TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
SEPTEMBER 20, 2021

Chairman Sam Phelan called the meeting to order at 7:30 pm. A quorum was determined present for the conduct of business. Members present: Brian Kelly, Sam Phelan, Kristina Dousharm, and Karen Smythe. Lew Rose attended via Zoom from his home on River Rd. Red Hook. Engineering consultant Brandee Nelson was also present via zoom. Also present in person were planning consultant Michelle Greig, Planning Board Clerk Kathleen Flood and Planning Board Secretary Lori Ann Santamaria.

PUBLIC HEARINGS

Sabroso Mexican Restaurant Site Plan – 7909 Albany Post Road

Continued Public Hearing on application to construct a pavilion for outside dining at an existing restaurant in the R1.5 zoning district.

Applicants Reinaldo and Elita Gobinez and Floyd Johnson, applicant's representative was present via Zoom.

Sam Phelan began with a review of history of the building from the previously approved site plan. Mr. Phelan reviewed with the applicant parking and the ADA ramp. There was a discrepancy between site plan and applicants' count of parking space. Michelle Greig said she had counted 128 seats in the floor plan, including the bar, which would require 42.67 parking spaces. Elita Gobinez explained that they have 99 seats indoors, including the bar, and 4 temporary seats on the porch until the patio is opened. Mr. Phelan said with indoor and patio seating the applicant would be required to have 45 parking spots. Mr. Phelan asked that the applicants work on providing the proper amount of parking spots and reminded them of the requirements regarding setbacks. Mr. Phelan also asked that they minimize the amount of parking in front of the restaurant. Ms. Greig also pointed out that the proposed parking area north of the septic is 40 feet wide, and 38 ft is needed just for the parking spaces and another 26 feet for the access aisle. Therefore, there is not enough room for the proposed parking spaces. She further explained that they need 65 feet width to get two 19-foot parking spaces and a 26 ft wide access aisle for the proposed parking located near the septic system. Mr. Phelan said it's likely there is an inaccurate measurement on the site plan.

Floyd Johnson gave an overview of the landscaping plan. Kristina Dousharm commented that the landscaping along the perimeter woods is not as necessary as the landscaping adjacent to the building and along the fence. She stated that she does not see the benefit of the landscaping right up against the woods.

Karen Smythe inquired as to any noise coming from the pavilion in relation to nearby residents.

Brandee Nelson asked for clarification on the lighting for the sign. Mr. Johnson provided specifications of the signage lighting. Ms. Nelson then pointed out that the current flood lights do not have shields nor are downward facing therefore producing a glare that is not compliant with the current code. She then asked if all the lights were the same style and Mr. Johnson said all existing lights on the building are the same style. She asked the applicant to send a cut sheet on the flood lighting. Ms. Nelson offered to assist with the lighting and provided Mr. Johnson with her contact information. Mr. Phelan asked if there were any comments or questions from the public and there were not. The public hearing will be kept open for the October 4th meeting.

MacDonald Special Use Permit- 26 Old Route 199
Public Hearing on application for an accessory apartment in an existing residence on a 4.3-acre parcel in the RD3 Zoning District.

Sam Phelan read the public hearing notice. Applicant Dave McDonald gave an overview of the project, and noted lighting and parking changes.

Mr. Phelan asked for comments from the public and there were none. Also, there were no questions from the Board members.

Michelle Greig said the only thing outstanding was the certification water and sewage disposal. She said something from either the Department of Health or a professional engineer verifying that the systems are adequate to serve the use is required. Mr. McDonald was concerned that the information may not be readily available and Ms. Greig and Kristine Dousharm explained how this information can be obtained and the proper professional who can facilitate this. Mr. Phelan stated that what is needed is a statement that the septic system can accommodate three bedrooms.

A motion to close the public hearing by Karen Smythe was seconded by Kristine Dousharm and all members were in favor.

The Board reviewed a draft conditional Approval Resolution and revised it to remove conditions that had already been addressed. A motion to accept the revised approval was made by Brian Kelly, seconded by Karen Smythe and all members were in favor.

Bard College Site Plan and Certificate of Appropriateness
Public Hearing on application to construct a 200 sq. ft. addition to the President's residence and update the College's master plan accordingly in the Institutional Zoning District.

Present via Zoom were the applicant's representatives Liz Axelson, Peter Sweeney and Randy Clum.

