

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
September 4, 2007

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:51 p.m. and a quorum determined present for the conduct of business.

Members present — David Wright, Charlie Laing, Sam Phelan and Chair Christine Kane. Paul Telesca and John Hardeman were absent. Planner Michele Greig was also present.

BUSINESS SESSION

Addressing the agenda, Christine Kane said that due to conflicts of interest, there was not a quorum present which could take action on the Kesicke/Vosburgh agenda item. Therefore, they had been moved to the September 17th agenda.

Christine Kane announced that a training session would be taking place at the NYSDEC Stony Kill Environmental Education Center on October 2nd. The training is entitled "Planning for Trees in Urban & Community Landscapes." David Wright asked if this would meet training requirements, and Charlie Laing also asked if a previous course he had attended would qualify for his. Patrick Kelly said he would look into it and let them know.

Christine Kane announced that the Board had received a copy of Zoning Law & Practice Report, which would be made available to any members interested in reading it. She also announced that the Board had received several news releases from Dutchess County Executive Bill Steinhaus, and the minutes and agendas from the Town Board, ZBA, and CAC.

PUBLIC HEARINGS

Bruce Cuttler – 34 Vosburgh Road – Lot Line Alteration

Everett White, LS, was present for the public hearing on an application for five Lot Line Alterations to convey a total of 28.592 acres to various adjoining lands, with a remaining lands lot of 12.037 acres, from an existing partial of 40.629 acres, in the RD3 Zoning District of the Town of Red Hook.

Christine Kane read the public hearing notice that appeared August 29, 2007 in the Kingston Daily Freeman.

Everett White gave a brief overview of the plan to the public.

Christine Kane then opened the hearing for public comment. As there was none, she then asked for discussion from the Board.

Charlie Laing expressed concerns about the possibility for further subdivision, and asked whether the parcel was identified as a potential trail. Mr. White clarified that it did seem feasible that the remaining lot with frontage on Vosburgh Road could potentially be subdivided. Sam Phelan said that he did not believe the area was being considered for trails any longer, as adjacent parcels had been developed which would have been necessary to create a trail network.

Sam Phelan asked if the CAC was aware of the project. Christine Kane said that they are sent a copy of the agenda and minutes.

Christine Kane asked if there was any further discussion. As there was none, the Board discussed Part II of the EAF. No potential impacts were identified.

Charlie Laing moved to adopt a negative declaration under SEQR, with the normal set of fee-based conditions. David Wright seconded the motion, and all present voted in favor.

Since there was no further public comment, David Wright moved to close the public hearing. Charlie Laing seconded the motion, and all present voted in favor.

David Wright then moved to approve the application with the usual set of fee-based conditions. Charlie Laing seconded the motion, and all present voted in favor.

Minutes

The minutes of the August 6, 2007 meeting had been sent to the members and reviewed. David Wright made a motion to adopt the minutes as written. Charlie Laing seconded the motion, and all present voted in favor.

Voski Partners, LLC – Kidd Lane (Tivoli) – Subdivision Plat

Mark Graminski, P.E. and L.S., was present for the public hearing on an application for Subdivision Plat (sketch plan) approval to create two (2) residential building lots of 9.464 acres and 9.150 acres from an 18.614-acre parcel, partially in the Village of Tivoli and partially in the RD3 Zoning District of the Town of Red Hook.

Christine Kane read the public hearing notice that appeared August 29, 2007 in the Kingston Daily Freeman.

Mr. Graminski gave a brief overview of the project for the public. He also stated that as the owner of the property, he had voluntarily approached Winnakee Land

Trust in regards to placing a conservation easement with limited building envelopes on the land.

Charlie Laing asked if the project was in an archaeologically sensitive area. Mr. Graminski replied that while it was in the National Historic Landmarks District, he had checked with the State Historic Preservation Office, and that nothing had come back to indicate that it was an area of concern.

Christine Kane asked if the plats now noted the project's proximity to Tivoli's sewage treatment plant, and whether the Village of Tivoli had seen the latest plans. Mr. Graminski confirmed that this was on the plat, as well as a note prohibiting further subdivision, and that he had shown the latest plans to Tivoli.

