

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
April 15, 2013

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:32 p.m., and a quorum was determined present for the conduct of business.

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

BUSINESS SESSION

Christine Kane said the agenda would change slightly to accommodate a timing conflict. She then said there were three announcements. She asked how many members would be interested in attending a possible two-part training session addressing first biodiversity for conservation subdivisions and then the new SEQR changes. All members present were interested. She then said there were two Dutchess Land Conservancy events—a breakfast and program about Cornell Cooperative Extension to be held on May 13 and a workshop on conservation easements and subdivisions scheduled for April 29—both at the DLC offices near Millbrook and both offering training hour credits.

The March 18, 2013 draft minutes had been circulated among the members and reviewed. Betty Carr made a motion to adopt the minutes. Charlie Laing seconded the motion, and all members present voted in favor.

REGULAR SESSION – OLD BUSINESS

Todd and Maribeth Catlin – 38 North Drive – Minor subdivision

Mark Graminski, P.E., and Todd 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 said that he had submitted a draft final design with details about the proposed septic disposal systems, underground utilities and water supply. He said he knew he must still obtain letters from the Town water department, the Town highway department and the fire department and that he must submit sight distance measurements.

Discussing the stormwater runoff, Mr. Graminski said that he would submit a Stormwater Pollution Prevention Plan, even though the total area to be disturbed was below the threshold, and that he would address response the April 12 comments from the Town Engineer. He said he had also just received a copy of a letter submitted by Richard Franklin and Tom Mill, whose houses on the east side of Manor Road were located near the outlet of the stormwater drainage from the Catlin and Chen properties. He said that currently stormwater proceeded from that outlet to a drainage pipe under Manor Rd. and ultimately to the Sawkill Creek. Looking at photos submitted by Mr. Franklin and Mr. Miller, he noted that part of the flooding problem there

was caused by a homeowner on the west side of Manor Rd. who had installed a septic system in his front yard and had filled in a drainage swale. He said that he believed his planned improvements would reduce peak runoff during storm events because of the planned detention ponds and other stormwater holding features. He also said that rain gardens would be used for infiltration and treatment of stormwater before it went into the ground.

The Board and Mr. Graminski then reviewed the GreenPlan memo. There was some discussion about whether the buildable acreage and the acreage without poles were both clearly set forth on the plan. Michele Greig said that all the proposed new lots had adequate acreage.

Mr. Catlin asked the Board whether a public hearing could now be scheduled. Christine Kane said that some additional SEQR issues had to be addressed.

The Board authorized the secretary to forward the SWPP and revised plans to the Town Engineer as soon as they were submitted. It also tentatively scheduled the project for the May 6, 2013 agenda.

REGULAR SESSION – NEW BUSINESS

Trevor & Joanna Baker – 107 Old Post Rd. – Certificate of Appropriateness

Trevor and Joanna Baker were present with an application to install fencing along the perimeter of a 0.575-acre residential parcel in the H (Hamlet) Zoning District. Ms. Baker said that the fence would be a cedar lattice-type fence, four feet high in the front and becoming six feet high when it transitioned to the back yard. She said it would be similar in style to the privacy fence they installed several years ago but that passers-by would be able to see through this fence.

Christine Kane asked whether the applicants knew they must obtain a variance for the 6 ft. sections of the fence. They said they did and that they had already made application to the Zoning Board of Appeals. They also confirmed that the proposed fence would meet all Town setback requirements.

Charlie Laing made a motion that the Board determine the project to be a Type 2 project under SEQR requiring no environmental review. Sam Harkins seconded the motion, and all members present voted in favor.

The Board then referred the project to the Hamlet Design/Review Committee.

REGULAR SESSION – OLD BUSINESS

(Michele Greig recused herself and left the room (spelling corrected 5/06/13) for the discussion of this project)

Theresa & Doug Schaff – 71 Starbarrack Rd. – Lot Line Alteration

Terry Schaff and surveyor John Decker were present for continued discussion of an application for Lot Line Alteration approval to convey ± 1.0 acres from an 11.075-acre parcel to the adjoining 7.535-acre parcel, both under the same ownership, in the RD 3 Zoning District.

