

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
SEPTEMBER 17, 2018**

Chairman Sam Phelan called the meeting to order at 7:30 pm.

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

Kristina Dousharm made a motion to adopt the minutes of August 28. Brian Kelly seconded and the motion passed unanimously.

PUBLIC HEARING

Lindsay Schultz – Old Post Road – Certificate of Appropriateness.

Public Hearing on application to construct a new residence in the Hamlet of Upper Red Hook.

Applicant's representative Jamie Hooper was present. Sam Phelan read the public hearing announcement that was published in the Poughkeepsie Journal. Ms. Hooper gave an overview of the project. Mr. Phelan asked if there were any questions or comments from the public. There were none. He asked if any of the Board members had any questions. There were none.

Bill Hamel made a motion to close the public hearing. Kallie Robertson seconded and all members voted in favor.

The Board reviewed a SEQR Type II Resolution. Brian Kelly made a motion to adopt it. Kristina Dousharm seconded and all members voted in favor.

The Board reviewed a draft Certificate of Appropriateness. Kallie Robertson made a motion to adopt it. Bill Hamel seconded and all members voted in favor.

Jan Robin Groves – 43 McManus Terrace – Lot Line Adjustment

Public Hearing on application for a lot line adjustment to transfer .33 acres from a 6.56 acre parcel to a 36.67 acre parcel in the RD 3 district.

Applicant's representative Marie Welch was present. Sam Phelan read the Public Hearing Notice that was published in the Poughkeepsie Journal. It was acknowledged that there was an error in the Public hearing notice, although all of the neighbors were properly noticed. Ms. Welch gave an overview of the project.

Mr. Phelan asked if there were any questions or comments from the public. There were none.

Kallie Robertson moved to close the hearing. Lisa Foscolo seconded and all members voted in favor.

The Board reviewed a draft approval resolution. Lisa Foscolo made a motion to adopt it. Bill Hamel seconded and all members voted in favor.

Red Hook Terminal & Bottini – 7259 So. Broadway - Amended Site Plan

Public Hearing on application to change the use on two parcels with the same owner on South Broadway in the TND-CC Zoning District.

Applicant Bob Juliano was present. Mr. Phelan read the announcement that was published in the Poughkeepsie Journal. Mr. Juliano gave an overview of the project.

Lisa Foscolo commented that there is no sidewalk for people to use to enter the front of the new Bottini office. Mr. Juliano said there is no room in the driveway for a sidewalk. He said he felt it is safe for able bodied people. He said a handicapped door will be installed in the back of the building so handicapped people do not have to make their way to the front entrance.

Mr. Phelan asked if there were any questions or comments from the public. There were none.

Kallie Robertson brought up the curb cuts that were mentioned in the review comments from the Dutchess County Department of Planning and Development (DCDPD). The DCDPD had recommended that one of them be eliminated. The Board generally agreed that eliminating one of the curb cuts is not practical because two parcels are being served by the curb cuts.

Mr. Phelan said that the DCDPD had also recommended delineating the parking spaces on both lots. Mr. Juliano agreed to include them on the site plan. Discussion followed on how to keep Antique store customers from parking in front of the garage bays in the front of the store, and direct them to the rear of the building. Mr. Juliano agreed to install a removable bollard at the entrance with a sign directing drivers to park in the rear, stripe the pavement from the entrance to the parking lot to give drivers a visual cue, and install concrete bumpers in the rear along the back of both buildings.

Discussion moved to the signs. Lisa Foscolo asked if the existing sign pole could be removed. Mr. Juliano said the lit sign on the building would be removed, and the new sign on the existing pole would not be lighted, and commented that requiring the removal of the existing sign seemed not business friendly to him, and said he refused to remove it.

Mr. Phelan said that at the August 28 meeting the Board had generally agreed to allow the sign, which is 9 square feet larger than would be allowed under the current zoning, to stay as an existing non-conforming sign because the zoning law does not clearly address the situation.

Brian Kelly made a motion to close the public hearing. Bill Hamel seconded and all members voted in favor.

The Board reviewed a draft conditional approval resolution, and amended it to include site plan revisions regarding parking control measures that had been discussed earlier. Bill Hamel moved to adopt the resolution as amended. Brian Kelly seconded and the motion was carried unanimously.