Liz Axelson reviewed the site plan and all materials submitted. Peter Sweeney discussed the elevations of the existing home and the proposed addition. He explained the project's intent and the materials to be used. Using photos Mr. Sweeney showed the existing finishes and details of the exterior of the existing home and how those details will be replicated in the addition. Karen Smythe asked for clarification on the square footage of the addition. Mr. Sweeney said the addition is 313 sq ft. Ms. Smythe asked about the windows and Mr. Sweeney said there is no window being added on the upper elevation.

Mr. Phelan asked if anyone from the public had any questions or comments and there were none. The Board members had no further questions as well.

A motion to close the public was made by Kristine Dousharm, seconded by Karen Smythe and all members were in favor.

The Board reviewed a draft Certificate of Appropriateness. A motion to accept the Certificate of Appropriateness was made by Kristine Dousharm, seconded by Karen Smythe and all members were in favor.

The Board reviewed a draft Site Plan Approval Resolution. A motion to approve the Site Plan made by Brian Kelly, seconded by Kristine Dousharm and all members were in favor.

Wandering Hound Brewery Minor Site Plan- 41 Linden Farms Lane
Public Hearing on application to establish a small-scale production only brewery in an existing building on 125.34 acres in the Agricultural Business District.

Applicants Dan Miller and Matt Trust were present.

The applicants gave an overview of their proposed project. Sam Phelan clarified location and building. He also asked applicant to outline the scale of the production of their product as well as the labor it entails. Mr. Phelan wanted to know if there will be large trucks delivering goods or employees. The applicants said there will be no large vehicles making deliveries and no employees. Mr. Phelan asked if they would have refrigeration and the applicant said not in the beginning but perhaps in the future.

Mr. Phelan asked if the public had any comments. Neighboring resident Liza Parker asked if there were any considerations concerning the relationship between the proposed project and the neighboring nursery school. The applicant responded that there is no relationship. The applicant further explained that this is not a place where alcohol will be served, and stringent requirements by the NYS Liquor Authority are required regarding locks and security. He added that the operation will only be open on the weekends, when it is likely that the nursery school will not be in session. Karen Smythe inquired how far back from the road the brewery will be. Kristine Dousharm asked if there is a shared drive way. The applicant was unsure of the distance the brewery is from the road but said that the nursery school created a new driveway that is separate. Ms. Parker believes that a small portion of the driveway is shared. Ms. Parker was satisfied that her concerns had been addressed.

Sam Phelan asked about the potential for odors that may be emitted from the brewery. The applicant explained that while inside the structure there will be a "bread-like smell" that will be addressed by an exhaust system that also will filter out carbon dioxide and minimize water vapor. The only odor outside the brewery would not be chemical or burning in nature and only detectable in the immediate area, nothing that will carry. Kristine Dousharm wanted to know about the type of wastes and its disposal. The applicant said that each time they brew it will be 50lbs of dry of grain and that the property owner, Ken Migliorelli will be taking a portion of that to use on his farm. Also, they know other community members who are interested in using some of this waste for their livestock.

Ms. Parker asked what the long-term plan is and why are they using this particular site. The applicant's response was that this site was an opportunity to begin the initial phase of their plan on a small scale. The applicants said that this site will be not be conducive to the next larger phase of the project if they choose to continue to grow.

Neighboring resident Emma Lewis asked if there will be any noise that may impact the neighbors. The applicants said no.

Sam Phelan asked if the public had any more comments and there were none. Karen Smythe moved to close the public hearing, Kristine Dousharm seconded it and all members were in favor.

The Board reviewed a draft Approval Resolution. In reference to the building permit, Michelle Grieg said that she checked with the code enforcement officer and there would be a requirement for a building permit. Kristine Dousharm asked if the officer was aware that there was to be no new construction and Ms. Greig said that the code enforcement officer is aware of what the project is. The applicants then asked for clarification on this. Ms. Greig asked if they had spoken with the code enforcement officer or the building department and the applicant said they spoke with the building department and that there was no mention of a building permit. Ms. Greig then suggested that they make all the conditions part of the certificate of occupancy in which Kristine Dousharm agreed. A motion to approve the Resolution was made by Kristine Dousharm, seconded by Karen Smythe and all members were in favor.