Dave Wright asked for more details about Mr. Graminski's communications with Winnakee Land Trust. Mr. Graminski said that Winnakee had expressed interest in holding a conservation easement with building envelopes.

Michele Greig asked Mr. Graminski for copies of the driveway permit and common use and maintenance agreement.

Christine Kane asked for comments from the public.

The Board then reviewed Part 2 of the EAF under SEQR. Michele Greig expressed concern that the water table and proposed construction was within three feet of the bedrock. Mr. Graminski replied that in Lot 2, due to the bedrock, some blasting may be required. Ms. Greig requested that the final approval include a statement that any blasting will be conducted according to State and Town law.

Ms. Greig felt that #11 on the EAF Part 2 should be marked, as the project was within the Scenic Corridor Overlay, even though the impact was small to moderate, as the project was not visible from the road.

Ms. Greig also felt that #12 should be marked affirmatively, as the project was within the National Historic Landmark District.

Additionally, Christine Kane expressed concern on #3, given the project's proximity to the White Clay Kill, which is a protected stream. It was generally agreed that if an erosion control plan was required, the impact would be small to moderate.

Charlie Laing moved to adopt the draft neg. dec. as submitted by Ms. Greig, with the additions discussed. Sam Phelan seconded the motion, and all present voted in favor.

Since the board did not have written confirmation from the Village of Tivoli regarding their review of the plans, the public hearing was continued until September 17th to allow for their input..

Mr. Graminski stated that he would provide the driveway permit, common use and maintenance agreement, and a letter from the Village of Tivoli Water Board.

REGULAR SESSION (OLD BUSINESS)

Ulster Savings Bank – 7296 South Broadway – Site Plan

Architect Patrick Roberts and Terry Dodd of Ulster Savings were present to discuss an application for Site Plan Approval to establish a 4,235 sq. ft., one-story bank with associated drive up facilities, site improvements and landscaping, on a 1.604-acre parcel in the B2 Zoning District.

Mr. Roberts addressed a letter from Mr. Wheeler, the Town Engineer, which had laid out a series of concerns regarding the project. Mr. Roberts stated that lighting had been “reduced to acceptable levels”, 25 foot-candles, and that the light poles were now indicated in the parking lot plans.

Mr. Roberts said that the Stormwater Protection Plan and drainage plan had been revised to meet the Town Engineer’s concerns. He also said that the ATM lighting still met safety requirements, but had been reduced from 33 to 11 foot-candles.

Ms. Greig asked for confirmation that the light fixtures would be flush with the canopy. The Board was shown cut sheets indicating that this would be the case.

Mr. Roberts stated that the Town Engineer had also expressed concern about sight distances. He said that while they seemed to be more than sufficient, he had not heard back from the Highway Superintendent.

Mr. Roberts also stated that the drainage grates would be flush with the pavement to alleviate ponding, both internally and on curb cuts.

In response to suggestions from the CAC, Mr. Roberts said that Cork trees had been selected for the project’s frontage along Route 9, and that Winter Hawthorn had been selected along Metzger Road.

In response to the Board’s concerns at previous meetings, Mr. Roberts said that the plans now included a design for the dumpster enclosure, which was to include a split- front gate. Christine Kane asked if wheels could be included in the center to prevent sagging. Mr. Roberts and Mr. Dodd generally agreed that this could be done.

Christine Kane noted that Department of Health, Department of Transportation, and Village Water Board approval was still outstanding. Mr. Roberts noted that

the Department of Transportation had requested that the Route 9 exit now allow for both north- and southbound traffic.

Christine Kane discussed an earlier letter received from the Town Engineer, regarding the possibility that the Highway Superintendent may want four feet added on to Metzger Road, widening it to twenty feet for the duration of the northern property line. Board members at the August 6, 2007 meeting had asked what it was possible for the Board to require. Christine Kane has referred the matter to Keane and Beane's for review and received a letter with the opinion that the Board can require conditions that are supported by the record and have a nexus to the project. In this instance, that would require that the record support the determination that the level of traffic service on Metzger Road and at its intersection of Route 9 will be adversely affected because of the project. However, she said that the current record does not indicate that a detrimental change can be expected.

