

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
September 15, 2014

CALL TO ORDER / DETERMINATION OF QUORUM

Charlie Laing called the meeting to order at 7:30pm and confirmed the agenda as published.

A quorum was determined present for the conduct of business. Members present: Sarah Gilbert, Sam Harkins, Charlie Laing and Brian Walker. Christine Kane arrived at 7:40 pm. Also present was Planning Consultant Michele Greig, Planning Board Attorney Joel Sachs and Engineering Consultant Brandee Nelson.

Sarah Gilbert made a motion to adopt the minutes of August 18. Sam Harkins seconded and all members voted in favor.

Mr. Laing announced that a training program sponsored by the Dutchess County Planning Federation will be offered at the Dutchess Farm and Home Center in Millbrook Oct. 2.

Mr. Laing suggested that a package from the Town regarding amendments to the Town Highway Specifications be reviewed by the board at the end of the meeting.

PUBLIC HEARING

Katherine Gagin – 388 Lasher Road, Tivoli - Special Permit and Site Plan

Public Hearing on application to operate a child day care in a private home.

Charlie Laing read the public hearing notice. Katherine Gagin was present to represent her project.

Muriel Hempel, a neighbor to Ms. Gagin said that on behalf of her family she would welcome the project and wished Ms. Gagin success.

Ms. Gagin gave an overview of her proposed daycare program. She said that she plans to care for 3 to 6 children and hire one employee. She said her site plan has five parking spaces, and she will install a small post and rail fence surrounding the play area.

Mr. Laing noted that the Planning Consultant had no further comment on the site plan. Mr. Walker asked if cut sheets for the lighting had been submitted. Ms. Gagin replied that she had submitted them at an earlier meeting.

Mr. Laing asked if there were any further comments from the public. There were none. Sam Harkins made a motion to close the public hearing. Brian Walker seconded and all members voted in favor.

The board reviewed draft resolutions for Site Plan approval and Special Permit approval. Sarah Gilbert made a motion to grant Site Plan Approval. Sam Harkins seconded and all members voted in favor. Sam Harkins made a motion to grant the Special Permit. Brian Walker seconded and all members voted in favor.

PUBLIC HEARING

Chelsea Streifeneder - 49 Spring Lake Road - Certificate of Appropriateness

Presentation of application to construct a new residence in the hamlet of Upper Red Hook.

Charlie Laing read the public hearing announcement. Christine Kane arrived and took over as Chair.

Chelsea Streifeneder and her father Richard Streifeneder were present to discuss the project. The Board and applicants reviewed a letter from the Hamlet Review Committee dated 9-13-14. In it, the Committee wrote that they would like to know more about the building materials that will be used and raised some questions about the scale of the proposed home. However the Committee's main concern was that the existing cottage in which Ms. Streifeneder currently lives and which she plans to dismantle once the house is built is approximately 100 years old and part of a row of similar small houses representing the kind of architecture that the Committee has been asked to preserve. Some Committee members felt that tearing down an historic cottage in good shape should not be allowed without a more compelling reason for doing so, and suggested that the applicant consider finding a use for the cottage rather than tear it down.

Mr. Streifeneder said that he and his daughter had discussed saving the cottage, but it is in need of significant repair and upgrades, especially the roof and the foundation. Ms. Streifeneder said it was her understanding that she could not have two houses on the property. Christine Kane explained that using the cottage as a studio or for storage would be allowed, and obtaining a special permit for an accessory apartment for rental may be possible as well.

Charlie Laing asked if the existing septic and water systems would be used for the new home. The applicants said yes. Ms. Kane said that if the applicants choose to apply for an accessory apartment, they would have to demonstrate to the Dutchess County Health Department that the existing septic and well could serve both houses. Ms. Kane asked if there was any public comment. There was none.