<u>OLD BUSINESS</u>

Panorama Schoolhouse – 14 Linden Farm Lane- modified approval resolution

Applicant's Josh Bardfield and Jennifer Manon were not present

Sam Phelan said that the issue at hand is that an aluminum ADA ramp was installed rather than the wooden ramp which was approved by the Board. Mr. Phelan asked if any of the Board members had a chance to visit the site to see the ramp as previously discussed. The Board Members had visited and Mr. Phelan asked for any suggestions or comments. Mr. Phelan proposed to amend the site plan to say "a wooden or aluminum ADA compliant ramp." Kristina Dousharm and Brian Kelly were not in agreement to amend the site plan. Ms. Dousharm suggested leaving the site plan as non-compliant; Mr. Kelly agreed. Karen Smythe suggested that the Board require the applicant to come into compliance within a certain time frame. Michelle Grieg pointed out the lack of enforcement method for the compliance within a time frame. Ultimately the Board decided to have the site plan's status, as it pertains to the ADA compliant ramp, to remain as non-compliant.

Siebens/Lindholm Special Use Permit-4809 Rt. 9G

Special Use Permit for an accessory apartment on 5.28-acre parcel in RD5 Zoning District.
Applicants Mackie Siebens and David Lindholm joined the meeting via Zoom.

Mr. Phelan said he'd like to get it on the record that there is an existing apartment on the property. He also wanted to understand the size of the apartment, establish if there is adequate parking and appropriate lighting. Mr. Phelan asked the applicants about the tenancy of the apartment since they have owned the property. It was discovered that they had tenants within the last 18 months and therefore a Special Use Permit is not required as explained by Kristine Dousharm. Michelle Greig and

Kristine Dousharm agreed that the applicants should be able to obtain a Certificate of Occupancy directly from the Building Enforcement Officer.

O Zone- 148 Pitcher Lane

Continued discussion of application to operate a zero-waste sustainability services center in the Agricultural Business District.

Applicant Amelia Le Gare was present via Zoom.

Sam Phelan asked if the violation pertaining to the fencing had been rectified and Ms. Le Gare said yes. Ms. Le Gare said there was a small section left that the neighbor and owner had discussed leaving. After a review of the photos, it was determined that the remaining part of the fence is not an appropriate substitute for the previously discussed wooden fence.

the remaining part of the fence is still in violation of the site plan. It was agreed by the Board and the applicant that the remainder of the old fence needs to be taken down and replaced with the proposed wooden fence.

The Board reviewed a draft Site Plan Approval Resolution. A motion to adopt it was made by Brian Kelly, and seconded by Kristine Dousharm. Sam Phelan, Brian Kelly, Karen Smythe and Kristina Dousharm voted aye. Lew Rose voted nay, and the resolution was adopted.

Kate Karakassis, the closest neighbor to the O Zone, commented for the record that she and her husband spoke to Norman Greig and said they were fine with the plastic portion of the fence if it should remain.

NEW BUSINESS

Kasselman Solar -Craig Neville-Manning PV Array, 245 Woods Road, Tivoli – Site Plan and Certificate of Appropriateness

Presentation of application to install a 149.4 kW ground mounted PV array

Representatives of Kasselman Solar, Scott Stevens, Lauren Harvey and Alex Mark were present via Zoom.

Sam Phelan asked the applicant's representatives to give an overview of the proposal. Kasselman Solar is proposing a ground mounted solar installation project for 245 Woods Rd, Tivoli on behalf of Craig Neville-Manning. Scott Stevens described the mechanics of the solar installation as well as the ease of installation and removal. The solar installation is for the property owner's personal consumption to offset energy costs. Mr. Stevens spoke about the setbacks and placements of the arrays. Karen Smythe asked what the property to the north was in Columbia County because the site plan does not show that, and it appeared as if the solar panels are closest to that property. Michelle Greig confirmed that the property to the north of the project is Clermont State Park.

Mr. Phelan noted that the project is 1000 feet from the Hudson River and the set back from the road is approximately 250 feet. Mr. Phelan said from a local law standpoint this is considered a mid-size solar installation and the representative concurred. Mr. Phelan requested a graphic that would show the size of the array.

The Board reviewed comments from Michele Greig. Mr. Phelan noted that a variance is required because ground mounted solar installations are not allowed in a front yard. Ms. Greig added that comments on archeological and cultural resources should be obtained from the NYS Office of Parks, Recreation and Historic Preservation.

Lew Rose asked if the array would be visible to the property to the south. Mr. Stevens described the slope of the terrain and was unsure if it would be visible. He went on to say that other neighbors would not have a direct view of the array; consideration has been given to possible landscaping to mitigate the view of the array from the neighboring properties. Ms. Greig informed them that a medium-sized solar installation requires fencing.

