TOWN OF RED HOOK PLANNING BOARD
Approved MEETING MINUTES
August 05, 2019

Designated Chair, Brian Kelly called the meeting to order at 7:30 pm, and requested the Board confirm the agenda. Chairman Kelly also welcomed new Board member Vanessa Kichline to the Board. Chairman Kelly provided an update to the Centerline Communications AT&T project description, which follows below. Ms. Greig also requested the agenda be revised to include the update.

A quorum was determined present for the conduct of business. Members present: new member, Vanessa Kichline, Bill Hamel, Lisa Foscolo, Kristina Dousharm and Brian Kelly. Also present was planning consultant Michele Greig. Members absent were Sam Phelan and Kallie Robertson.

Chairman Kelly asked the Board if it had had a chance to review the minutes from the July 1, 2019 and July 15, 2019 meetings. He mentioned an omission in the July 15 minutes, on p 2, on the last line before "New Business", which should be revised to read "Kristina Dousharm so moved, Lisa Foscolo seconded, and all Board members present voted in favor".

Bill Hamel also noted two revisions for the July 15 minutes as follows: He stated he recused himself for the Preserve at Lakeskill extension vote, and he also noted the name and occupation of a meeting attendee for the Sawkill Dam Removal meeting he attended, as "Amy Husten, Managing Director of Montgomery Place", instead of "Laurie Husted, Director of the Sustainability Office". Chairman Kelly asked for a motion to approve the revised July 1 and July 15, 2019 meeting minutes. Bill Hamel so moved, Lisa Foscolo seconded, and Bill Hamel, Lisa Foscolo, Brian Kelly, and Kristina Dousharm voted in favor. Vanessa Kichline recused herself, since she was not present for those meetings. Chairman Kelly stated there were no other announcements or correspondence.

NEW BUSINESS

Centerline Communications AT&T Amended Site Plan 2019-5

The applicant proposes to replace 9 existing antennas with 6 new antennas; replace 6 existing Tower Mount Amplifiers (TMA), with 3 new TMAs; replace 8 existing Remote Radio Unit (RRU) with 15 new RRUs; and install one new surge arrestor on an existing telecommunications facility located on a ± 2.0 acre parcel at 33 Twin Towers Drive, in the RD3 and Historic Landmark Overlay (HL-O) Districts.

No Applicant representatives were present at the meeting. Assistant Clerk, Anne Rubin confirmed she had emailed a meeting agenda to project manager Brenda Blasky-Lewis on August 31, 2019. Kristina Dousharm texted Ms. Blasky-Lewis, who reported a Paul Reed was to attend the meeting. Since he was not present, she requested to be placed on the August 19, 2019 meeting agenda.

OLD BUSINESS

Mead Orchards Solar Panels Minor Site Plan Review 2019-4

Board member Kristina Dousharm recused herself, since Suncommon is a client of hers.

Project Manager, and applicant representative, Lea Springstead, of Suncommon, informed the Board the Site Maps had been revised according to the Planning Board request at the July 1, 2019 meeting, and submitted to the Planning Office. Chairman Kelly noted the Dutchess County Planning Office had deemed the action a matter of local concern, in response to the Board's request for County review of the project. Chairman Kelly noted the applicant had sent a letter to the Board stating the energy generated from the panels would be strictly for the use of the farm. Chairman Kelly also noted there were no responses from neighbors to the Ag Data letters, and the Board also did not have comments on the Agricultural Data Statement

Chairman Kelly noted Ms. Greig raised the question of signage in her August 1, 2019 memo, pursuant to the project, and asked the applicant's representative to clarify the type of signage displayed on the proposed panels. Chairman Kelly clarified some of what was counted toward the signage limit may, in fact be labels. Ms. Springstead replied standard electrical labels will be used on the electrical equipment and conduits. Ms. Greig asked if the Board wished to count this toward the permitted signage calculation. Chairman Kelly asked the Board if it agreed to not count these labels toward the signage allotment, to which Bill Hamel and Lisa Foscolo agreed. Ms. Springstead noted all Suncommon solar projects within the Town of Red Hook have similar labels. Ms. Greig noted the Board should require the applicant to post a 24 hour emergency contact information on the installation, to which Ms. Springstead agreed.