Christine Kane said that the Board could suggest that the sidewalk and trees be moved back four feet, so as not to inhibit future widening. Mr. Roberts noted that the sidewalk and tree lawn were already five feet from the property line, and from there, another four to five feet from the edge of the road. He felt that overall, the sidewalk and tree lawn were already eight to ten feet from the road, but that he had no immediate objection to planning for another four feet.

Michele Greig asked to confirm that non-essential lighting would be turned off after hours. Mr. Roberts confirmed that this had been added, and also that the plan specified what would remain on after hours.

Michele Greig and the Board reviewed a draft approval resolution. The Board generally agreed to make it a condition of approval that the applicants meet all the requirements set out in the Town Planner's memo of July 13, and the Town Engineer's letter of July 30. Additionally, Highway Superintendent, Department of Health, Department of Transportation, and Village Water Board approval would be required. Ms. Greig also asked that materials, colors, and the maintenance schedule be placed on the site plan.

David Wright made a motion for site plan approval with the discussed conditions. Charlie Laing seconded the motion, and all present voted in favor.

Leone & Migliorelli (Linden West) – Linden Avenue – Subdivision Plat

Tim Ross, PE, Mark Graminski, PE and LS, and Christine Chale, Town Attorney, were present for discussion of possible revisions to minor subdivision to create three (3) residential building lots and a remaining lands lot from an approximately 120.4-acre parcel in the R1.5 Zoning District and the Certified Agricultural District.

Mr. Ross explained that the new layout was meant to allow for more fields, and also for proper placement of the baseball and softball fields. He said that there was currently less than one-tenth of an acre of wetland fill required, and that one ball field would remain tentative because of its placement near wetlands. He stated that parking for ninety cars was currently shown, as well as a trail to Linden Acres.

Michele Greig asked if there was currently any proposed lighting. Mr. Ross responded that there was not.

Christine Kane asked if the Rec. Committee had provided statistics indicating a need for this many fields. Mr. Ross said that a letter from Tom Cassada at the High School, and his own personal experience, indicated that the need was there.

David Wright asked if the proposed fields would replace the ones at Greig Farm. Mr. Ross replied that that was the intent, as the fields at Greig Farm were not meant to be permanent.

Mr. Ross said that it would likely be a stone parking lot until money was available for paving, and that no lighting was proposed at this time.

Christine Kane reviewed the purpose of this revision request was solely to reposition Lot 2 so that it would be along Linden Avenue. Christine Chale confirmed this, and stated that the Town was hoping it would be a minor amendment to subdivision.

Mark Graminski said that they would still pursue town water for the new residential lots, that he felt the sight distance more than satisfactory in both directions, and that the Department of Public Works criteria had been met, though they still had to meet with DPW. He said that based on the soils map, the SDS should be satisfactorily located for the new proposed location of Lot 2, but that if they went ahead with the amendment, test holes would be dug. He also confirmed that while the project was outside of the Town Water District, the Water Board had expressed a willingness to extend service to them.

At Charlie Laing's and Sam Phelan's request, Christine Chale clarified that Lot 3 would be Town lands.

Michele Greig said that she would review the neg. dec. and determine if the project was consistent with findings, and could simply be amended, or if the Board would need to rescind it.

Charlie Laing inquired as to whether an easement would be placed on the remaining lands in Lot 3. Christine Kane and Christine Chale said that the Lot 3 would be purchased specifically for recreational use, but that the note could still

be placed on the subdivision map. Christine Kane said that she would call Keane and Beane about this particular situation, as the cluster regulations require a conservation easement. Michele Greig said that under the cluster regulations, the ball fields were an allowed usage to remove the requirement for a conservation easement.

The Board generally agreed that it was comfortable with the configuration presented.