OLD BUSINESS

Norton 337 – Norton Road – Minor Subdivision

Continued discussion of application to create three parcels, 9.2 acres, 5.9 acres and 5.0 acres, from a 20.10 acre parcel in the R1 Zoning District.

Applicant's representative Tim Lynch was present. Sam Phelan gave an overview of the project for the benefit of new Board members, and because the project has taken a long time due to access issues that had recently been resolved.

Mr. Lynch distributed a response to Greenplan comments dated Sept. 24, and said that the driveway easement had been submitted. Mr. Phelan asked planning staff to refer the easement to the town attorney.

The Board reviewed a part 2 EAF. Kristina Dousharm moved to adopt it. Kallie Robertson seconded and the motion was carried unanimously. The Board reviewed a SEQR Negative Declaration. Kallie Robertson moved to adopt it. Bill Hamel seconded and all members voted in favor. A public hearing was set for Oct. 1.

Rose Hill Farm – 19 Rose Hill Farm Road – Minor Site Plan

Continued discussion of application to construct a new 6200 SF housing and equipment barn and to reconstruct an existing 4600 SF barn for conversion into a cider mill and associated tasting room, and related improvements to parking and septic system on 114.58 acres in the Agricultural Business District.

Applicant Holly Brittain and engineer Daniel Proper were present. They described some changes proposed since their last appearance before the Board, including the elimination of an office, replaced by an accessory apartment, and a farm labor housing unit for the manager of the cider mill.

The Board reviewed comments dated 9-14-18 from the planning consultant, and discussed parking and parking surfaces. Mr. Proper said that the project is currently being reviewed by the Department of Health.

Bill Hamel asked if the applicants still plan to have an exit from the farm onto Feller Newmark Road. Ms. Brittain said they had removed it from the submission. She said they will use their existing entrance driveway. She said the farm road that goes to Feller Newmark Road is gated.

The Board and applicants reviewed comments from the town engineer dated 9-10-18. Michelle Mormile asked the applicants to copy her on the Department of Health submissions. She inquired about the volume of apple pumice waste, and the methods for storage, etc. Mr. Proper said it would not be stockpiled; it would be fed to the pigs on the farm.

A public hearing was tentatively set for Oct. 15 for the site plan and special permit.

NEW BUSINESS

Wieboldt / French – 430 West Kerley Corners Road – Lot Line Alteration

Presentation of application to convey 2.17 acres from the 88.87 acre Wieboldt parcel to the adjacent 5.22 acre French parcel in the Agricultural Business and RD3 Zoning Districts.

Applicant Monica Wieboldt was present. She submitted an easement for the Town Attorney's approval.

Mr. Phelan said the Agriculture and Open Space Committee was surveyed to determine whether a Farm Protection Plan would be required, and a majority of members responded that it need not be required,

however, they all agreed that the land being transferred should remain in the AB District, and not be developed.

Ms. Grieg said that the plat would need to be revised according to the Planning Board's conditional approval.

The Board reviewed a SEQR Type I Resolution Establishing Lead Agency. Kristina Dousharm moved to adopt it. Bill Hamel seconded and the motion was carried unanimously.

The Board reviewed parts 2 and 3 of the Full Environmental Assessment Form. Lisa Foscolo made a motion to approve them. Brian Kelly seconded and all members voted in favor.

The Board reviewed a draft SEQR Negative Declaration. Brian Kelly moved to adopt it. Lisa Foscolo seconded and all members voted in favor.

A public hearing was scheduled for Oct. 1.

Rokeby Farm Solar Installation – 7211 Albany Post Road – Minor Site Plan

Presentation of application to install roof mounted solar panels on farm barn in the Agricultural District.

Applicants Anthony and Bianca Sicari were present. Mr. Sicari gave an overview of the project. He said all of the power being produced will be used on the site.

Ms. Grieg said that the applicant's special permit application should be withdrawn and a site plan application submitted, and the project must be reviewed by the County Planning Department.

The Board Reviewed a SEQR Type II Resolution. Kristina Dousharm moved to adopt it. Bill Hamel seconded and all members voted in favor.