Chairman Kelly asked the applicant's representative about the NYS Solar Permit, and the Interconnection Agreement with the local utility. Ms. Springstead stated the Solar Permit was on file with the inspector, and the Interconnection Agreement was on file with Central Hudson. Ms. Greig asked Ms. Springstead to provide the Board with a copy of each. Ms. Greig also asked the applicant's representative to revise the numbering sequence on the PV Sheets, since there were two labeled "PV-02". Ms. Greig also stated the Board should incorporate into the "Whereas" clauses a statement that the property owner will use the electricity generated by the installation for farm use only, and will not sell it to third parties. Chairman Kelly noted the property owner has a conservation easement with the Dutchess Land Conservancy, and had presented a letter from the DLC stating the proposed solar installation is consistent with their requirements for the easement. Ms. Greig noted there was no recreation fee associated with the project, since there were no new dwelling units proposed with the project.

Chairman Kelly reviewed the conditions noted on the approval resolution with the applicant's representative as follows:

1. Signage to include a 24 hour emergency contact information
2. PV-02 Sheets to be revised to have different numbers
3. Signature Block for the Planning Board
4. Presentation of a NYS Solar Permit
5. Presentation of the Interconnection Agreement with Central Hudson
6. Four copies of revised plans to sign
7. Payment of all outstanding balances, fees, and escrow, pursuant to the project.

Chairman Kelly asked for a motion to conditionally approve the project's Site Plan. Lisa Foscolo so moved, Bill Hamel seconded, and Lisa Foscolo, Bill Hamel, Brian Kelly and Vanessa Kichline were in favor. Kristina Dousharm recused herself.

<u>OTHER BUSINESS</u>

Pre-Application Discussion - Amelia LeGare

Chairman Kelly informed Board members present Ms. LeGare had withdrawn her request.

Town Board of Red Hook Lead Agency Circulation – Sawkill Project

Planning Board members reviewed the project documents, and agreed the Town Board had the major agency involvement in the project, and agreed the Board agreed the Planning Board had a lesser involvement, further noting the Town Board has already classified the project under SEQR. The Board noted the project included four parcels near Kelly Rd. and Whalesback Rd., and approximately 340 acres, plus approximately 100 acres of wetlands. The Board noted the Town is purchasing the land and putting it under a conservation easement. The Board and Planning Consultant, Michele Greig, also noted a possible error in Town Board Resolution # 84, in which the Town Board states it is the only involved agency, and states it is declaring lead agency status. The Board and Planning Consultant noted the Town Board has circulated to the Planning Board, thus recognizing it as an involved agency. Chairman Kelly asked for a motion to declare the Town Board as lead agency for the project. Bill Hamel so moved, Kristina Dousharm seconded, and all Board members present voted in favor. Michele Greig noted if the Board had any topics of concern it could send them to the Lead Agency at this time, or subsequently.

ADJOURNMENT

There being no further business before the Board, Bill Hamel made a motion to adjourn. Vanessa Kichline seconded and all members present voted in favor. The next Planning Board Meeting will take place on August 19, 2019. The submission deadline for this meeting is noon, Friday, August 19, 2019.

Respectfully submitted,

Anne Rubin, Assistant to
Kathleen Flood
Clerk for the Board

The Board does not accept new information presented at a meeting for review at that meeting.