Michele Greig stated that there would probably need to be another public hearing.

Christine Kane tentatively scheduled the public hearing for October 1st, pending reception of revised maps. She asked that, as per the Board's discussion, the revised plans include a note providing for either an easement or permanent recreational usage, under the requirements of the cluster regulations. She also noted that the Board would need a common access agreement for Lots 1 and 3.

Michele Greig noted that the subdivision regulations require Department of Health approval, but that this can be a condition of Planning Board approval. She also said that she would work on the language for the cluster regulation note.

REGULAR SESSION (NEW BUSINESS)

Stephan Lueck – Budds Corners Road – Lot Line Alteration

Everett White, LS, and owners Stephen and Michael Lueck, were present for the presentation of an application for a Lot Line Alteration to convey a total of 1.603 acres to an adjoining lot, with a remaining lands lot of 15.16 acres, from an existing parcel of 16.76 acres, in the RD3 Zoning District of the Town of Red Hook.

Mr. White stated that the purpose of the lot line adjustment was to give more frontage on Budds Corner Road to a former Central Hudson parcel. Mr. Lueck said that the lot line alteration was meant to mitigate concerns over a shared driveway with a neighboring lot. He felt that the additional frontage would make it easier for the parcel to have its own driveway if necessary.

Michele Greig stated that as the project was within the RD3 Zoning District, it was required to have a minimum of 160' of frontage but must also have 240' of width at the setback line. She said that since the applicants owned the adjacent property this could easily be remedied by re-configuring the adjustment area to meet the requirements.

The applicants stated that they are selling the parcel as a single lot, but would like to be able to market it as being subdividable.

Christine Kane advised that the applicants revise their maps and come back before the board.

Michele Greig referenced her memo on the subject, which discussed the lot frontage and width requirements, as well as details regarding what information should be on the plans.

The Board stated that physical features of the lot and deed information must be provided before SEQR could be initiated.

The public hearing was tentatively set for October 1st, pending the submission of revised plans ten days prior to the meeting, pursuant to the Board's policies and procedures. The Board authorized Patrick Kelly, Assistant Clerk, to ensure that the requested alterations had been made, particularly as regarding the 240' lot width and appropriate presence of legends on the plans. The Board also requested that the applicants provide the easement documentation concerning a right-of-way with the adjacent neighbor, Mr. Choinsky, and that the Agricultural Data Statement be circulated. Additionally, the Board requested that a copy of the new plans be sent to the Town Engineer for review.

The members of the Board generally agreed to grant sketch endorsement.

OTHER BUSINESS

Sycamore Acres

Christine Kane read a letter from the Sieverdings requesting that a 90-day extension be granted to the Sycamore Acres subdivision, retroactive from August 31, 2007. She noted that this would be the second extension, and that the Board could not grant any extensions beyond this.

Michele Greig noted that the engineering requirements had been submitted and that, as this was a nonrealty subdivision, Department of Health approval was not required.

Christine Kane noted that, by her understanding, the delay in meeting the approval conditions was due to the conservation easement. She said that, as she understood the matter, the Sieverdings did not intend to pay the Winnakee Land Trust fees for the conservation easement required by the Planning Board. She noted that the Sieverdings had not asked the Town to hold the easement, as this had only recently become a possibility.

David Wright made a motion to grant the requested 90-day extension, retroactive from August 31. Charlie Laing seconded the motion, and all present voted in favor.

SEQR Process

Betty Mae Van Parys had asked to remind the Board that when sketch endorsement is being given, it is by general consensus, and that they are not voting individually. She also expressed concern that SEQR was being initiated too early in the application, prior to sketch endorsement.

Michele Greig stated that, by her understanding, the regulations require that SEQR begin before sketch endorsement. Christine Kane stated that she felt this helped to ensure that the applicant was making requested changes.

After some discussion, there was a general consensus that the process should begin with sketch endorsement, and then proceed to SEQR.

ADJOURNMENT

Since there was no further business to come before the Board, Sam Phelan made a motion to adjourn. Charlie Laing seconded the motion, and all present voted in favor. The meeting was adjourned at 10:20 PM.