Judy Pfaff – 283 West Kerley Corners Road – Special Use Permit

Presentation of application to construct a 40 x 90 storage building on a 8.98 acre parcel in the RD3 Zoning District.

The applicant was not present.

OTHER BUSINESS

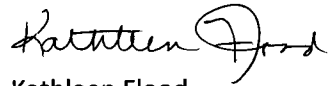
Discussion – Planning Board Report

The Board discussed an informational report prepared by Board Clerk Kathleen Flood that showed costs and timeframes for projects approved over the last 3 years. Sam Phelan said that it might be a good idea to raise the initial escrow fee since most projects exceed the present \$500.00 escrow advance to start a project. Michele Greig said that the Planning Board is authorized to set escrow advances for certain projects. Mr. Phelan suggested setting escrow advances according to the type of project being proposed. Kathleen Flood reviewed the existing escrow fee structure, which does vary by project type. The Board generally agreed that increasing escrow advances would improve the process and could result in less overall dissatisfaction among applicants resulting from having to replenish the escrow account several times during Planning Board review.

ADJOURNMENT

There being no further business before the Board, Lisa Foscolo made a motion to adjourn. Bill Hamel seconded and all members voted in favor.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Kathleen Flood".

Kathleen Flood
Planning Board Clerk

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

Name of Action: Schultz Residence Certificate of Appropriateness

Whereas, the applicant proposes to construct a new single family residence on tax map parcel 665-03-214120 on Old Post Road in the hamlet of Upper Red Hook, 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 Brian Kelly, seconded by Kristina Dousharm and a vote of 6 for, and 0 against, and 1 vacant seat, this resolution was adopted on September 17, 2018.

Town of Red Hook Planning Board

CERTIFICATE OF APPROPRIATENESS

September 17, 2018

Schultz Residence
Old Post Road, Upper Red Hook
Tax Parcel # 214120

The applicant, whose 1.66 acre parcel is located on Old Post Road, Red Hook, wishes to construct a single family residence on the site.

The application and supporting documents were sent to the Hamlet Design Review Committee. The Committee responded March 2, 2018, April 1, 2018 and May 4, 2018 with the recommendation that the Planning Board grant a Certificate of Appropriateness.

A public hearing was held September 17, 2018.

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 in the district and that there will be no visual negative impact. Therefore,

On a motion by Kallie Robertson, seconded by Bill Hamel and a vote of 6 for, 0 against and 1 vacant seat, the Town of Red Hook Planning Board hereby issues this **Certificate of Appropriateness** to Lindsay Schultz for the proposed construction described above.

Certified by: Kathleen Flood 9-18-18
Kathleen Flood, Planning Board Clerk Date

Resolution Granting Approval to the Final Subdivision Plat for Groves/Locke

Name of Project: Groves/Locke Lot Line Alteration

Name of Applicant: Jan Robin Groves, as Trustee, and Charles P. and Anne Marie Locke

Whereas, the applicants, Jan Robin Groves, as Trustee, and Charles P. and Anne Marie Locke, have submitted an application for Final Subdivision Plat approval to the Town of Red Hook Planning Board to convey $\pm$ 0.332 acres of land from the $\pm$ 6.56 acre Groves parcel (Tax Map Parcel No. 134889-6272-00-742491-0000) located at 43 McManus Terrace in the RD3 Zoning District to the adjacent $\pm$ 1.02 acre Locke parcel (Tax Map Parcel No. 134889-6272-16-773472-0000) located at 27 McManus Terrace in the R1 Zoning District, in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Final Plat prepared by Welch Surveying dated June 5, 2018 and revised August 1, 2018; and

Whereas, on May 21, 2018, the Planning Board declared itself Lead Agency for the purpose of conducting an uncoordinated review of an Unlisted action pursuant to SEQR; and

Whereas, on August 6, 2018, due to changes in the proposed lot line alteration, the Planning Board rescinded the previously adopted Lead Agency resolution and adopted a new resolution declaring itself Lead Agency for the purpose of conducting an uncoordinated review of an Unlisted action pursuant to SEQR; and

Whereas, on August 6, 2018, after reviewing the Short EAF and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c), the Planning Board determined that the proposed action will not cause any significant adverse impact on the environment, and thus issued a Negative Declaration determining that an environmental impact statement need not be prepared; and