The applicants intend to apply for a use variance.

Hannaford / Tesla charging station – 35 Hannaford Drive – Amended Site Plan

Presentation of application to construct an electric vehicle charging station in the parking lot of the Hannaford grocery store on a 14.18-acre parcel in the Traditional Neighborhood Development-Commercial Center zoning district.

Tesla representatives Shiva Krishna, Matt Tilden and Ed Noseworthy were present via Zoom.

Mr. Noseworthy gave an overview of the proposed project.

Karen Smythe asked for clarification on the location of the charging stations. From the photos and Mr. Noseworthy's account the charging stations are in the SW corner of the parking lot on the end cap of the parking area.

Ms. Smythe asked where the electricity will be sourced from. The applicants said it will be from Central Hudson and Tesla already has a utility design from them.

Mr. Phelan asked if the spaces at the stations will still be available to Hannaford customers and the representative confirmed that they will. Tesla intentionally placed the stalls furthest away from the store as to not occupy prime parking for Hannaford customers as well as making the stalls for non-Tesla customers less likely.

Mr. Phelan asked for elevations or examples of prior installations. The applicant provided a visual of the equipment and the heights of the various equipment.

Ms. Smythe posed a question about what lighting is proposed. The applicant described the lighting. Mr. Phelan commented that the project would have a significant visual impact. Michelle Greig pointed out that signs with interior illumination are not allowed in that district. Kristine Dousharm asked if they ever install the Tesla logo without illumination. Mr. Noseworthy said they have but their preference is to illuminate for ease of visibility for their customers. Ms. Dousharm explained that the site plan for the parking lot already has approved lighting and that she does not think visibility would be an issue.

Ms. Dousharm expressed concern about an abundance of branding and signage. Brian Kelly agreed. Overall, the entire Board is concerned about signage. The applicant is agreed to consider alternative signage plans.

Lew Rose expressed a concern about future competitors of Tesla also wanting to install charging stations and what impact that may have on the town. Shiva Krishna explained that Tesla would be on Hannaford property through a lease and that by no means is the installation permanent.

Karen Smythe asked how many parking spaces Hannaford is required to have. Ms. Greig said they are required to have 199 parking spaces but have 227 parking spaces.

Mr. Phelan inquired about Tesla's lease with Hannaford. The applicant did not feel they were permitted to discuss the lease. The Board was primarily concerned with the length of the lease. The applicant could only comment that "it was a matter of years, not decades."

The board reviewed a SEQR Type II Resolution. Kristina Dousharm moved to adopt it. Karen Smythe seconded, and the motion was passed unanimously.

Lew Rose suggested the board invite the Town and the Village to a dialogue concerning their views on generic charging stations vs branded charging stations. Ms. Dousharm and Mr. Phelan agreed that this was a good idea and should include both Town and Villages.

Mr. Phelan recapped items the Planning Board will need to address, including signage, aesthetic issues and a review of the requirements for other projects on the Hannaford property such as the recycling center and Hannaford to Go parking.

The Board also asked the applicant to consider developing a plan for an enclosure around some of the ancillary equipment.

A public hearing is scheduled for Monday, October 4, 2021.

OTHER BUSINESS
Lead Agency Intent from the Town Board – Red Hook Micro Hydropower Facility
LWRP, Sawkill Trail

The Board generally agreed to table the review until the next meeting.

Lew Rose moved to adjourn, Kristine Dousharm seconded and all members were in favor.

Respectfully Submitted,

Lori Ann Santamaria

Lori Ann Santamaria
Planning Secretary

617.6
State Environmental Quality Review (SEQR) Resolution
Classifying the Proposed Project as a Type II Action

Name of Action: Tesla EV Charging Stations at Hannaford

Whereas, the applicant proposes to install eight Tesla electric vehicle charging stations, which will utilize eight existing parking spaces in the parking lot of an existing Hannaford grocery store on a ± 14.18 acre parcel located at 7260 South Broadway in the TND-Commercial Center District in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated September 8, 2021was submitted at the time of application; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply.

Now Therefore Be It Resolved, that the Planning Board hereby classifies the proposed project as a Type II action and declares that no further review under SEQR is required.

On a motion by Kristina Dousharm, seconded by Karen Smythe, and a vote of 5 for, and 0 against, and 0 absent, and two vacant seats, this resolution was adopted on September 20, 2021.

