

**VILLAGE OF RED HOOK
VILLAGE WORKSHOP
ZONING REVISIONS
DECEMBER 18, 2013
7:00 PM**

Present: Mayor Blundell, Deputy Mayor Kovalchik, Trustee Trapp, Trustee Zacharzuk, Trustee Norris, Clerk Cole, Village Attorney Victoria Polidoro entered the meeting at 7:45 PM.

Mayor Blundell opened the meeting with discussion on zoning revisions. A sketch plan was submitted, and several workshops have been had with much discussion on various revisions. Once revisions have been agreed upon, a Public Hearing will be scheduled for January 13, 2013 at the regular Board Meeting. The Mayor pointed out the Board's input and positive point-of-view will all be taken into consideration.

200-33 A(2) – Location. [re-number other sections accordingly]

(1) No parking shall be permitted in a front or side yard, except that parking may be permitted in a side yard on a corner lot or where lot configuration makes compliance with this prohibition impossible, such as lacking enough space in the rear of the building to provide the minimum parking required in Section 200-33. Parking spaces located to the side shall, if possible, be screened from public view. See Appendix A Diagram 10. One and two family residential structures are not subject to this provision.

200.33 A(1)(a) – ADA Requirements.

Parking areas shall comply with all applicable requirements of the Americans with Disabilities Act.

200-33 A(4)(c).

In order to encourage safe and convenient traffic circulation, the Planning Board may require that adjoining parking areas be connected to one another or to a service road or access drive wherever feasible. If such a connection cannot be made, the Planning Board may require the property owner to reserve areas on the site for a future interconnection, in a manner approved by the Planning Board Attorney. For examples of interconnected parking lots, see Illustrated Sketch Plans 2 and 3.

200-16E(8) – Drainage Systems.

Detailed drainage plans shall be provided. All submitted plans shall be in accordance with all applicable regulations, including the current NYSDEC Stormwater Management Design Manual and all best management practices. When required a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the Planning Board for review.

200-29(D).

In connection with the review of any site plan application for a non-residential use, landscaping shall be required along all property lines.

200-29E [re-number everything after that]

E. Landscaping.

Parking areas shall be designed and landscaped to avoid long, uninterrupted rows of vehicles by installing curbed planting islands, pedestrian areas or buildings. Trees bearing seed pods, fruit, nuts or other material that may damage parked cars or injure pedestrians are to be avoided. The Planning Board shall consider the standards for parking lot landscaping in Dutchess County Greenway Guides E-1 and E-3.

Suggested edit:

§ 200-34. Off-street parking for commercial vehicles while loading and unloading.

General provisions. On the same premises, with every building or structure or part hereof hereafter erected and occupied for the purpose, there shall be provided and maintained adequate space for the parking of commercial vehicles while loading and unloading off the street or public alley or, if there is no alley, to a street. Off-street loading and unloading space shall be in addition to and not considered as meeting a part of the requirements for off-street parking space. Off-street loading and unloading space shall not be used or designed, intended or constructed to be used in a manner to obstruct or interfere with the free use of any street, alley or adjoining property. Off-street loading and unloading space shall be provided as set forth below at the time of erection of any building or structure and/or at the time any building or structure is enlarged or increased in capacity. Loading docks and storage areas shall be provided at the rear or side of the building. The Planning Board may require loading docks be screened by walls extending from a face of a building or located in a recessed area from a face of a building. The Planning Board may require shared access to loading docks through the use of common loading zones or service roads of adjacent buildings. Truck traffic and loading operations shall be separated from pedestrian and automobile traffic.

200-10E – Bulk Regulations.

- (2) Coverage. The maximum lot coverage permitted, by building area, shall be 30% of the lot.
- (5) Height. No building or structure shall exceed 45 feet in height or 3 ½ stories, whichever is less. The Planning Board may waive provisions for church spires, civic buildings, and monuments.
- (6) Setback. There is no minimum setback. New structures shall be located as close to the street line as practical with adequate space provided for sidewalks, lighting, street trees and other public amenities. Where there is a significant difference between the setback of the new structure and the setback of an existing adjacent structure, the Planning Board increase the setback for the new structure to maintain a continuous streetscape, but in no case beyond the existing

setback for the adjacent structure. In no case shall the setback be increased to prevent parking in the front yard.

200-33B(12) is amended as follows:

Indoor retail or service business: parking or storage space for all vehicles used directly in the conduct of such use, plus one parking space for every 200 square feet of building area.

200-5 Definition of EV Charging.

EV Charging Station – A parking space that is served by equipment which transfers power to an electric vehicle for the purpose of recharging the batteries on board an electric vehicle.

200-33A(9) EV Parking.

Two EV charging stations for public use shall be provided in parking lots of 40 or more spaces. The EV charging stations shall count towards the total amount of required parking under 200-33B.