Resolution Granting Site Plan Approval to Mead Orchards Medium Solar Energy System

Name of Project: Mead Orchards Medium Solar Energy System

Name of Applicant: Apple Eden LLC

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Apple Eden LLC to install a medium solar energy system on two existing buildings located on a ± 85.54 acre parcel located at 17-51 Scism Road (Tax Map Parcel No. 134889-6374-00-024621) in the AB District, Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board reviewed a Site Plan prepared by Suncommon (Sheets PV-02, PV-04 and PV-02 [undated] and last revised July 23, 2019); and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of § 143-37 and Article VII of the Zoning Law and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on July 15, 2019 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(15) and, therefore, SEQR does not apply; and

Whereas, on July 15, 2019 the Planning Board determined that a public hearing on the Site Plan application is not required since the application requires only minor site plan review pursuant to the Zoning Law § 143-39.1C(1)(q); and

Whereas, the application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m, and the County Planning Department determined in its review dated July 30, 2019 that the project was a matter of local concern; and

Whereas, the parcel is located within a certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated July 16, 2019, which the Planning Board duly forwarded to all owners of farm operations within 500' of the subject parcel; and

Whereas, the Planning Board considered the Agricultural Data Statement in its review of the application; and

Whereas, the property is encumbered with a conservation easement held by Dutchess Land Conservancy, Inc., which was filed with the Dutchess County Clerk's Office on June 24, 2010; and;

Whereas, the applicant submitted a copy of the conservation easement and correspondence from the easement holder Dutchess Land Conservancy, Inc. dated August 2, 2019 stating that the proposed project is consistent with the terms of the conservation easement; and

Whereas, the applicant submitted correspondence dated July 28, 2019 stating that the solar installation is sized primarily to serve the farm operation only; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board has determined that no new residential building lots or dwelling units will be created, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Site Plan approval to Apple Eden, LLC to install a medium solar energy system in accordance with the plans and specifications enumerated above upon the following conditions:

A. The Planning Board authorizes the Chair or his authorized designee to sign the Site Plan after compliance with the following conditions:
   (1) The Site Plan shall be revised as follows:
      (a) Signs shall include clearly displayed 24-hour emergency contact information.
      (b) The two Sheets of the Site Plan labelled PV-02 shall be given different numbers so they can be clearly differentiated.
      (c) The Site Plan shall include a signature block for the Planning Board.
   (2) The applicant shall submit a NYS Unified Solar Permit.
   (3) The applicant shall submit an interconnection agreement with Central Hudson to connect directly to the electric distribution or transmission system.
   (4) Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required stamps and signatures.
   (5) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
   (6) Payment of any and all outstanding escrow balances for consultant review.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chair endorsement. One (1) set shall be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Inspector. The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Compliance:
   (1) The solar energy system shall comply with the Unified Solar Permit and any additional electrical and safety regulations adopted by the State of New York.
   (2) All proposed improvements shall have been completed in accordance with the approved Site Plan.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Lisa Foscolo, seconded by Bill Hamel, and a vote of 4 for, 0 against, and 1 recusal, this resolution was adopted on August 5, 2019.

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

Anne Rubin for KF
Kathleen Flood, Planning Board Secretary

8-6-19
Date

COPY

TOWN OF RED HOOK
7340 South Broadway
Red Hook, NY 12571
Office: (845) 758-4600/4602
Fax: (845) 758-0492

Project Name: Town of Red Hook, Dutchess County, NY

RE: Town of Red Hook Winnakee Land Trust, Inc.
Saw Kill Project – Purchase of Conservation Easement
and Public Access Easement
Lead Agency Resolution No. 84 adopted
by the Town Board of the Town of Red Hook
on August 2, 2019

Proposed Lead Agency: Town of Red Hook

Name of Applicant: Town of Red Hook

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD AGENCY REGARDING THE ABOVE ACTION

On behalf of Town of Red Hook Planning Board (involved agency), I acknowledge receipt of the lead agency notice in this matter.

The above named involved agency hereby: **(please check one)**

(✓) **CONSENTS** that the above named agency serve as lead agency in this application and requests that the undersigned continue to be notified of SEQRA determinations, proceedings and hearings in this matter.

( ) **DOES NOT CONSENT** to the above named agency serving as lead agency in this application and wishes that ________________ serve as lead agency. To contest lead agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6(e).

8/5/19	Brian Kelly
Date	**Signature**
Town of Red Hook Planning Board	Town of Red Hook Planning Board
Agency Name (signature)	**Agency Name (printed)**

Please return to:

Town of Red Hook
7340 South Broadway
Red Hook, NY 12571
Attn: Sue McCann, Town Clerk