Resolution Granting Site Plan Approval to Wandering Hound Farm Brewery

Name of Project: Wandering Hound Farm Brewery

Name of Applicant: Boomer Brews LLC

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Boomer Brews LLC to establish a small-scale production-only brewery in a ± 480 square foot leased portion of an existing building on a ± 125.34 acre farm parcel (Tax Parcel ID No. 134889-6274-00-561055) located at 41 Linden Farm Lane in the Agricultural Business (AB) District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a project description entitled "Wandering Hound Farm Brewery" (17 pages) prepared by the applicant dated September 20, 2021, Affirmations from the applicant and the property owner Ken Migliorelli dated September 3, 2021, and a Composite Property Plan for Linden Farms prepared by Mark R. Graminski PE and LS dated August 28, 2003; and

Whereas, § 143-39.1C(1(d) of the Town of Red Hook Zoning Law requires minor site plan review of a brewery established on a farm parcel in the AB District through adaptive reuse of an existing building, and minor site plan review should be limited to building elevation and design, parking, lighting and signage, unless the Planning Board has specific concerns regarding public health, safety or general welfare; and

Whereas, no changes to the building elevation other than painting are proposed, no outdoor lighting or signage is proposed, and one off-street parking space is proposed immediately adjacent to the building housing the brewery; and

Whereas, the property owner has affirmed that well capacity is estimated at 20 gallons per minute, which far exceeds the estimated demand of 4 gallons per day, with a single day maximum of 50 gallons; and

Whereas, the Planning Board has no specific concerns regarding public health, safety or general welfare and therefore conducted a minor site plan review of the project; and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of the Zoning Law and has found that 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 August 16, 2021 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and (18) and, therefore, SEQR does not apply; and

Whereas, due to the location of the property within 500 feet of a County road and a farm operation in a New York State certified agricultural district (Agricultural District 20), the site plan application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239-m and the County Planning Department issued a review letter dated September 14, 2021 stating that the project was a matter of local concern; and

Whereas, the parcel is located within 500 feet of a New York State certified agricultural district and the applicant submitted an Agricultural Data Statement dated August 4, 2021 and revised September 9, 2021, which the Planning Board duly forwarded to all owners of farm operations within 500' feet of the subject parcel; and

Whereas, on September 20, 2021, the Planning Board opened a duly noticed public hearing on the Site Plan application at which time all interested persons were given the opportunity to speak, and the Planning Board closed the public hearing on September 20, 2021; 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 Boomers Brews LLC to establish a small-scale production-only brewery in a ± 480 square foot leased portion of an existing building in accordance with the plans and specifications heretofore enumerated upon the following conditions:

A. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy for the proposed brewery:

    (1) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.

    (2) The applicant shall pay any and all outstanding escrow balances for consultant review.

    (3) The applicant shall obtain a farm brewery license from the New York State Liquor Authority and shall submit the permit to the Building Department.

    (4) All proposed improvements shall have been completed in accordance with the approved Site Plan project description entitled "Wandering Hound Farm Brewery" dated September 20, 2021.

B. The following are general conditions which shall be fulfilled throughout the operation of the project:

    (1) No signage or outdoor lighting is proposed as part of this project. Any future signage or outdoor lighting shall require amended site plan approval from the Planning Board.

    (2) No modifications to the exterior of the building are proposed other than painting.

(3) One off-street parking space and one off-street loading space shall be provided at all times, as described and illustrated in the project description entitled "Wandering Hound Farm Brewery" dated September 20, 2021.

(4) A portion of grains and ingredients used in the manufacturing of beer on premises shall be sourced from the subject property, after it has been malted by a third party vendor.

(5) Spent grains shall be composted on the property and spread on fields, and will also be made available for livestock feed to any interested parties.

(6) The applicant must return for approval from the Planning Board if any changes from the endorsed plans are subsequently desired.

(7) The owner of record shall comply with all conditions imposed by any outside agencies in their permits.

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 Kristian Dousharm, seconded by Karen Smythe, and and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Lew Rose	Voting Aye
Member Karen Smythe	Voting Aye
and two vacant seats	

Resolution was declared adopted on September 20, 2021.

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

Kathleen Flood 9-21-21

Kathleen Flood, Clerk to the Planning Board Date

Town of Red Hook Planning Board

CERTIFICATE OF APPROPRIATENESS
Bard College President's House Library Expansion

September 20, 2021
Bard College
Tax Parcel ID # 600630

The applicant seeks a Certificate of Appropriateness for a 313 square foot addition to the President's House Library on a ± 115 acre parcel (Tax Parcel ID No. 134889-6173-00-600630) located on Annandale Road in the Institutional, Historic Landmarks Overlay, and Scenic Corridor Overlay Districts in the Town of Red Hook, Dutchess County, New York.