The Board acknowledged the receipt of the short environmental form submitted by the applicant. Ms. Kane said that the board would have to review it for the next meeting and conclude the SEQR review. She suggested in the meantime that Ms. Streifeneder contact the Hamlet Review Committee to respond to their concerns and provide the additional architectural information requested.

Charlie Laing made a motion to close the public hearing. Sarah Gilbert seconded and the motion was carried unanimously. The applicant will return Oct. 6.

OLD BUSINESS

Red Hook Self Storage– 19 Maizeland Road – Amended Site Plan

Continued discussion of application to construct a 30 x 80 foot self-storage building on a 4.45 acre parcel on Route 9 in the TND-CC (Traditional Neighborhood Development - Commercial Center Subdistrict.) The parcel currently has 11 existing self-storage buildings and a single family home with a garage.

Martin Willms Sr. and Martin Willms Jr. were present to discuss the application. The applicants and board reviewed a memo dated 9-10-14 from the Town Planning Consultant. In it, Michele Greig asked about

what appeared to be additional structures in the aerial photos submitted. Messrs. Willms explained that they are actually equipment and motor homes.

Ms. Greig asked the board if they thought additional screening should be planted between the commercial storage area and the residential property adjacent, where the Willms live. The applicants said the residence sits on a hill, and the change in grade makes it difficult to landscape. The board acknowledged that some evergreen trees exist there, and generally agreed to waive the requirement for additional screening.

Ms. Greig asked the applicants to specify on the site plan that hours of operation will not exceed the maximum hours allowed, 7am-9pm, and to title the drawing to identify this specific project, such as "Red Hook Self Storage Building L".

It was generally agreed that there is no need for the Town Engineer to review the site plan since the grading and drainage patterns will not change with the addition of the new storage unit. Ms. Greig said that the project should be submitted the County Planning Department for review, and the public hearing notice should be sent to the Village of Red Hook.

A public hearing was scheduled for Oct. 6.

Hoffman Residential Development – 19, 25 and 45 Old Farm Rd. – Major Subdivision - Preliminary Plat and Site Plan

Continued discussion of revised Sketch Plat/Plan for preliminary subdivision plat and site plan approval to create 102 residential units on 52.05 acres in the TND-R (Traditional Neighborhood District - Residential) zoning district.

Richard Rang and engineer Scott Ouimet were present to discuss the project. Christine Kane asked for an overview of the newest submission as compared to the last one. Mr. Rang said that aside from some minor lot line adjustments, there is not much difference in the plans.

Ms. Kane asked if there has been any progress on the proposed water system. Mr. Rang said that it is his understanding that the Village intends to install another well. He said that because the Village could not confirm what the actual volume was for their current water supply permit, they are making application for a new permit which will include the new well and identify the service area, which will include the Hoffman property and the Rokeby system.

The applicants said the updated plans were submitted with the intention of generating an engineering review, and to keep the project moving forward and keep the board informed while they await decisions from the town on zoning amendment requests.

Michele Greig recommended that the board continue to review the project even though it is not currently consistent with the town code in order to make recommendations to the Town Board as they consider the applicant's zoning amendment requests.

Town Engineer Brandee Nelson said her major concern about the viability of the current site plan was how storm water would be managed. She asked to applicants to clearly show the provision of 100% water quality pre-treatment on the plans because she felt that it may take up space on the surface that housing units are proposed to be sited on.

Ms. Grieg said the zoning amendment requests seem to be mostly design considerations, which would not necessarily impact the project layout. She asked for clarification on the density calculations, and noted that the maximum building height in the TND Commercial Center Subdistrict is two stories. She also recommended the applicant submit a cross section of the road to scale to help the Board assess density.

Ms. Greig said one of the concerns she has with the project as it is currently proposed is that it does not show what type of housing unit will be on each lot, which will make it difficult to ensure that the project meets the requirements for different housing types. Mr. Rang replied that it will be up to the home buyers to select the houses. Ms Greig suggested that specific choices be offered for each lot, and added that the applicant must specify how many of each type of housing units are being proposed.