Respectfully submitted,

Patrick Kelly
Assistant Clerk

Attachments

Negative SEQR declaration for the Cuttler Lot Line Alteration
Resolution granting Conditional Final Approval for Cuttler Lot Line Alteration
Negative SEQR declaration for the Voski Partners LLC Subdivision
Resolution granting Conditional Site Plan Approval to Ulster Savings Bank

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: September 4, 2007

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: Bruce & Joanne Cuttler Lot Line Alteration

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicants, Bruce and Joanne Cuttler, seek to convey a total of 28.592 acres to various adjoining lands, with a remaining lands lot of 12.037 acres, from an existing parcel of 40.629 acres, in the RD3 Zoning District of the Town of Red Hook.

Location: Vosburgh 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 July 9, 2007, 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. After reviewing the application for lot line alteration, dated July 9, 2007, the Planning Board has concluded that there will be no significant environmental impacts.

For Further Information:

Contact Person: Betty Mae Van Parys, 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)

Marirose Blum Bump, Town Supervisor

Town of Red Hook Town Board

Bruce and Joanne Cuttler

**Town of Red Hook Planning Board
Resolution Granting Final Approval in the Matter of the Bruce and Joanne Cuttler
Lot Line Alteration at 34 Vosburgh Road in the RD3 Zoning District**

September 4, 2007

Motion made by David Wright
Seconded by Charlie Laing

The Town of Red Hook Planning Board hereby acts as follows on the July 9, 2007, application by Bruce & Joanne Cuttler for Subdivision Plat Approval/ Lot Line Alteration involving the intended transfer of a 15.827-acre portion of a 40.629-acre parcel belonging to Bruce & Joanne Cuttler with frontage on 34 Vosburgh Road, in the RD3 Zoning District (TMP 6374-00-533251) to and for merger with the adjacent lands of "Joanne Cuttler" (TMP 6374-00-575216), and the intended transfer of a 2.5-acre portion of the 40.629-acre parcel to the adjacent land now or formerly of "James Meddaugh" (TMP 6374-00-546300), and the intended transfer of a 4.5-acre portion of the 40.629-acre parcel to the adjacent land now or formerly of "Richard and Barbara M. Rizzolo" (TMP 6374-00-630229), and the intended transfer of a 3.686-acre portion of the 40.629-acre parcel to the adjacent land now or formerly of "Lila Mukamal and Robert Persky" (TMP 6374-00-672237), and the intended transfer of a 2.078-acre portion of the 40.629-acre parcel to the adjacent lands of "Lila Mukamal and Robert Persky" (TMP 6374-00-700235), with remaining lands of 12.037-acres, all as depicted on a Survey Map entitled 'Lot Line Alteration prepared for Bruce and Joanne Cuttler', prepared by Marie Welch, L.S., and dated July 6, 2007.

1. Determines in consideration of the Short EAF, and the 'criteria for determining significance' set forth at Title 6 Part 617.7.c NYCRR that the Proposed Action, an 'Unlisted Action' under SEQR, will not cause any potential significant adverse effects on the environment and, thus, issues a Negative Declaration deeming an environmental impact statement will not be required.
2. Approves the Application for Minor Subdivision / Lot Line Alteration' and authorizes the Chair to stamp and sign the Subdivision Plat upon the Applicant's satisfaction of each of the below conditions and/or requirements within the next one hundred eighty (180) calendar days:
 - a. Stamping of the Subdivision Plat as a 'non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
 - b. 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 stamps and signatures.
 - c. Payment of any outstanding fees or reimbursable costs due the Town of Red Hook.

d. Submission of an acceptable draft of a consolidation deed intended for recording in the Dutchess County Clerk's Office immediately upon filing of the Subdivision Plat whereby the subdivided 15.827-acre, 4.5-acre, 3.686-acre, 2.5-acre and 2.078-acre portions of the land of Bruce and Joanne Cuttler (TMP 6374-00-533251) would be merged with the adjacent parcels to obviate what would otherwise be the creation of non-complying parcels through this act of subdivision plat approval.