The application and supporting documents were sent to the Design Review Committee on August 18 and updated on August 25 and August 31. There was no recommendation from the Committee.

On August 16, 2021, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply.

The application for a Certificate of Appropriateness was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m, and the County Planning Department issued a review letter dated August 26, 2021, stating that the project is a matter of local concern.

On September 20, 2021, the Planning Board opened a duly noticed public hearing on the application for a Certificate of Appropriateness, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on September 20, 2021.

The Planning Board has reviewed and discussed the proposed plans and determined that the proposed addition is compatible with the historic character of the property as well as with the neighboring properties in the district and that there will be no adverse visual impacts.

Therefore,

On a motion by Kristina Dousharm, seconded by Karen Smythe, and a vote of 5 for, 0 against, and 2 vacant seats, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Bard College for the addition to the President's House Library.

Certified by: Kathleen Flood 9-21-21

Kathleen Flood, Planning Board Clerk Date

Resolution Granting Site Plan Approval to Bard College President's House Library Addition

Name of Project: Bard College President's House Library Addition

Name of Applicant: Bard College

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Bard College to construct a ± 313 square foot addition to the Bard College President's House Library to provide additional storage area for books on a ± 115 acre parcel (Tax Parcel ID No. 134889-6173-00-600630) located on Annandale Road in the Institutional, Historic Landmarks Overlay, and Scenic Corridor Overlay Districts in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board had reviewed a Site Plan entitled "Bard College—President's House Library Addition" prepared by PSA Studios (Sheets G000, C100, X100, X-101, X102, X200, A000, A100, A101, A102, A200, A210, and S102 dated September 2, 2021); and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on August 16, 2021 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply; and

Whereas, on August 16, 2021, the Planning Board determined that the proposed addition is substantially consistent with the Bard College Campus Master Plan and with the conditions in the special use permit for the Master Plan dated May 17, 1999, and with all subsequent amendments to the Master Plan and to the special use permit, and therefore a new application for a special use permit is not required; and

Whereas, on August 16, 2021, the Planning Board reviewed the proposed project against the requirements of § 143-48 of the Zoning Law and has found that the project confirms with the requirements of the Scenic Corridor Overlay District since the proposed addition will be located substantially further than the required 200 feet from Annandale Road and it will not be visible from the road; and

Whereas, on August 16, 2021, the Planning Board reviewed the proposed project against the requirements of the Historic Landmarks Overlay District pursuant to § 143-46 of the Zoning Law and has found that the project conforms with the requirements that new construction complement the appearance of historic structures and development patterns, and will not result in substantial regrading or changes in topography; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, the parcel is located within 500 feet of a New York State certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated

August 3, 2021, 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 Site Plan application was referred to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239m and the County Planning Department issued a review letter dated August 26, 2021 stating that the project is a matter of local concern; and

Whereas, on September 20, 2021, the Planning Board opened a duly noticed public hearing on the Site Plan application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on September 20, 2021; and

Whereas, the application requires a Certificate of Appropriateness for new construction in the Historic Landmarks Overlay District pursuant to § 143-45 of the Zoning Law, and on September 20, 2021 the Planning Board granted a Certificate of Appropriateness for the proposed addition; 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 has determined that no new residential building lots or principal 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 Bard College for the proposed addition to the President's House Library in accordance with the plans and specifications heretofore enumerated upon the following conditions:

A. The Planning Board authorizes the Chairman or his authorized designee to sign the Site Plan after compliance with the following conditions:
   (1) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.
   (2) The applicant shall pay any and all outstanding escrow balances for consultant review.
   (3) The applicant shall submit 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.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for endorsement by the Planning Board Chairman or his designee. One (1) set will 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 Department. The applicant must return to the Planning Board for approval of any desired changes from the endorsed plans.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO):

(1) 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 Brian Kelly, seconded by Kristina Dousharm, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Lew Rose	Voting Aye
Member Karen Smythe	Voting Aye
and two vacant seats	

Resolution was declared adopted on September 20, 2021.