Mr. Rang inquired about the status of the new highway regulations. Ms. Greig said the widest road that the Town is considering is a 24 foot wide road with parking on one side, which can be staggered. The Town Board has asked the Planning Board to comment on the proposed amendments to the Highway Specifications.

Joel Sachs asked if the Planning Board has established itself as lead agency for SEQR. Ms. Greig said they have, however the Town Engineer has suggested that the new long form EAF be submitted. Mr. Sachs agreed, noting that the original long forms had been submitted over a year and a half ago. The board generally agreed to require the applicants to submit a new long EAF.

Ms. Grieg suggested that the Town of Red Hook Tree Committee review the urban tolerance of the trees proposed for the project. She also asked for copies of the two school-age child studies submitted by the applicant to the Red Hook Central School District.

Preserve at Lakes Kill – Feller Newmark Road – Major Subdivision – preliminary plat approval

Continued discussion on application for Preliminary Subdivision Plat Approval to create 11 residential lots, one lot for the community septic system, and one open space parcel on approximately 100.45 acres in the Agricultural Business (AB) and Rural Development 3 (RD3) zoning districts.

The Board entered into executive session at 8:45 to discuss legal issues surrounding the project. The meeting resumed at 9:15pm.

Engineer Mike Bodendorf and Attorney John Wagner were present to represent the applicant. They presented renderings of the proposed retaining wall and guard rails on Feller-Newmark Road. They said they were considering various approaches to construction and ways to face the wall.

Charlie Laing asked how high the wall would be. Mr. Bodendorf said the highest point would be 4 feet. Brian Walker asked what the point of the split rail fence proposed for the top of the retaining wall is. There was some discussion as to the need for the fence and the Board generally agreed it was not required or needed. Ms. Kane asked what facing material would be used on the retaining wall. Mr. Bodendorf said cultured stone. Brian Walker said that he would prefer to see actual stone. He said he did not think cultured stone was appropriate. The rest of the Board generally agreed with Mr. Walker.

Mr. Walker said that aesthetics and long term maintenance are the most important considerations. He said he would question whether a steel wall would hold up over time better than concrete.

Brandee Nelson said that the applicants need to commit to a specific design for the wall and submit it to the board for review, along with maintenance requirements and expected longevity. Mr. Sachs added that the board should see actual samples of materials to be used.

Dealing with unknown geographic conditions that might be encountered during construction of the retaining wall was discussed. Ms. Nelson and Mr. Bodendorf agreed to meet at the site and study the entire length of the area where the wall was proposed. Ms. Nelson asked what the total duration of all proposed work on Feller-Newmark Road would be. Mr. Bodendorf estimated 2-3 weeks.

Ms. Greig listed several other outstanding issues that need to be addressed or updated on the plans. The board and applicants discussed road widths within the subdivision.

Ms. Kane asked for a final submission in time for the Oct. 20 meeting.

NEW BUSINES

Greig Farm Agriturismo – 160 Pitcher Lane - Site Plan and Special Permit

Presentation of Application to establish a 14-room inn and public restaurant in an 1850s-era barn on approximately 93 acres in the AB (Agricultural Business) zoning district. Ms. Greig recused herself from the discussion.

Norman Greig was present to discuss the project. The applicant and Board reviewed comments from the Town Planning Consultant Ted Fink. The memo noted that only 30 seats would be allowed in the restaurant, and the drawings show seating for much more, and that two zoning variances would be required; one for the number of seats in the restaurant, and one because an Inn must have ingress/egress on a state road. The Board requested a property map be submitted, and waived the requirement for a new survey.

Ms. Kane said the EAF submitted needs to be revised to reflect the fact that variances are required. She also noted that Health Department approvals for water and wastewater would be required. Mr. Greig said he was aware of that. He said he would pursue the variances and continue with the application for site plan and special permit from the Planning Board concurrently.

