

**TOWN OF RED HOOK PLANNING BOARD
APPROVED MEETING MINUTES
January 9, 2017**

CALL TO ORDER / DETERMINATION OF QUORUM

Christine Kane called the meeting to order at 7:30 pm. She said one item, a request for an extension on conditional final approval from Hoffman TND, was added under Other Business. A quorum was determined present for the conduct of business. Members present: Christine Kane, Charlie Laing, Sam Phelan, Sam Harkins and Brian Kelly. Also present was planning consultant Michele Grieg and engineering consultant Brandee Nelson. Lisa Foscolo and Kallie Robertson were absent.

Brian Kelly made a motion to approve the minutes of the December 19 meeting. Charlie Laing seconded and all members voted in favor.

Ms. Kane announced that a training webinar entitled Resilient Waterfronts for Climate Smart Communities will be offered Jan. 12, 10:30am – 12:30 pm.

PUBLIC HEARING

Teviot LLC / 245 Woods Road – Special Permit

Public Hearing on application to remove trees within 1000 feet of the Hudson River on a 62.91 acre parcel in the WC Zoning District, the Scenic Corridor Overlay Zoning District and the National Historic Landmarks Overlay Zoning District.

Attorney Jon Adams, property manager Mark Barry and applicant Matt Nye were present. Stefan Yarabeck, the Board's landscape architect consultant, was also present.

Christine Kane read the public hearing announcement that was published in the Poughkeepsie Journal and the Daily Freeman.

Mr. Adams gave an overview and history of the project. Ms. Kane clarified for the public that the Special Permit is for the removal of trees rather than the planting of replacement trees. She also clarified that Mr. Yarabeck had been retained by the Planning Board as a consultant, and the Board had authorized him to work directly with the applicants on the re-planting plan.

Mr. Yarabeck described the plan to mitigate the loss of 75 trees on the property. He said the proposed plan to plant 85 trees would restore plantings in the tidal zone, restore wildlife habitats and recreate the original historic 'romantic' landscape. He said an active, vibrant eagle nesting site is in the area, which has not been disturbed and will continue to be protected. He described the various trees that are proposed to be planted.

Mr. Barry reviewed the management plan. Ms. Kane asked if there were any questions or comments from the public. Linda Keeling, 238 Pitcher Lane, asked if the applicants had been fined by the town for the unauthorized removal of the trees. She also commented that although the Tree Preservation Committee had been made aware of the violation, they were not invited to provide comments to the Planning Board. She said local law requires the board to include comments and recommendations from the Tree Preservation Committee.

Ms. Kane responded that the Planning Board had referred the violation to the Town Board, the only entity authorized to impose fines. She said the Town Board did not take action. Ms. Keeling said she felt that the law should have been enforced. She added that the Tree Preservation Committee has had no input in the proposed mitigation plan, and the SEQR had not been completed.

Ms. Kane agreed that SEQR had not yet been completed, and added that the Planning Board is not required by town law to refer the project to the Tree Preservation Committee. She said that with all due respect to the Tree Preservation Committee, the Board at the time decided instead to hire Mr. Yarabeck as their consultant.

Paul Csorba of Edgewood Drive agreed that the applicants should have been fined by the Town. Ms. Kane said that with regard to fines, according to section 128-7 in the Town Code, which Ms. Keeling had referenced, fines may be applied only to the removal of trees on public property and the town's right of way. Mr. Csorba asked if the applicants could be fined for not obtaining a permit before cutting down the trees. Ms. Kane said the applicants were instructed to obtain a special permit, and in the process, the Planning Board had notified the Town Board to consider whether fines should be levied, but the Town Board did not act.

Ms. Keeling asked if the Zoning Enforcement Officer could monitor how the special permit was carried out. Ms. Kane replied he could. Ms. Keeling asked if he could contact the Tree Preservation Committee. Ms. Kane replied that he could.

The Board reviewed comments provided by Michele Grieg and a SEQR Draft Negative Declaration.