Whereas, the parcels are located within 500 feet of a New York State certified Agricultural District (Agricultural District 20) and the applicants submitted an Agricultural Data Statement, dated August 3, 2018, 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 Planning Board determined that the application required referral to the Zoning Board of Appeals for an area variance for lot frontage for the Groves parcel; and

Whereas, on July 11, 2018, the Zoning Board of Appeals issued its findings and decision granting the applicant the required area variance; and

Whereas, on September 17, 2018, the Planning Board opened a duly noticed public hearing on the Final Plat, at which time all interested persons were given the opportunity to speak and the Planning Board closed the Public Hearing on September 17, 2018; and

Whereas, the Planning Board has reviewed and 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 Final Subdivision plat approval to Jan Robin Groves, as Trustee, and Charles P. and Anne Marie Locke in accordance with the plans and specifications enumerated above, subject to the following conditions and modifications:

- A. The Planning Board authorizes the Chairman or his authorized designee to sign the Subdivision Plat after compliance with the following conditions:
 - 1) The Subdivision Plat shall be revised as follows:
 - a. Revise the Zoning Legend to add the area and bulk standards for the R1 District.
 - b. Revise the Plan Note that refers to future buildings on the “two parcels of Jan Robin Groves” to refer to future buildings on the “parcel owned by Jan Robin Groves.”
 - c. Revise the Project Location to add the Locke parcel at 27 McManus Terrace.
 - 2) Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 - 3) Payment of any and all outstanding escrow balances for consultant review.
 - 4) Submission of Subdivision Plat drawings for stamping and signing in the number and form specified under the Town’s Land Subdivision Regulations, including all required P.E. and L.S. stamps and signatures.
 - 5) The applicant shall verify that the corners of the land to be conveyed have been marked by monuments or steel rods of a type approved by the Town Engineer as required by § 120-24B(2) of the Town Code.

BE IT FURTHER RESOLVED, THAT Pursuant to § 72-2C of the Town Code, prior to the initial sale, purchase or exchange of any real property within the subdivision, the applicant shall deliver to the prospective grantee a typewritten document containing the agricultural notice set forth in § 72-2B of the Town Code. Further, the applicant shall incorporate the agricultural notice of the Town Code in any deeds wherein title to any property is to be initially conveyed to a grantee. Appropriate documentation shall be provided to Town Building Department.

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 6 for 0 against, 0
absent, and 1 vacant seat, this resolution was adopted on September 17, 2018.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

9-18-18
Date

Resolution Granting Amended Site Plan Approval to Red Hook Terminal South (Bottini)

Name of Project: Red Hook Terminal South (Bottini)

Name of Applicant: Red Hook Terminal Inc.

Date: September 17, 2018

Whereas, the Town of Red Hook Planning Board has received an application for Amended Site Plan approval from Red Hook Terminal Inc. to change the uses on two adjacent properties owned by the applicant, a $\pm$ 1.37 acre parcel located at 7269 S. Broadway (Tax Map Parcel No. 134889-6272-00-237238-0000) and a $\pm$ 0.46 acre parcel located at 7259 S. Broadway (Tax Map Parcel No. 134889-6272-17-235217-0000), in the TND Commercial Center Subdistrict in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed an Amended Site Plan entitled "Red Hook Terminal South" prepared by M. A. Day Engineering, PC (Sheet 1 dated 1/19/2015 and Sheet 2 dated 5/19/2005, both last revised 8/30/2018); and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on August 28, 2018 determined that the proposed project is a Type II Action that meets the threshold found in 6 NYCRR 617.5(c)(7) and, therefore, SEQRA 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 on 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 issued a review letter dated September 14, 2018 which recommended that the Planning Board rely upon its own study of the facts in the case with due consideration to the County's comments; and

Whereas, the Planning Board fully considered each of the County's comments, and the Site Plan will be revised to delineate off-street parking spaces on both parcels and to indicate the number of parking spaces that will be provided in the bulk table for each parcel; and