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

Kathleen Flood 9-21-21

Kathleen Flood, Clerk to the Planning Board Date

Resolution Granting Special Permit Approval to Mac Donald Accessory Apartment

Name of Project: Mac Donald Accessory Apartment

Name of Applicant: David Mac Donald

Whereas, the Town of Red Hook Planning Board has received an application for a Special Permit from David Mac Donald to convert a portion of an existing single-family dwelling into a ± 430 square foot accessory apartment on a ± 4.3 acre parcel (Tax Parcel ID No. 134889-6172-00-573825) located at 26 Old Route 199 in the RD3 Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a floor plan of the accessory apartment prepared by the applicant stamped received by the Planning Board on August 6, 2021, a Sketch of proposed off-street parking and lighting locations prepared by the applicant stamped received by the Planning Board on September 20, 2021, and related file materials; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on August 16, 2021 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(11) and, therefore, SEQR does not apply; and

Whereas, the Planning Board has reviewed the application for Special Permit against the general standards for a special use permit found in § 143-51 and has found that the proposal complies with all of the general standards, including: the location and size of the use, and the nature and intensity of the operations involved are in harmony with the orderly development of the RD3 District; the size of the site in relation to the use, the location, nature and height of the existing building in which the use will be located, and the nature and intensity of intended operations will not discourage the appropriate development and use of adjacent land and buildings, nor impair the value thereof; proposed traffic accessways will be adequate, and safe and accessible off-street parking will be provided; the general landscaping of the site is in character generally prevailing in the neighborhood; all structures will be readily accessible for fire and police protection; the character and appearance of the proposed accessory apartment will be in general harmony with the character and appearance of the surrounding neighborhood and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or flashing lights; and the use will be carried out in a manner compatible with its environmental setting and with due consideration to the protection of natural resources; and

Whereas, the Planning Board has reviewed the application for Special Permit against the specific standards for an accessory apartment within an existing single family dwelling found in § 143-64 of the Zoning Law and has found the proposal complies with all of the specific standards, including: the existing foundation will not be altered or extended; the accessory apartment will be self-contained with separate cooking, sleeping and sanitary facilities; an existing entrance on the front of the building will be used and no additional entrances are proposed; the Building Inspector has determined that the proposed apartment does not exceed the permitted 650 square feet; the studio apartment will not exceed the maximum permitted two bedrooms; the applicant has confirmed that there are no other accessory apartments on the property; the lot area exceeds the minimum of one acre required for an accessory apartment; and a total of four off-street parking spaces are proposed to serve the single-family dwelling and the accessory apartment, and these spaces will not encroach in any required yard or setback area; and

Whereas, the applicant has proposed a Monterey Outdoor Wall-Mount Dark Sky Barn Sconce, which is a fully-shielded fixture as required; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, the parcel is located within 500 feet of a NYS certified agricultural district (Agricultural District 20) and the applicant submitted an Agricultural Data Statement dated July 26, 2021, which the Planning Board duly forwarded to all owners of farm operations within 500 feet of the subject parcel;

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

Whereas, on September 20, 2021, the Planning Board opened a duly noticed public hearing on the Special Permit application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on September 20, 2021; 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 principal 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 Special Permit approval to David Mac Donald for an accessory apartment in accordance with the application materials and specifications heretofore enumerated upon the following conditions:

A. The following conditions shall be fulfilled prior to the applicant obtaining a Building Permit for the proposed accessory apartment:

    (1) The applicant shall submit certification from the Dutchess County Department of Behavioral and Community Health or a licensed professional engineer verifying that the on-site wastewater treatment system was approved for, or is adequate to serve, a three (3) bedroom house.

    (2) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.

    (3) The applicant shall pay any and all outstanding escrow balances for consultant review.

B. The following conditions shall be fulfilled prior to the issuance of a Certificate of Occupancy (CO) for the accessory apartment:

(1) All proposed improvements shall have been completed in accordance with the approved Special Permit.

C. The following are general conditions which shall be fulfilled throughout the operation of the project:

(1) This special permit authorizes one (1) studio accessory apartment a maximum of ± 430 square feet in gross floor area.

(2) The accessory apartment shall be self-contained, with separate cooking, sleeping and sanitary facilities for use by the occupant(s).

(3) Two off-street parking spaces for the accessory apartment, in addition to two parking spaces for the single-family dwelling on site, shall be provided at all times.

(4) If an LED bulb is used in the proposed Monterey outdoor lighting fixture, it shall have a maximum color temperature of 3000K.

(5) All exterior lighting fixtures shall be motion sensor controlled.