Ms. Kane asked if there were any comments from the public. There were none. Sam Harkins made a motion to close the public hearing. Brian Kelly seconded and all members voted in favor. Sam Phelan made a motion to adopt the Negative Declaration. Sam Harkins seconded and all members voted in favor.

The Board reviewed a draft SEQR part 3, and a draft approval resolution. Sam Phelan made a motion to adopt the approval resolution with clarifications in Condition E concerning the management plan. Sam Harkins seconded and all members voted in favor.

OLD BUSINESS

Shafer's Hudson Valley – 8053 Albany Post Road – Site Plan, Special Permit

Continued discussion of revised sketch plan application to renovate and expand an existing 10-room motel to a 20-room motel on a 5.992 acre parcel, of which 2.3 acres are located within the B1 Zoning District and the remaining 3.6 acres are located within the RD3 District.

Vanessa Shafer and Engineer Robert Sasser were present. Ms. Shafer said the proposed project has been revised significantly. She described the revisions for Board members. The proposal now has 20 motel rooms, a one-bedroom apartment, and a reception building with offices and a common area for guests. Ms. Shafer indicated the new and existing guest rooms on the site plan. She said a pool is proposed but they may not install it until later if at all. She said she was also considering installing an orchard as a buffer to neighbors. She described the colors and materials that would be used in the construction, as well as the parking and patio surfaces proposed.

Christine Kane asked town engineer Brandee Nelson to review her comments dated 1-6-17. Ms. Nelson discussed permits that would be required from other agencies, including the NYS Department of Conservation (NYS DEC) and the county Department of Health (DOH). She recommended town emergency services be consulted on the site plan, and listed additional details that should be included on the site plan.

Ms. Kane asked planning consultant Michele Grieg to review her comments dated 1-6-17. Ms. Grieg recommended that the EAF be revised before the Board circulates for Lead Agency for SEQR. She reviewed comments concerning the wetlands and habitats, and recommended the applicants verify that the separation distances of the buildings meet the requirements of section 143-9 of the zoning law.

Ms. Grieg indicated some discrepancies in the area and bulk requirements and discussed parking requirements.

Sam Phelan made a motion to adopt a resolution to serve as lead agency for SEQR. Sam Harkins seconded and all members voted in favor.

Ms. Shaffer said she would submit a revised EAF after discussing the revisions with her engineer. The Board and applicants also discussed the required lighting plan, and the progression of the review process.

Attorney Genevieve Tiggs of Whiteman, Osterman & Hanna, LLP introduced herself to the Board and said she represents several neighbors to the proposed project who are concerned about the scope, scale and intensity of the project, particularly the water usage. She requested that she and her clients be allowed to participate in the review process and provide meaningful comment.

Ms. Kane informed the Board that her employer retains the services of Whitman Osterman & Hanna, and asked the Board if they felt she should recuse herself from review of this project due to that relationship. The Board generally agreed there was no need for Ms. Kane to recuse herself. Ms. Kane told Ms. Tiggs that the Board would take her comments into consideration. Ms. Shafer commented that the scope of the project is designed around what the property is zoned for and what is allowed by the Town Zoning code.

NEW BUSINESS

Barry Kramer, 124 North Road, Tivoli – Certificate of Appropriateness

Presentation of application to demolish an existing circa 1980 house on a 4.63 acre lot in the Historic Overlay District.

Barry Kramer was present. Christine Kane said the project had been referred to the Design Review Committee, and the Committee has recommended that a Certificate of Appropriateness be granted, although some members questioned the reasoning behind the demolition.

Mr. Kramer distributed photos of the building proposed to be demolished, as well as an architectural report. He said the building has major structural problems as well as plumbing and maintenance issues. He said it could cost more to save the building than build a new one. He said he would salvage what is salvageable, and would he construct a home complementary to the neighborhood. He said he is aware that the new construction is also subject to review for a Certificate of Appropriateness as well.

The Board generally agreed that neither a public hearing nor further review by the Design Review Committee would be necessary.

Charlie Laing made a motion to classify the proposed project as a Type II Action, meaning no further review under SEQR is required. Sam Harkins seconded and all members voted in favor.

