

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
April 19, 2010

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:30 p.m., and a quorum was determined present for the conduct of business.

Members present — Chair Christine Kane and members Charlie Laing, Wil LaBossier, Sam Phelan, Kris Munn and Pat Kelly. Sam Harkins was absent. Planner Michele Greig was also present.

BUSINESS SESSION

Christine Kane said that the Oaks at Lands Kill applicant had asked to be taken off the evening's agenda. There were three announcements. A Vernal Pool Field Training workshop, sponsored by Mid-Hudson Ecological Services, was scheduled for April 24 in Hyde Park; a course in groundwater quality and management was set for April 29 in Millbrook; and copies of the proposed Local Law No. 1 2010 and the resolution setting April 28 as the date for the public hearing were distributed.

The draft minutes from the April 5, 2010 meeting had been circulated to the members and reviewed. Wil LaBossier made a motion to approve those minutes. Kris Munn seconded the motion, and all members present voted in favor.

REGULAR SESSION- OLD BUSINESS

**Mc Acres, Inc. & Anna Kirschner – 254 & adjoining parcel on Middle Road –
Minor Subdivision and Lot Line Alteration**

Mark Graminski was present for continued discussion of an application to swap ± 0.146 acres between the ± 2.13 -acre Lands of Anna Kirschner and the adjoining ± 64.627 -acre Lands of MC Acres, Inc. and to then create two (2) new lots of ± 18.508 acres and ± 9.013 acres and a remaining lands lot of ± 37.106 acres from the Mc Acres, Inc. parcel. All new lot lines lie in the RD3 Zoning District of the Town of Red Hook. The Mc Acres parcel is partly in the Town of Rhinebeck.

Mr. Graminski said that the wetlands had been flagged by DEC and that the delineation had been verified last week. He said that a copy of the new map had been sent to DEC for the appropriate signature. He also said that the delineation had resulted in a change of location for the septic system on proposed lot 3 and a change in the house location on proposed lot 2. He said the driveway for lot 2 had two (2) existing crossing points of NYSDEC Wetland KE-22. Any improvement of this driveway would require a wetlands disturbance permit for construction in the 100 foot adjacent area. He added that no disturbance of the actual wetland KE-22 would occur. Finally, he said that all improvements had been kept off the old Hucklebush railroad line and that he had shown that abandoned railroad line on the map as requested.

Mr. Graminski went on to say that the revised lot line alteration would allow the building envelope on lot 1 to meet the width requirement for a flag lot. He also agreed that he would submit a draft common use and maintenance agreement for the shared section of the driveway. Asked about the transmission lines, he said that the existing utility lines were overhead but that new lines would be underground.

The Board completed the EAF part 2 and reviewed a draft negative SEQR declaration, agreeing to vote on that resolution at the next meeting. Mr. Graminski said that he would confirm whether a signature from the Town of Rhinebeck Planning Board would be necessary to file the plat. A public hearing was set for May 3, 2010.

Anderson Commons – Baxter Road, Fisk Street and Glen Ridge Road – phasing plans

Pete Setaro, P.E. and Paul Manza were present for continued discussion of the 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 said that the project's attorney Scott Volkman had conferred with the Planning Board's land use attorney Jennifer Reinke at Keane & Beane. Christine Kane summarized a memo from Ms. Reinke, saying that, according to Town regulations, there could be no further extensions and that the applicants must submit new applications for the revised site plan, special permit and subdivision approvals. She said that the memo also confirmed that the Village would continue serve as lead agency for the SEQR review.

Mr. Setaro reviewed some of the proposed changes in the plan saying that permeable asphalt could be used for the access lanes and possibly for the interior roads and that some of the garages could be located near or attached to the homes.

Michele Greig said that a public hearing would be required but that it could combine the site plan, subdivision and special permit applications. She said that the revised plan must be referred to the Dutchess County Office of Planning and Development under GML 239m.

The Board and the applicants discussed some possible additional changes to the plan, such as relocating the loop road, currently in front of the multifamily dwellings, to the rear of the dwellings. Mr. Setaro said that such a change would require discussion with the fire department about needed emergency access. There was also discussion about where visitors would park. Mr. Manza said he would like to emphasize bicycle and pedestrian transportation.

The Board and the applicants then discussed at what point the re-approval process could commence. Mr. Setaro said that it was his understanding that once preliminary approval was given, it could not expire or be revoked and that this re-approval process could begin with a final application. Some Board members said that if a revised plan moved too far from the approved preliminary plan, that approval should no longer be binding. Mr. Manza said he hoped the project would not have to start from the beginning.

The Board agreed to ask Keane & Beane whether the applicants must begin the re-approval process with a sketch or preliminary application or whether they could submit a final application.

OTHER BUSINESS

Ulster Savings Bank performance bond

Christine Kane reported that Ulster Savings Bank had requested the return of its performance bond, required for the construction of the new bank on NYS Route 9. After reviewing letters from the Town Engineer, the Town Building Inspector and the Town Highway Superintendent confirming that all work had been completed to Town specifications, Charlie Laing made a motion to return the bond. Sam Phelan seconded the motion, and all members voted in favor.

Zoning Review Committee – parking regulations

Sam Phelan reported that the ZRC was drafting new parking regulations that were patterned after those adopted by the Town of Warwick but with some revisions. He questioned a regulation stating that “no parking space will be within 50’ feet of a road” and wondered how that could be applied Town-wide to all parking situations, especially in a TND neighborhood where lots would be small and houses close to the road. Michele Greig said that a TND development would have its own parking regulations.

Teviot – HABS/HAER report

The Board reviewed a newly submitted Level III HABS/HAER report on two buildings that were demolished on the Teviot estate north of Tivoli. The report was prepared by Gail Guillet of City/Scape and required before a Certificate of Compliance could be issued for the recreational facilities on the property.

Christine Kane noted that an additional building, the white caretaker’s cottage, had recently been demolished on the estate. The Board agreed that that action was not in accordance with the approved site plan and that any future actions not consistent with the approved site plan would necessitate the applicants’ return to the Board with an application for an amended site plan.

Centers and Greenspaces – Environmental Impact Statement

Michele Greig said the Environmental Impact Statement for the Centers and Greenspaces zoning revisions would be presented to the Town Board on April 28. She said that after the Board had reviewed it for completeness, a public hearing would be scheduled. She said that as part of that process, the Planning Board would be asked to review the document and submit formal comments.

Greenway Guides – Centers and Greenspaces

Christine Kane said that Dutchess County Planning had issued new draft Greenway Guides on rural roads and “centers and greenspaces” planning. She said that the Town of Red Hook had been used as an example of that type of planning.

ADJOURNMENT

Since there was no further business to come before the Board, Charlie Laing made a motion to adjourn. Wil LaBossier seconded the motion, and all members present voted in favor.

Respectfully submitted

Paula Schoonmaker