Whereas, the Planning Board considered the County's remaining comments and determined that the northerly curb cut on the 7269 S. Broadway parcel was needed to serve the existing single family dwelling on this parcel, and the entire interior of the curbed frontage could not be reclaimed as lawn since a portion of this area provides access to three existing garage bays in front of the building and

Whereas, on September 17, 2018, the Planning Board opened a duly noticed public hearing on the Amended 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 17, 2018; and

Whereas, the Planning Board has deliberated on the application and all 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 Amended Site Plan approval to Red Hook Terminal Inc. for two adjacent properties located at 7269 S. and 7259 S. Broadway in accordance with the plans and specifications enumerated above upon the following conditions:

- A. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Planning Board Chairman or his authorized designee:
 1. The Site Plan shall be revised as follows:
 - i. To delineate off-street parking spaces with striping and concrete bumpers against the back of the building at 7259 S. Broadway, and with concrete bumpers against the back of the building and grassy area at 7269 S. Broadway.
 - ii. To revise the Bulk Table to indicate the number of off-street parking spaces that will be provided on each lot.
 - iii. To paint a stripe from the freestanding sign located on 7269 S. Broadway west across the entire extent of the paved area and running parallel to the north façade of the building.
 - iv. To add a removable bollard in the middle of the driveway located east of the new trees on 7269 S. Broadway to prevent cars from parking in front of the building, with a sign directing customers to “park at the rear” of the building with a directional arrow.
 - v. To add a note that the existing “Bottini” building sign at 7269 S. Broadway will be removed.
 - vi. To add a note that the new pole sign at 7269 Broadway will not be illuminated and that the pole will be painted black.
 2. 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.
 3. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application.
 4. 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 Chairman 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 (CC):
1. All proposed improvements shall have been completed in accordance with the approved Site Plan.
 2. In the event that a CC is requested prior to completion of all proposed landscaping, a cash bond will be posted to ensure completion of the landscaping in accordance with the approved Amended Site Plan.
- C. The following are general conditions which shall be fulfilled throughout the construction and operation of the project:
1. The applicant shall continue to comply with all conditions imposed by any of the outside agencies in their permits.

On a motion by Bill Hamel, seconded by Brian Kelly, and a vote of 6 for, 0 against, 0 absent, and 1 vacant seat this resolution was adopted on September 17, 2018.

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

Kathleen Flood
Kathleen Flood, Planning Board Secretary

9-18-18
Date

Project: Norton 337

Date: 9-17-18

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project:

Norton 337

Date:

Sep. 17 2018

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Federal jurisdictional wetlands are located on the project site. The wetlands were field delineated by Aspen Environmental. All development and associated improvements will be located outside the wetlands, and no disturbance to wetlands will result from the proposed project. Since there is no proposed disturbance to the wetlands, no permitting is required, and no impacts to protected waters will occur. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on wetlands.

The property is located adjacent to a farm operation that is located within a NYS certified Agricultural District (Agricultural District 20). An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcels. The Planning Board considered the Agricultural Data Statement in its review of the application. Due to the presence of a large federal jurisdictional wetland on the site, no development will occur in the vicinity of the adjacent farm operation. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impacts on agricultural resources.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Red Hook Planning Board

Name of Lead Agency

Date

Sam Phelan

Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: September 17, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Norton 337 Subdivision

SEQR Status: Type I ☐
Unlisted ☒

Conditioned Negative Declaration: ☐ YES
☒ NO

Description of Action: The applicant applicant proposes to subdivide a $\pm$ 20.1 acre parcel (Tax Map Parcel No. 134889-6272-12-772580-0000) located on Norton Road in the R1 District into three flag lots, $\pm$ 2.03 acres, $\pm$ 2.11 acres, and $\pm$ 15.93 acres in size. The three lots would be served by individual wells and sanitary sewage disposal systems.

Location: Norton Road, Town of Red Hook, Dutchess County NY

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Short Environmental Assessment Form (EAF) for the action dated February 21, 2018, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. Federal jurisdictional wetlands are located on the project site. The wetlands were field delineated by Aspen Environmental. All development and associated improvements will be located outside the wetlands, and no disturbance to wetlands will result from the proposed project. Since there is no proposed disturbance to the wetlands, no permitting is required, and no impacts to

protected waters will occur. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impact on wetlands.