Charlie Laing then made a motion to grant the Certificate of Appropriateness. Sam Harkins seconded and all members voted in favor.

OTHER BUSINESS

Jaeger Haus – Update

Emily Carvajal and Andreas Nowara were present. They said that they plan to submit an application for Amended Site Plan because they had to make significant changes to their septic system to satisfy the Department of Health, and other changes related to Department of Transportation permitting. These resulted in changes to the site plan, particularly the parking lot. They reviewed the revised site plan with the Board. The Board agreed to recirculate the project to the County and put the project on the Feb. 6 agenda.

Greenway Guide 2016 Updates LWRPCD

The Board reviewed a Local Waterfront Revitalization Program Consistency Determination (LWRPCD) for the 2016 Greenway Guide Updates. Sam Phelan made a motion to adopt it. Sam Harkins seconded and all members voted in favor.

Extension Request - Hoffman TND

Christine Kane read a letter from Jennifer Van Tuyl, attorney for the Hoffman Project, requesting a six month extension on both site plan and subdivision approval. Charlie Laing made a motion to grant the extension as requested. Brian Kelly seconded and all members voted in favor.

ADJOURNMENT

There being no further business to come before the Board, Charlie Laing made a motion to adjourn. Sam Harkins seconded and all members voted in favor.

Respectfully Submitted,

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

Kathleen Flood
Secretary

617.7

State Environmental Quality Review (SEQR)

Negative Declaration

Notice of Determination of Non-Significance

Date of Adoption: January 9, 2017

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: Teviot Tree Removal

SEQR Status: Type I ☒
Unlisted ☐

Conditioned Negative Declaration: ☐ YES
☒ NO

Description of Action: The proposed action is an application by Teviot Property LLC for a Special Permit from the Town of Red Hook Planning Board to remove 75 trees within 1,000 feet of the Hudson River on a $\pm$ 62.9 acre parcel of land located in the Town's Waterfront Conservation, Scenic Corridor Overlay, and Historic Landmarks Overlay Zoning Districts. As part of a prior application for a Special Permit for a swimming pool on the subject property, the Planning Board in June 2009 approved the removal of seven (7) trees on the property to restore the property's original landscaping. The applicant subsequently removed a total of 75 trees without a Special Permit from the Planning Board, and on January 24, 2012 the applicant was notified by the Town's Zoning Enforcement Officer that a Special Permit was required pursuant to § 143-30 of the Town Zoning Law, which states that any development within 1,000 feet of the high water mark of the Hudson River shall be subject to special permit review. The applicant subsequently applied to the Planning Board for a Special Permit for the removal of the 75 trees and for a Vegetation Management Plan including the planting of 85 trees, in order to restore the designed landscape and historic viewshed.

Location: 40 Davis 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 December 8, 2016 and revised December 19, 2016, 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. A portion of the property has slopes of 15% or greater. Although most of the tree removal occurred along the top of the bluff, some trees were removed from an area of the property with slopes of 15% or greater. This area was revegetated with grasses and all tree stumps were left in place to prevent soil erosion and slumping. Subsequent to tree removal, saplings have grown up from the stumps and the area has significantly revegetated. No further cutting in this area will occur other than the selective forestry to promote the growth of native trees and vegetation. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on land.
4. The project site is located in an area that has been identified as having potential habitat for Indiana bat (*Myotis sodalis*), an endangered species, and Bald eagle (*Haliaeetus leucocephalus*), a threatened species. The property is located approximately 20 miles northeast of abandoned mines where Indiana bats hibernate, which is within the potential seasonal migration distance for this species. Indiana bat typically day roost in the summer in roost trees in riparian, bottomland, and upland forests. Roost trees are most often snags (i.e., dead trees) with variable amounts of exfoliating bark. Suitable habitat also includes split tree trunks, split branches, holes, cracks, crevices or hollow trunks or branches. Live shag-bark trees are also used. To avoid impacts to Indiana bats, the Vegetation Management Plan for the property stipulates that removal and trimming of live shagbark hickory and butternut hickory trees and of dead or partially dead trees of any species shall be limited to the period from October 1 to March 31, as recommended by the NYSDEC and US Fish and Wildlife Service. In addition, seedlings of Shagbark hickory and Butternut hickory trees will be retained on site to create future Indiana bat habitat. There is an active bald eagle nest on the property and bald eagles also winter along the river. No impacts to Bald eagles have occurred as a result of the tree removal that has occurred on the site; Bald eagles continue to breed in the nest on-site. To ensure that no impacts on Bald eagles will occur as a result of future landscape maintenance on the site, the Vegetation Management Plan for the property stipulates that the American Bald Eagle Nesting Area on site shall be protected by a 350' radius protection zone where no motorized apparatus shall be permitted from March 1 through November 30. The Town has contacted the NYSDEC who has indicated a permit is not required where activity complies with the State Bald Eagle Conservation Plan and the National Bald Eagle Management Guidelines. To ensure compliance, the Applicant will submit the Vegetation