OTHER BUSINESS

Michele Greig returned to the meeting.

Plimpton and Hills – Request for extension of conditional approval. Ms. Kane read a request from Plimpton & Hills for an extension to complete the project. Sam Harkins made a motion that an extension of 90 days be granted. Charlie Laing seconded and all members voted in favor.

Daniel Shapiro and Bonnie Loopesko – schedule site visit. A site visit was tentatively scheduled for Sept. 21.

Highway Specification amendments – The board reviewed the proposed Highway Specification amendment 1 and accompanying Resolutions #18 and #19, an EAR and CAF that were referred from the Town Board. The Board reviewed a draft LWRP for the proposed changes. Charlie Laing made a motion

that the Board recommend that the Town Board adopt the LWRP. Sarah Gilbert seconded, and all members voted in favor.

The Board reviewed the Town's proposed changes, which include two-way residential streets 24 feet wide with staggered parking on one side only, 20 foot wide two-way streets with no parking allowed, 18 foot wide one-way streets with parking on one side only, and 15 foot wide one-way streets with no parking allowed in the Traditional Neighborhood District. Also included is a reduction in road widths for Rural/Suburban streets from 26 feet to 22 feet.

Charlie Laing made a motion that the Planning Board recommend that the Town Board approve all the changes as proposed, and that the board suggests using stall markers on the pavement to show where parking is permitted as opposed to street signs, and defers the decision about whether to allow Belgian block for curbing to the Highway Superintendent. Sarah Gilbert seconded and all members voted in favor.

ADJOURNMENT

There being no further business to come before the board, Sam Harkins made a motion to adjourn the meeting Christine Kane seconded and all members voted in favor. The meeting was adjourned at 11 pm.

Respectfully Submitted

Kathleen Flood
Secretary

Resolution Granting Site Plan Approval to Red Hook Self-Storage Building “L”

Name of Project: Red Hook Self-Storage Building “L”

Name of Applicant: Martin and Elizabeth Willms

Date: OCTOBER 6, 2014

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Martin and Elizabeth Willms to construct a 30’ by 80’ (2,400 square foot) self-storage building on a $\pm$ 4.35 acre parcel (Tax Map Parcel No. 134889-6272-00-346380-0000) located at 7320 South Broadway in the TND Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed a Site Plan prepared by the applicant based on a survey prepared by Robert Zimmerman (dated September 1, 2000 and last revised March 17, 2009) and revised by Marie T. Welch, LS on August 7, 2014; 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)(7) and, therefore, SEQR does not apply; and

Whereas, the Planning Board has reviewed the Site Plan application against the requirements of Section 143-49.1 and Article VII of the Zoning Law and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, due to the location of the property along a State Road, 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 recommended in its review letter dated September 16, 2014 that the application was a matter of local concern; and

Whereas, on October 6, 2014, the Planning Board held a Public Hearing on the Site Plan application, at which time all interested persons were given the opportunity to speak; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Site Plan approval to Martin and Elizabeth Willms to construct a $\pm$ 2,400 sq. ft. self-storage 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 Site Plan by the Planning Board Chairwoman:
 - A. The Site Plan shall be revised to include the following information:
 - i) Title of drawing, including names and addresses of the applicant and the person

- responsible for the preparation of the drawing
- ii) A signature block for the Planning Board's endorsement.
 - iii) A note indicating that there are no existing watercourses, wetlands and floodplains on the subject property, or rock outcrops or specimen trees.
 - iv) A note indicating that the hours of operation of the self-storage warehouse shall be limited to 6:00 AM to 9:00 PM.
 - v) A clear indication of all traffic patterns on the site.
 - vi) The location of outdoor storage for equipment and materials, if any, and the location, type and design of all solid waste-related facilities, including dumpsters and recycling bins.
 - vii) Location of fire and other emergency zones.
 - viii) Location, design and construction materials of energy distribution facilities.
 - ix) Identification of Zoning Districts adjacent to the parcel.
 - x) Update the area map should so it is consistent with the Zoning Map.
 - xi) Include the Location Map as part of the Site Plan.
- B. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required P.E. and L.S. stamps and signatures.
- C. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for Planning Board Chairwoman 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.