4. The property is located adjacent to a farm operation that is located within a NYS certified Agricultural District (Agricultural District 20). An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcels. The Planning Board considered the Agricultural Data Statement in its review of the application. Due to the presence of a large federal jurisdictional wetland on the site, no development will occur in the vicinity of the adjacent farm operation. Based on the foregoing, the Planning Board concludes that the proposed action will not result in a significant adverse environmental impacts on agricultural resources.
5. The Town Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)
Rhinebeck-Red Hook-GB, LLC (applicant)

617.6
State Environmental Quality Review (SEQR)
Resolution Establishing Lead Agency
Type I Action

Name of Action: Wieboldt/French Lot Line Alteration

Whereas, the Town of Red Hook Planning Board is in receipt of a Lot Line Alteration application by Monica S. Wieboldt and Petrina A. French to convey $\pm$ 2.17 acres of land from the $\pm$ 88.87 acre Wieboldt parcel located at 430 West Kerley Corners Road in the AB District to the adjacent $\pm$ 5.22 acre French parcel located in the RD3 Zoning Districts at 428 West Kerley Corners Road, Town of Red Hook, Dutchess County, New York; and

Whereas, a Full Environmental Assessment Form (EAF) dated August 19, 2018 and revised September 14, 2018 was 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 I action; and

Whereas, the Planning Board has determined that the proposed project is within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) apply; and

Whereas, after examining the EAF, the Planning Board has determined that there are no other involved and/or federal agencies on this matter.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all reasonably necessary information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

On a motion by Kristina Dousharm, seconded by Bill Hamel, and a vote of 6 for, 0 against, 0 absent, and 1 vacant seat, this resolution was adopted on September 17, 2018.

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project: WIEBOLDT
 Date: 9-17-18

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

1. Other impacts: _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐		
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐		
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐		
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐		
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐		
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐		
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐		
h. Other impacts: _____		☐	☐		

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐		
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐		
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐		
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐		
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐		
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐		

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		☒ NO ☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		☒ NO ☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☒ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>																																					
	<table border="1"> <thead> <tr> <th></th> <th>Relevant Part I Question(s)</th> <th>No, or small impact may occur</th> <th>Moderate to large impact may occur</th> </tr> </thead> <tbody> <tr> <td>a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.</td> <td>E2c, E3b</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).</td> <td>E1a, E1b</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.</td> <td>E3b</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.</td> <td>E1b, E3a</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>e. The proposed action may disrupt or prevent installation of an agricultural land management system.</td> <td>E1 a, E1b</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.</td> <td>C2c, C3, D2c, D2d</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.</td> <td>C2c</td> <td>☒</td> <td>☐</td> </tr> <tr> <td>h. Other impacts: _____</td> <td></td> <td>☐</td> <td>☐</td> </tr> </tbody> </table>		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☒	☐	b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☒	☐	c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☒	☐	d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☒	☐	e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☒	☐	f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☒	☐	g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☒	☐	h. Other impacts: _____		☐	☐
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9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>		☒ NO ☐ YES		
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.		E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.		E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round		E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities		E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.		E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile		D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____			☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>		☐ NO ☒ YES		
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.		E3e	☒	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.		E3f	☒	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____		E3g	☒	☐

d. Other impacts: _____ _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.				
		☒ NO	☐ YES	
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.		D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.		C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.		C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.		C2c, E1c	☐	☐
e. Other impacts: _____ _____			☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.				
		☒ NO	☐ YES	
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.		E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.		E3d	☐	☐
c. Other impacts: _____ _____			☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>		☒ NO ☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>		☒ NO ☐ YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

Full Environmental Assessment Form **Part 3 - Evaluation of the Magnitude and Importance of Project Impacts** **and** **Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The project site includes soils classified within soil group 1 through 4 of the NYS Land Classification System, and a farm operation in a certified NYS Agricultural District (Ag District 20). The action consists of a lot line alteration only; no development is proposed as part of the action and therefore no impacts to agricultural soils will occur. The lot line alteration will convey approximately 2 acres of land from the farm operation to an adjacent parcel. The project was reviewed by the Town of Red Hook Agriculture and Open Space Committee, which identified no potential impacts to agriculture or farmland resulting from the project. An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcels. The Planning Board considered the Agricultural Data Statement in its review of the application. Based on the foregoing, the Planning Board has concluded that no significant adverse environmental impacts to agricultural resources will occur.