Management Plan to the NYSDEC Region 3 Permit office for Jurisdictional Determination. White pine trees shall be planted in the vicinity of the nesting site to provide for the next generation of eagle roostings. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on plants and animals.

5. The project site is adjacent to a designated Significant Coastal Fish and Wildlife Habitat, which is part of the NYS's Coastal Management Program. No disturbance to the designated habitat is proposed, and the Planning Board has determined that no impacts to species of conservation concern will occur as a result of the action.
6. The project site is located within an area that has been identified as sensitive for prehistoric activity by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). Tree removal has left stumps in place, and therefore, no ground disturbance that might impact archaeological sites has occurred. The Vegetation Management Plan stipulates that no stumps shall be removed from the site. Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on archaeological resources.
7. The project site is located in the Hudson River National Historic Landmark District, which is on the State and National Registers of Historic Places. It is also included in the Estates District Scenic Area of Statewide Significance (SASS), one of the defining features of which is the collection of large estates with their designed landscapes and many undisturbed natural features. Teviot is specifically listed as one of the estates whose landscape was designed in the American Romantic Landscape Style, "an environmentally sensitive movement that originated in New York State and provided the foundation for national trends in landscape design and the 19th century urban parks movement." These estates were designed by renowned landscape architects, such as Calvert Vaux, Andrew Jackson Downing, and the Olmsted Brothers. The proposed Site Plan will plant 85 trees to replace 75 mature trees that the applicant previously removed. The proposed plantings include a mix of native evergreens (White Pine), flowering understory trees (Shadblow, and Dogwood), and future generation shade trees, (Maple and White Oak), which are complementary in color and have been selected and located to restore the romantic landscape. The species and location of the proposed plantings have been reviewed by the Planning Board's landscape architect Stephen Yarabek of Hudson & Pacific designs, who has determined that the proposed plantings will frame vistas to the Hudson River consistent with the original romantic landscape design. This is consistent with the community standards in the Town of Red Hook Historic Landmark Overlay District, which states that within this Overlay District, "formal and informal landscaping shall be restored whenever feasible [taking into consideration] original design and subsequent modifications to the landscaping, current conditions, historic quality and overall relationship to the character of the overlay district." Based on the foregoing, the proposed action will not result in any significant adverse environmental impacts on historic resources.

8. The subject property is located on Woods Road, which is in the Town's Scenic Corridor Overlay District. The area in which trees have been removed and where trees will be replanted is not visible from Woods Road. The Planning Board has determined that no significant adverse impacts on scenic resources will occur as a result of the action.
9. 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: 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)

Teviot Property LLC (applicant)

Robert McKeon, Town Supervisor

Town of Red Hook Town Board

Any person who has requested a copy

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

Resolution Granting Special Permit Approval to Teviot Tree Removal

Name of Project: Teviot Tree Removal

Name of Applicant: Teviot Property, LLC

Whereas, the Town of Red Hook Planning Board has received an application for Special Permit approval from Teviot Property, LLC dated February 22, 2012 to remove 75 trees within 1,000 feet of the Hudson River on a $\pm$ 62.9 acre parcel of land (Tax Map Parcel No. 134889-6175-00-270556-0000) in the Waterfront Conservation, Scenic Corridor Overlay, and Historic Landmark Overlay (HL-O) Districts in the Town of Red Hook, Dutchess County, New York; and