In taking this action the Planning Board has determined there to be no new residential building lots or dwelling unit sites created and, thus, deems not applicable to this Application requirement for set-aside of recreation or other open space land or the alternate payment of a cash-in-lieu-of-land recreation fee.

Roll Call Vote:

Member John Hardeman	absent
Member Charles Laing	yes
Member Sam Phelan	yes
Member Paul Telesca	absent
Member David Wright	yes
Chair Christine Kane	yes

Resolution declared: **APPROVED**

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

_____ Patrick Kelly, Assistant Clerk to the Board	_____ Date
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617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: September 4, 2007

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: Voski Partners Subdivision

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: YES
NO

Description of Action: The applicant proposes to subdivide a ±18.614 acre parcel located in the RD5 Zoning District and the Scenic Corridor Overlay (SC-O) District into two (2) residential building lots ±9.464 and ±9.150 acres in size. The lots will be served by individual wells and septic systems and will be accessed from Kidd Lane. A portion of the subject lands are located in the Village of Tivoli; however no subdivision of lands within the Village is proposed.

Location: Kidd Lane, Town of Red Hook, Dutchess County New York

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 Environmental Assessment Form (EAF) for the action dated June 20, 2005 and revised July 5, 2006, the Planning Board has concluded that the 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 is located in the Hudson River National Historic Landmark District, which is on the State and National Registers of Historic Places. No structures that are contributing features to the Historic District are located in proximity to the site, and all proposed structures on site will be screened from view from adjacent public roadways by existing vegetation and topography. No significant adverse impacts on historic resources are anticipated.
4. The subject lands are located on Kidd Lane, which is a designated scenic corridor and is located within the SC-O District. The proposed house locations are in excess of 1,000 feet from the road and are located within wooded areas on the site. Based on these factors, the proposed action will not result in any significant adverse visual impacts.
5. The project site is located adjacent to the White Clay Kill, which is a protected stream. The proposed septic fields will be located in excess of 100 feet from the stream. Erosion control measures will be utilized during construction of the project to prevent sedimentation of the stream. Based on these factors, the proposed action will not result in any significant adverse impacts on surface waters.
6. The project site is located within the Town's Local Waterfront Revitalization Area. In accordance with Section V.C.1 of the Town's Local Waterfront Revitalization Program (LWRP), the Planning Board has reviewed the LWRP policies and has determined that the proposed action is consistent with the coastal policies.

For Further Information:

Contact Person: Betty Mae Van Parys, 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)

Marirose Blum Bump, Town Supervisor

Town of Red Hook Town Board

Village of Tivoli Board of Trustees

Dutchess County Department of Health

Voski Partners LLC, applicant

NYS DEC Environmental Notice Bulletin
enb@gw.dec.state.ny.us

Resolution Granting Site Plan Approval to Ulster Savings Bank

Name of Project: Ulster Savings Bank Red Hook Branch

Name of Applicant: Ulster Saving Bank

Whereas, the applicant has submitted an application for Site Plan approval dated February 2, 2007, to the Town of Red Hook Planning Board to construct a 4,235 square foot, one-story bank with a 1,432 square foot drive-up canopy, and associated site improvements including parking for 29 vehicles, sidewalks, landscaping, signage, lighting, stormwater treatment facilities, an on-site subsurface sanitary sewage disposal system, and connection to the Village of Red Hook municipal water supply on a ±1.604 acre parcel of land (TMP# 134889-6272-00-288312-0000) located at 7296 South Broadway, in the Business 1 (B1) Zoning District in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted a Site Plan (10 Sheets dated June 8, 2007 and revised July 6, 2007 and August 10, 2007); and

Whereas, on April 16, 2007, the Planning Board, after duly circulating the project application and Short Environmental Assessment Form (EAF) to all Involved Agencies, was designated the lead agency for the purpose of conducting a coordinated review of an Unlisted action pursuant to SEQR; and