(6) The owner of record shall continue to comply with all requirements of § 143-64 of the Zoning Law and with all conditions imposed by any outside agencies in their permits.

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 Brian Kelly, seconded by Karen Smythe, and and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Lew Rose	Voting Aye
Member Karen Smythe	Voting Aye
and two vacant seats	

Resolution was declared adopted on September 20, 2021.

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

Kathleen Flood 9-21-21

Kathleen Flood, Clerk to the Planning Board Date

Resolution Granting Site Plan Approval to O-Zone

Name of Project: O-Zone at Greig Farm

Name of Applicant: Amelia Legare

Whereas, the applicant has submitted an application for "Site Plan Review and Approval" dated February 12, 2021, to the Town of Red Hook Planning Board to establish within the Greig Farm a zero-waste sustainability center, an agricultural education center, a bulk refill market, and a compost facility on a 31.110 acre Greig Farm parcel within an existing Greig Farm building; and

Whereas, the parcel is located at 148 Pitcher Lane and is identified on the Tax Maps as Parcel No. 6373-00-896812; and

Whereas, the Town of Red Hook Code Enforcement Officer has made a Zoning determination that the use is located within the Agricultural Business (AB) Zoning District and is a Permitted Accessory Use to a farm operation subject to Section 143-39.1.C of the Zoning Law; and

Whereas, a Permitted Accessory Use to a farm operation within the AB District qualifies for Minor Site Plan approval limited to parking, lighting and signage, as permitted in § 143-114C(2) of the Zoning Law unless the circumstances of the application warrant additional review areas; and

Whereas, no new construction is proposed nor authorized by the Planning Board in association with the O-Zone action but constitutes a change of use of an existing building on a farm; and

Whereas, the Planning Board identified the lot as within the New York State Agricultural District Number 20 for Dutchess County and therefore an Agricultural Data Statement was required to be filed and forwarded to the owners of farm operations identified in the Statement that are within 500 feet of the site and;

Whereas, the Planning Board must evaluate and consider the Statement to determine possible impacts the proposed project may have on the functioning of farm operations within the agricultural district; and

Whereas, the Planning Board reviewed a Short Environmental Assessment Form (EAF) for the project dated as received by the Planning Board on February 12, 2021, and classified the Action under the State Environmental Quality Review Act as a Type II Action, meaning that no SEQR action was required for the Site Plan application; and

Whereas, on April 19, 2021, the Town of Red Hook Planning Board conducted a public hearing on the Site Plan Review and Approval application at which time all interested persons were given the opportunity to speak; and

Whereas, the Planning Board now wishes to grant Site Plan approval to O-Zone to allow establishment within the Greig Farm a zero-waste sustainability center, an agricultural education center, a bulk refill market, and a compost facility on Pitcher Lane.

Now Therefore Be It Resolved, that the Planning Board grants Site Plan approval to Amelia Legare to establish the O-Zone facility in accordance with the plans and specifications heretofore submitted upon the following conditions:

A. All representations, proposals, stipulations, restrictions, and similar statements made by the applicant in the record of the Planning Board meetings where Ms. Legare appeared between February 2021 and May 2021, shall be considered conditions of this Site Plan Approval.
B. The O-Zone shall be operated during daylight hours only. Lighting shall comply with § 143-27.1 of the Zoning Law. Additional lighting for use during hours of darkness shall require an Amended Site Plan Review and Approval.
C. The signage used for the O-Zone shall comply with § 143-27 of the Zoning Law.
D. Parking at the site is existing and shall comply with § 143-26 of the Zoning Law. The applicant has proposed screening in the form of fencing and landscaping to avoid nuisances to adjoining landowners. The applicant's on-site parking, including screening, shall at all times comply with the requirements of the Zoning Law.
E. The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of the application.
F. The applicant shall submit Site Plan drawings for stamping and signing in the number and form specified in § 143-115, including all required stamps and signatures.

On a motion by Brian Kelly, seconded by Kristina Dousharm, and a vote of

Roll Call Vote:

Chairman Sam Phelan	Aye_x_ Nay___
Member Kristina Dousharm	Aye_x_ Nay___
Member Brian Kelly	Aye_x_ Nay___
Member Lewis Rose	Aye___ Nay_x_
Member Karen Smythe	Aye_x_ Nay___

Resolution declared: Adopted on September 20, 2021

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

Kathleen Flood — 9-21-21

Kathleen Flood, Assistant Clerk to the Board — Date