wetlands are not connected, however the ACOE will ultimately determine that.

Ms. Kane asked if they had received a response from the ACOE. Mr. Clark replied no. He asked if it would hold up the application process. Ms. Kane said that the Board could not complete the SEQR process until they had the preliminary jurisdictional determination. Mr. Clark said that it could take a year for the ACOE to respond, and he felt it was unfair to the applicant to wait since the site design does not encroach on any wetland. Ms. Shafer inquired about the timeline the Board needs to observe to complete SEQR. Ms. Grieg said it would be in the best interest of the applicant to extend the timeframe, because the Board may not be able to issue a negative declaration until the determination is resolved.

Ms. Kane suggested having an independent third party verification. Sam Phelan agreed, saying that could satisfy the concerns raised by Grant & Lyons about how the applicant's wetland consultant conducted their delineation in very dry conditions. Mr. Clark replied that that did not matter because it is determined by the soils and vegetation, not how wet the ground is. Ms. Ewert suggested that the applicants pressure the ACOE to act on their request.

Mr. Clark asked if, in the event that third party verification agreed with the applicant's wetlands consultant, a public hearing could be scheduled for the project. Ms. Kane said it would be better to wait for a determination rather than discuss hypothetical situations.

The Board and applicant moved to comments from Michele Grieg dated 6/2/17. Ms. Shafer said she was confused as to why Ms. Grieg was now saying 19 rooms would be allowed. Ms. Grieg said that the Town had made changes to the zoning code a year ago. She added that the applicant could pursue a variance for the front yard setback or for an extra room. Ms. Kane suggested the applicant ask the town whether they might "grandfather" the 20 rooms because the application was in progress when the law was changed.

The Board generally agreed that the public hearing should wait until these issues are resolved. Landscaping, lighting, fencing and the proposed sign were discussed. It was generally agreed that the fire department should be asked to review the plan for accessibility of the buildings for emergency services.

Bard Barringer House – 1442 Annandale Road – Site Plan, Certificate of Appropriateness

Continued discussion of application to construct a 920 square foot addition to an existing Victorian era building with a 20-space gravel parking lot in the Institutional, Historic Landmark Overlay and Scenic Corridor Overlay Districts.

Engineer Pete Setaro and Bard Representative Charles Simmons were present.

Mr. Setaro said that, with regard to Michele Grieg's comments dated 5-30-17 item 3 (d) concerning building coverage, the applicants plan to double check their calculations, which exceed the allowable coverage by about .08%. Charles Simmons said the buildings would be field measured.

Sam Phelan said he had visited the site and that the parking lot would be visible from Annandale Road, which was of concern to him. Vegetative screening options were discussed. A public hearing was tentatively scheduled for June 19. Ms. Grieg asked if the applicants would waive the time frame for approval following a public hearing if it is determined that a variance would be needed for lot coverage. The applicants agreed that they would.

NEW BUSINESS

Annandale Hydro Power Facility – Bard College – Site Plan

Presentation of sketch plan application to install a bypass generation micro hydropower facility on an existing dam/pump house located in the Waterfront Conservation, Historic Landmark Overlay, Scenic Corridor Overlay and Flood Fringe Overlay districts.

Bard College representative Laurie Husted and Joel Herm of Current Hydro were present. Ms. Husted gave a description of the content of the project, which is funded by grant money from NYSEDA. A dam built in the early 1900s at Montgomery Place to provide water for the main house and irrigation for agriculture is the subject of the project. Mr. Herm described the way the dam and its component were designed to work, and how it is proposed to be adapted for hydropower. The Board and applicants discussed safety issues, particularly if the facility could be accessible for public viewing. Current and potential noise levels were also discussed.

OTHER BUSINESS

Pre-Application discussion – Kevin Kuenster, 74 Spring Lake Road

Kevin Kuenster and Kate Staples were present. Mr. Kuenster said that they are in the process of purchasing a property on Spring Lake Road, and they would like to site the house to overlook a ravine at the edge of the property. He said that the adjacent property has agreed to sell them four acres, and they were seeking advice on whether to pursue a variance from the property setback or a lot line alteration. Ms. Kane that although extensive wetlands on the property pose a challenge in siting a house, she was doubtful that the ZBA would allow them to build right on the property line as they propose. The timelines for both approaches were discussed.

Preserve At Lakeskill – Extension Request

The Board tabled a vote on the request because there were not enough members to vote due to the fact that Bill Hamel had to recuse himself.

DMAJS minor subdivision – Extension Request

Sam Harkins made a motion to grant a request for a 90 day extension to meet conditions of approval. Sam Phelan seconded and all members voted in favor.

ADJOURNMENT

There being no further business before the board, Sam Harkins made a motion to adjourn. Sam Phelan seconded and all members voted in favor.

Respectfully submitted

Kathleen Flood
Secretary