Whereas, on May 7, 2007, the Planning Board, in consideration of the Short EAF and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c) determined that the proposed action will not cause any potential significant adverse impact on the environment, and thus issued a draft Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, it was determined that the application required referral to the Zoning Board of Appeals for four (4) area variances; and

Whereas, on May 9, 2007, the Zoning Board of Appeals conducted a public hearing on the area variance applications at which time all interested persons were given the opportunity to speak; and

Whereas, on May 9, 2007, the Zoning Board of Appeals issued its Findings and Decision granting the applicant four (4) area variances, which decision the Zoning Board of Appeals amended for clarification regarding the front yard setback from Metzger Road on June 13, 2007;

Whereas, on June 20, 2007, the Planning Board referred the application for Site Plan approval to the Dutchess County Department of

Planning and Development for review under General Municipal Law § 239m, and the Dutchess County Planning Department in its review dated July 13, 2007 made comments regarding the building placement and technical design aspects, and recommended that the Planning Board rely upon its own study of the facts in the case; and

Whereas, on July 16, 2007, the Planning Board conducted 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 now wishes to grant Site Plan approval to Ulster Savings Bank to construct a 4,235 square foot one-story bank with a 1,432 square foot drive-up canopy and associated site improvements, on a ±1.604 acre parcel of land located at 7296 South Broadway.

Now therefore be it resolved, that the Planning Board grants Site Plan approval to Ulster Savings Bank to construct a 4,235 square foot one-story bank with a 1,432 square foot drive-up canopy and associated site improvements on a ±1.604 acre parcel of land located at 7296 South Broadway in accordance with the plans and specifications heretofore submitted upon the following conditions:

1. That the applicant obtains the permits and approvals from the following agencies: Dutchess County Department of Health; NYS DOT for access from Route 9 and work in the right-of-way; Village of Red Hook Water Board for connection to municipal water supply.
2. That the applicant implement the environmental mitigation measures contained in the Negative Declaration.
3. That the Site Plan be amended to move the proposed sidewalk and tree lawn located parallel to Metzger Road along the length of the northern property boundary, four (4) feet further south.
4. That the Site Plan be amended to include the maintenance schedule for landscaping, and the details regarding materials and colors outlined in the March 22, 2007 letter from the applicant's architect Optimus Architecture.
5. That the applicant address the comments of D.F. Wheeler's memo dated July 30, 2007 to the satisfaction of the Town Engineer, and the Greenplan memo dated July 13, 2007 to the satisfaction of the Town Planner.
6. That the applicant will post a performance bond in a form acceptable to the Town and in the amount to be determined by the Planning Board, as recommended by the Town Engineer, for public improvements.
7. That the applicant will post a cash security with the Town in the amount determined by the Planning Board, as recommended by

the Town Engineer, for engineering inspections of public improvements.

8. That the Town of Red Hook Highway Superintendent inspects the proposed driveway locations and determines that they are within the site distance guidelines found in the Town Highway Specifications and are acceptable to the Town of Red Hook Highway Department.
9. That a Certificate of Occupancy (CO) will not be issued unless all proposed improvements have been completed in accordance with the approved Site Plan. In the event that a CO is requested prior to completion of the proposed landscaping only, a cash bond will be posted to ensure completion of the landscaping in accordance with the approved Site Plan.
10. Payment to the Town of Red Hook of any outstanding fee amounts and reimbursement to the Town of costs incurred in reviewing the application.
11. Submission of Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required stamps and signatures.

In taking this action, the Planning Board has determined that no new residential building lots or dwelling unit sites 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 David Wright, seconded by Charlie Laing and a vote of 4 in favor, 0 against, and 2 absent.

Roll Call Vote:

Chairwoman Christine Kane	yes	
Member John Hardeman		absent
Member Charles Laing	yes	
Member Sam Phelan	yes	
Member Paul Telesca	absent	
Member David Wright	yes	

Resolution declared: Approved on 09-04-07

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

Patrick Kelly, Assistant Clerk to the Board

Date