Whereas, in June 2009 as part of a prior application for a Special Permit for a swimming pool on the subject property, the Planning Board approved the removal of seven (7) trees on the property to restore the property's original landscaping; and

Whereas, the applicant subsequently removed a total of 75 trees without a Special Permit from the Planning Board, and on January 24, 2012 the applicant was notified by the Town's Zoning Enforcement Officer that a Special Permit was required pursuant to § 143-30 of the Town Zoning Law, which states that any development within 1,000 feet of the high water mark of the Hudson River shall be subject to special permit review; and

Whereas, on February 22, 2012, the applicant applied to the Planning Board for Special Permit approval for the removal of the 75 trees and for a Vegetation Management Plan (entitled "Site Plan"), dated October 28, 2014 and last revised December 19, 2016, including the planting of 85 trees, in order to restore the designed landscape and historic viewshed; and

Whereas, the Planning Board has reviewed the application for Special Permit against the general standards for a special use permit found in § 143-51 of the Town of Red Hook Zoning Law and with the specific standards for development within 1,000 feet of the high water mark of the Hudson River found in § 143-30 and for development within the Historic Landmarks Overlay District found in § 143-46 and has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, on December 19, 2016, the Planning Board declared itself the lead agency for the purpose of conducting a review of a Type 1 action pursuant to SEQR; and

Whereas, the on December 19, 2016, Planning Board reviewed the Town's Local Waterfront Revitalization Program (LWRP) plan in accordance with Section V.C.1 of the LWRP and determined that the proposed action is consistent with the coastal policies; and

Whereas, on January 9, 2017, the Planning Board, in consideration of the Full EAF and the 'criteria for determining significance' set forth in 6 NYCRR Part 617.7(c) determined that the proposed project will not cause any potential significant adverse impacts on the

environment, and thus issued a Negative Declaration deeming an environmental impact statement need not be prepared; and

Whereas, on January 9, 2017 the Planning Board conducted a duly noticed public hearing on the Special Permit application at which time all interested persons were given the opportunity to speak and the Planning Board closed the public hearing on January 9, 2017; and

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

NOW THEREFORE BE IT RESOLVED, that the Planning Board has determined that no new residential building lots or dwelling units will be created, and thus deems not applicable to this application the requirement for set-aside of recreation or other open space land or the alternative payment of a cash-in-lieu-of-land recreation fee.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Special Permit approval to Tevot Property LLC to remove 75 trees within 1,000 feet of the Hudson River and to establish a Vegetation Management Plan, including the planting of 85 trees, in accordance with the "Site Plan" and specifications heretofore submitted upon the following conditions:

- A. The Vegetation Management Plan for Tevot Property that appears on the Site Plan dated October 28, 2014 and last revised December 19, 2016 shall be revised as follows:
 - (1) To stipulate that removal and trimming of dead or partially dead trees of any species shall be limited to the period from October 1 to March 31 to avoid adverse impacts to Indiana bat.
- B. The Vegetation Management Plan for the Tevot Property that appears on the Site Plan dated October 28, 2014 and last revised December 19, 2016 shall be provided to the New York State Department of Environmental (NYSDEC) Region 3 in the form of a Request for Jurisdictional Determination, made through the Regional Permits office. Per the NYSDEC, this request would be made following the Article 11 Part 182.9 Incidental Take Regulations.
- C. Payment to the Town of Red Hook of any outstanding fee amounts due and owing for the review of this application.
- D. Payment of any and all outstanding escrow balances for consultant review.
- E. This permit authorizes the removal of 75 trees (which has already occurred) and requires the planting of 85 trees, as shown on the Vegetation Management Plan for Tevot Property that appears on the Site Plan dated October 28, 2016 and last revised December 19, 2016. No additional tree removal within 1,000 feet of the Hudson River on the subject property is authorized by this permit. All tree stumps shall remain in place.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairwoman 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 Sam Phelan, seconded by Sam Harkins, and a vote of 5 for, 0 against, and 2 absent,
this resolution declared: Adopted on January 9, 2017.