Ms. Schaff said that Mr. Decker had pointed out that approximately 4 acres would have to be conveyed in order to meet all setback requirements. Therefore, she said, she would revise her application and EAF to reflect the new number.

Charlie Laing asked whether the land behind the parcels was still owned by Central Hudson. Mr. Decker said no.

Christine Kane asked Mr. Decker to add the road frontage measurements to the area table on the plan.

The Board completed the part 2 EAF. Charlie Laing then made a motion to issue a Negative SEQR declaration for the project. Michelle Turck seconded the motion, and all members present voted in favor.

The Board then scheduled a public hearing for May 6, 2013.

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road – subdivision, site plan and special permit

Pete Setaro, P.E., Ken Kearney and Sean Kearney were present for continued discussion of applications for subdivision, site plan and special permit approval for construction of a 51 unit development partially in the Village of Red Hook and partially in the RD1 Zoning District in the Town of Red Hook.

Mr. Setaro explained the newly revised and submitted density calculations which, he said, allowed the applicants to keep the same number of proposed lots as in the previously submitted development plans. He said that he had used a bedroom count for the multi-family units, which left enough acreage for the other dwellings in the RD1 District.

Michelle Greig said she had reviewed the new submission and believed the calculations to be correct. She said that the zoning regulations did not prohibit the use of two different methods of calculating density in developments where a variety of housing configurations was proposed. She asked Mr. Setaro to forward a copy of the table he had developed for calculating the lot acreages in the Village and in the Town.

The Planning Board reviewed the new density calculations and generally agreed to accept them for the project. Christine Kane asked the applicants to refigure the application fees now that the density and acreage figures were set.

The Board then reviewed the GreenPlan memo dated April 10, 2013. Mr. Setaro said that it would take the applicants a number of weeks to compile the requested information.

REGULAR SESSION – NEW BUSINESS (continued)

Bard College Blithewood Vista – Blithewood Ave. – Special Permit

Chuck Simmons and horticulturist Amy Parrella were present with an application for a Special Permit to remove trees and restore historic landscaping within 1,000 feet of the Hudson River on a 301.7-acre parcel in the I (Institutional) Zoning District and in the National Historic Landmarks District.

Ms. Parrella explained that the college wished to remove eleven (11) trees from the bluff above the river to restore the historic romantic landscape. She referred to historic drawings that documented the original landscape plan with its “window” views. She said that none of the trees proposed for removal were historic and that most were multi-stemmed with the result that the caliper measurements of those trees were misleading. She said another aspect of the project

was to remove invasive phragmites and ailanthus and to replace them with low growing native colonizing shrubs that would hold the ground but keep the vista clear.

Charlie Laing asked whether there were any specimen trees in the group slated for removal. Ms. Parrella said no.

Michele Greig said that the intent of the historic overlay district was to achieve exactly this type of restoration.

Christine Kane asked whether there were any nesting trees for Indiana bats. Ms. Parrella said there were no shagbark hickories and no dead trees.

Due to the project's location within the National Historic Landmark District, the Board determined the project to be a Type 1 action under SEQR. Charlie Laing made a motion to establish the Board as lead agency for the SEQR review since there were no other involved agencies. Sam Harkins seconded the motion, and all members present voted in favor.

The Board referred the project to the Dutchess County Department of Planning and Development for review and comments, and the members also scheduled a public hearing for May 6, 2013.

Devereux – 8192 Albany Post Rd. – Amended Site Plan and Amended Special Permit

John O'Keefe, John Kavanaugh and John Lopez from Devereux as well as Jeff Hogan, P.E. and architect Chris Smailer were present with applications for Amended Site Plan approval and Amended Special Permit to construct a ten-bed Intermediate Care Facility on a 54.4-acre parcel in the I (Institutional) Zoning District.