In taking this action, 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.

On a motion by **SAM HARKINS**, seconded by **BRIAN WALKER**, and a vote of **6** for, **0** against, and **1** absent, this resolution was adopted on **OCTOBER 6, 2014**.

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

Kathleen Flood, Planning Board Secretary

Date

Resolution Granting Special Permit Approval to Red Hook Self-Storage Building “L”

Name of Project: Red Hook Self-Storage Building “L”

Name of Applicant: Martin and Elizabeth Willms

Date: OCTOBER 6, 2014

Whereas, the Town of Red Hook Planning Board has received an application for Special Permit approval from Martin and Elizabeth Willms to construct a 30’ by 80’ (2,400 square foot) self-storage building on a $\pm$ 4.35 acre parcel (Tax Map Parcel No. 134889-6272-00-346380-0000) located at 7320 South Broadway in the TND Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York; 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 of the Town of Red Hook Zoning Law and with the specific standards for self-storage warehouses found in § 143-91.1 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 has determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(7) and, therefore, SEQR does not apply; and

Whereas, due to the location of the property along a State Road, 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 recommended in its review letter dated September 16, 2014 that the application was a matter of local concern; and

Whereas, on October 6, 2014, the Planning Board conducted a duly noticed public hearing on the Special Permit application at which time all interested persons were given the opportunity to speak; 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 hereby grants Special Permit approval to Martin and Elizabeth Willms to construct a $\pm$ 2,400 sq. ft. self-storage in accordance with the plans and specifications heretofore submitted upon the following conditions:

- A. The hours of operation of the self-storage warehouse shall be limited to 6:00 AM to 9:00 PM.
- B. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.

In taking this action, 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.

On a motion by **SAM HARKINS**, seconded by **KALLIE ROBERTSON**, and a vote of **6** for, **0** against, and **1** absent, this resolution was adopted on **OCTOBER 6, 2014**.

Resolution declared: **ADOPTED** on **OCTOBER 6, 2014**

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

Kathleen Flood, Secretary to the Board

Date

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

Name of Action: Chelsea Streifeneder Residence

Whereas, the applicant proposes to construct a residence on her property at 49 Spring Lake Road in the Hamlet District in the Town of Red Hook, Dutchess County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated September 8, 2014 has been prepared for the proposed action, 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 **CHARLIE LAING**, seconded by **SAM PHELAN** and a vote of **6** for, **0** against, and **1** absent, this resolution was adopted on **OCTOBER 6, 2014**.

Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS

Date: October 6, 2014

For: Chelsea Streifeneder Residence
Tax Parcel #6373-01-341908

The applicant owns 0.42 acres at 49 Spring Lake Road in the Hamlet of Upper Red Hook. She wishes to construct 35 x 50, 1700 SF, 1 ½ story residence at this site.

The application and supporting documents were sent to the Hamlet Design Review Committee August 21, 2014.

The Hamlet Design Review Committee submitted comments to the Planning Board September 13, 2014.

The project was classified as a Type II action with no further SEQR review required and a public hearing was held September 15, 2014.

The Planning Board has reviewed and discussed the proposed plans and determined that the project proposed is compatible with the historic character of the property as well as with the neighboring properties and the district and that there will be no visual negative impact. Therefore,

On a motion by **CHARLIE LAING**, seconded by SAM **HARKINS**, and a vote of **6** for, **0** against and **1** absent, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Chelsea Streifeneder for the proposed construction described above.

Certified by: _____
Kathleen Flood, Secretary to the Planning Board

Date: _____