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

Kathleen Flood 1-10-17
Kathleen Flood, Clerk to the Board Date

617.6
State Environmental Quality Review (SEQR)
Resolution Establishing Intent to be Lead Agency
Unlisted Action Undergoing Coordinated Review

Name of Action: Shafer's Hudson Valley

Whereas, the Town of Red Hook Planning Board is in receipt of Site Plan and Special Permit applications by Vanessa Shafer for a $\pm$ 5.9 acre parcel of land located at 8047 Albany Post Road, Town of Red Hook, Dutchess County, New York; and

Whereas, a Full Environmental Assessment Form (EAF) dated December 30, 2016 was submitted at the time of application and revised on January 9, 2017;

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is an Unlisted action; and

Whereas, the Planning Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply; and

Whereas, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter, including the Dutchess County Department of Health, the New York State Department of Transportation, and the New York State Department of Environmental Conservation.

Now Therefore Be It Resolved, that the Planning Board hereby declares its intent to be Lead Agency for the review of this action; and

Be It Further Resolved, that the Planning Board hereby authorizes its Chairman to circulate the attached lead agency coordination request letter(s) to all other involved agencies and to discharge any other SEQR responsibilities as are required by 6 NYCRR 617 in this regard; and

Be It Further Resolved, that unless an objection to the Planning Board assuming lead agency status is received within thirty (30) days of the date of mailing the EAF, the Planning Board will become lead agency for the review of this action.

On a motion by Sam Phelan, seconded by Sam Harkins, and a vote of Christine Kane, Charlie Laing, Brian Kelly, Sam Phelan and Sam Harkins for, and none against, and Lisa Foscolo and Kallie Robertson absent, this resolution was adopted on January 9, 2017.

Town of Red Hook Planning Board
CERTIFICATE OF APPROPRIATENESS

January 9, 2017

Barry Kramer and Donna W. Zalichin
Tax Parcel #134889-6175-00-522335
124 North Road, Red Hook

Whereas, the applicants have submitted an application to the Town of Red Hook Planning Board for a Certificate of Appropriateness dated 12-7-16 to demolish an existing regulated structure, as defined in Section 143-45 of the Zoning Law, located at 124 North Road in the Historic Landmarks Overlay (HL-O) District; and

Whereas, the application and supporting documents were sent to the Town of Red Hook Design Review Committee on December 20, 2016, and on January 6, 2017 the Design Review Committee submitted its recommendation to the Planning Board that the project be approved and indicated that they have no further substantive comments on the application; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on January 9, 2017 determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply; and

Whereas, the Town of Red Hook has entered into a Memorandum of Understanding with the Dutchess County Department of Planning and Development which exempts applications for residential uses from review under General Municipal Law § 239m; and

Whereas, on January 9, 2017 the Planning Board found that the demolition will not result in a significant avoidable diminution of the historic character of the regulated property and that the demolition would be appropriate in relation to other regulated structures existing or proposed within 300' of the subject parcel and therefore waived the requirement for a substantive referral to the Design Review Committee and for a public hearing; and

Whereas, the Planning Board has reviewed and discussed the proposed demolition and determined that the structure to be demolished is not of architectural or historic significance nor is it of importance to the Town's history or to the cohesiveness and character of the HL-O District; and

Whereas, and after considering the interests of the public and the owner, the Planning Board has determined that the benefits of demolition outweigh any reasonable interest in preserving the building.

Now therefore be it resolved, that the Planning Board hereby grants a Certificate of Appropriateness to Barry Kramer and Donna W. Zalichin for the proposed demolition described above.

On a motion by Charlie Laing seconded by Sam Harkins and a vote of Christine Kane, Charlie Laing, Brian Kelly, Sam Harkins and Sam Phelan for, none against and Lisa Foscolo and Kallie Robertson absent, this resolution was adopted on January 9, 2017.

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

Kathleen Flood
Kathleen Flood, Clerk to the Board

1-10-17
Date