Mr. O'Keefe said that the project was the result of studies showing insufficient facilities in New York State to treat New York State children. He said that Devereux had received a grant that had allowed them to upgrade their facilities and to expand the campus over time. He said that a small 5 bed ICF had been approved for a separate parcel at the edge of the property several years ago.

Betty Carr asked how many beds were currently at the facility. Mr. O'Keefe said that there were now 92 beds on campus and 5 on the separate parcel. He said that this would be a 10-bed building and that he hoped the project would be completed by the end of 2013.

Mr. Hogan said that a new road, new parking, a new septic system and possibly a new water supply would be needed. He went on to say that the style and building materials would be the same as the other buildings on the campus.

Asked whether there would be additional expansions in the future, Mr. O'Keefe said that after this project, no more beds could be added without adding more classrooms.

Charlie Laing asked whether there was a master plan for the facility. The Board and the Devereux staff agreed that there probably was not. Sam Phelan said that when the original facility was approved, no expansion was contemplated. Michele Greig said that at this point, a master plan was probably not needed because the facility had almost reached the building coverage limit if it had not reached it already. She said that the building coverage limit was 5% in the Institutional zoning district

The Board then reviewed the GreenPlan memo. Michele Greig said that the project was an Unlisted (corrected 5/6/13) action under SEQR and that she recommended an uncoordinated review because of the type of agencies involved.

Asked about the number of staff expected for the new facility, Mr. O'Keefe said that there would be four staff members at any given time. He said that 16 parking spaces were proposed.

Michele Greig noted that minor revisions in the EAF should be made and asked for the submission of calculations showing the existing building coverage and the proposed building coverage. She said that if the allowed building coverage would be exceeded by this project, the applicants would have to request a variance from the ZBA.

Asked about the lighting, Mr. O'Keefe said that all the campus exterior lighting had been brought into compliance with the Town's outdoor lighting standards during the last building project.

Michele Greig went to say that the applicants should submit samples of the building colors and materials and that the original special permit should be examined to ensure that there was nothing to prohibit this project.

The Board authorized the secretary to forward the revised EAF, the revised plans and the elevations to the Dutchess County Department of Planning and Development and to the Town Engineer as soon as they were received.

The Board then scheduled a public hearing for May 6, 2013.

Mr. Hogan wanted to make sure that the Board did not consider the septic system a structure. The Board said that it did not.

OTHER BUSINESS

Local Law D – amending lot coverage in the TND

Christine Kane said that the Town Board had requested review and comments from the Planning Board on proposed Local Law D. She said that this local law would correct an omission in the recent zoning amendments and would allow the Planning Board the same flexibility in determining optimal lot coverage that it had been given with building coverage in that new zoning district. Charlie Laing made a motion that the Board support this proposed local law and send the Town Board a letter recommending its adoption. Sam Phelan seconded the motion, and all members present voted in favor.

Local Laws A, B and C – Natural gas extraction, road brine and heavy industry

Christine Kane summarized the three proposed local laws, each law addressing one aspect of oil drilling and/or natural gas extraction. She said that one law would prohibit the disposal of oil drilling and natural gas extraction by-products within the Town, one law would prohibit brine from such activities to be spread on Town roadways, and one specifically included oil drilling and natural gas extraction within the definition of "heavy industry", which was already prohibited in the Town.

The members were generally in support. Sam Phelan made a motion that the Board support all three proposed laws and that it send a letter to the Town Board recommending adoption of all three. Michelle Turck seconded the motion, and all members voted in favor.

The Board then reviewed a Local Waterfront Revitalization Program consistency form for the three proposed laws. Charlie Laing made a motion that the Board find the proposed laws consistent with the Town's LWRP. Betty Carr seconded the motion, and all members present voted in favor.

Preserve at Lakes Kill– input from the Conservation Advisory Council

The Board reviewed a letter from the Town CAC that listed the members' concerns with the proposed development and road mitigation. Michele Greig also said that she had circulated to the Planning Board a summary of concerns expressed by the public during the informational hearing. She asked that members respond with questions or additions by May 1.

ADJOURNMENT

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

Respectfully submitted,

Paula Schoonmaker