The project site is located substantially contiguous to a building (Heermance Farmhouse) that is listed on the State and National Registers of Historic Places and within an area that has been identified as sensitive for archaeological resources. No development is proposed as part of the action and therefore no significant adverse environmental impacts will occur to historic and archaeological resources. Based on the foregoing, the Planning Board has concluded that no significant adverse environmental impacts to cultural resources will occur.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Wieboldt/French Lot Line Alteration

Name of Lead Agency: Town of Red Hook Planning Board

Name of Responsible Officer in Lead Agency: Sam Phelan

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency:

Date: 9-17-18

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: September 17, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Red Hook Planning Board, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Wieboldt/French Lot Line Alteration

SEQR Status: Type I ☒
Unlisted ☐

Conditioned Negative Declaration: ☐ YES
☒ NO

Description of Action: The applicants propose propose a lot line alteration to convey $\pm$ 2.17 acres of land from the $\pm$ 88.87 acre Wieboldt parcel (Tax Map Parcel No. 134889-6274-00-742373-0000) located at 430 West Kerley Corners Road in the AB District to the adjacent $\pm$ 5.22 acre French parcel (Tax Map Parcel No. 134889-6274-00-715510-0000) located at 428 West Kerley Corners Road in the RD3 Zoning District. Both parcels are served by individual wells and sanitary sewer disposal systems.

Location: 428 and 430 West Kerley Corners Road, Town of Red Hook, Dutchess County NY

Reasons Supporting This Determination:

1. The Town of Red Hook Planning Board has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Full Environmental Assessment Form (EAF) for the action dated August 19, 2018 and revised September 14, 2018, the Planning Board has concluded that environmental effects of the proposal will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The project site includes soils classified within soil group 1 through 4 of the NYS Land Classification System, and a farm operation in a certified NYS Agricultural District (Ag District

20). The action consists of a lot line alteration only; no development is proposed as part of the action and therefore no impacts to agricultural soils will occur. The lot line alteration will convey approximately 2 acres of land from the farm operation to an adjacent parcel. The project was reviewed by the Town of Red Hook Agriculture and Open Space Committee, which identified no potential impacts to agriculture or farmland resulting from the project. An Agricultural Data Statement was prepared by the applicant and forwarded by the Planning Board to all owners of farm operations within 500' of the subject parcels. The Planning Board considered the Agricultural Data Statement in its review of the application. Based on the foregoing, the Planning Board has concluded that no significant adverse environmental impacts to agricultural resources will occur.

4. The project site is located substantially contiguous to a building (Heermance Farmhouse) that is listed on the State and National Registers of Historic Places and within an area that has been identified as sensitive for archaeological resources. No development is proposed as part of the action and therefore no significant adverse environmental impacts will occur to historic and archaeological resources. Based on the foregoing, the Planning Board has concluded that no significant adverse environmental impacts to cultural resources will occur.
5. The Town Planning Board has concluded that there are no significant adverse environmental impacts associated with the proposed action.

For Further Information:

Contact Person: Kathleen Flood, Planning Board Clerk
Address: 7340 South Broadway
Red Hook, NY 12571
Telephone: 845-758-4613

A Copy of this Notice Filed With:

Town of Red Hook Planning Board (Lead Agency)
Robert McKeon, Town Supervisor
Red Hook Town Board
Monica S. Wieboldt (applicant)
Patrina A. French (applicant)
NYS DEC Environmental Notice Bulletin: enb@gw.dec.state.ny.us

617.6

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

Name of Action: Rokeby Farm Medium Solar Energy System

Whereas, the applicant proposes to install a roof-mounted medium solar energy system on an existing barn roof located at 7211 Albany Post Road in the AB District in the Town of Red Hook, Dutchess County, New York; and

Whereas, an Environmental Assessment Form (EAF) dated August 28, 2018 was 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)(7) 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 Bill Hamel, and a vote of 6 for, and 0 against, and 1 vacant seat, this resolution was adopted on September 17, 2018.