200-33A(10) Bicycle Parking.

In parking lots which contain 40 or more parking spaces, a bicycle rack or racks shall be provided, capable of holding one bicycle for every 750 square feet of building space that the lot services. Each bicycle rack shall allow secure locking of the frame, be securely anchored to the ground, and resist rusting, cutting, bending or deformation. The Planning Board shall consider the visibility and convenience of the bicycle rack location during site plan review.

200-22 DRIVE THROUGH WINDOWS:

A Drive Through Window shall be allowed in the General Business District only. A Drive Through Window is a specially permitted accessory use, approved by the Planning Board. A Drive Through Window shall meet the special permit standards set forth in § 200-15 of the Zoning Law and the additional criteria set forth below:

- A Drive Through Window shall not be located on a lot comprised of less than 1.5 acres.
- The Drive through Window shall locate at the rear or side of the building that it serves.
- Any building extension to accommodate the Drive Through Window shall be consistent with the architectural design of the structure.
- Only one drive through window shall be permitted on a lot. Remote speaker posts or ordering locations are not permitted.
- The Drive Through Window shall be clearly secondary in nature to the primary use.
- A minimum queuing of 6 vehicle spaces shall be provided for a Drive Through Window. The queuing shall not negatively impact vehicular circulation within the site, including emergency vehicles, nor shall it impact vehicular circulation on any public thoroughfare.
- A bypass lane with a minimum width of ____ feet shall be provided.

- The Drive Through Window shall be located a minimum of 50' from a public thoroughfare and/or intersection of public thoroughfares.
- The Drive Through Window and all associated structures, lighting and signage shall maintain a minimum distance of 100' from a residential district.
- Lighting for the Drive Through Window shall not exceed any lighting standard set forth in the Village of Red Hook Zoning Codes.
- The noise associated with speakers/talk back devices shall not be heard from inside a structure across any real property boundary, where all exterior doors and windows are closed.
- The hours of operation for a Drive Through Window shall be reviewed and approved by the Planning Board, but shall in no case be earlier than 8:00 a.m. no later than 10:00 p.m.
- A traffic study shall be required prior to the review and approval of a Drive Through Window and the study must show that the addition of the Drive Through Window shall not exceed the capacity of the ingress/egress of the site and will not negatively impact the public thoroughfares that serve the site.
- Any signage related to the Drive Through window shall be consistent with sign code sections.

The Planning Board may impose additional stipulations as deemed necessary.

Amendment to 200-5

Drive-thru Window: A facility that permits customers to obtain goods and/or receive services while remaining in their vehicles.

Delete definition "Drive-in Business".

Amend § 200-10D(3) to say "Drive Through Window subject to the provisions of § 200-22."

Delete § 200-16E(11).

Each revision was read and discussed as follows:

200.33A(2) Location – Trustee Zacharzuk questioned no parking in the front. Mayor Blundell stated it does not affect current businesses. Trustee Trapp doesn't like the words prohibition impossible. Deputy Mayor Kovalchik states line 4 remove word shall if possible.

200.33A(1)(a) – ADA Requirements – Trustee Trapp added in compliance with NYS BLDG assessability codes and federal, state and local requirements with ADA.

200.33A(4)(c) – OK.

2001-16E(8) – Drainage System – OK.

200-29(D) – OK. Deputy Mayor Kovalchik states he likes the current landscaping regulation.

200-29E – Landscaping -

Also present were members of the IGA (Tiberio) family to express their concerns with the moratorium and zoning regulations. Debbie Temple (Tiberio) read a letter on behalf

of the family stating the IGA served the community for many years and currently it is costing her sickly father thousands of dollars to maintain the property through upkeep and taxes. She is also encouraging the Board to expedite the site plan of the CVS. Ms. Temple also stated the Tiberio family is taking the delay in zoning revision and the moratorium personally. Mayor Blundell stated there is nothing personal about the Board's decision to enact a 6 month moratorium and he has met several times with the Tiberio family in regards to the CVS purchasing their property. The IGA is a big loss to the Village stated the Mayor. Also, it is the best interest of the Board to have a Public Hearing on January 13th and to be done with zoning revision so it can be made into a local law for enforcement.

10% parking area should be a minimum of 6' x 18' throughout the lot and to be at the discretion of the Planning Board.

200-34 – General provisions – remove word free Attorney Polidoro likes shall not interfere.

200-10E – Bulk regulations – Attorney Polidoro changed (heights).

Attorney Polidoro submitted Local Law with changes to the Board.

Anthony Murrando – Attorney for CVS – spoke to the Board, has received a copy of the draft changes and will have comments before the Public Hearing.

200-33A(10) – Bike Parking – OK.

200-5 – Definition EV Parking – OK.

200-33A9 – EV Parking.

200-22 Drive through – Deputy Mayor Kovalchik wants # 7 removed and to be at the discretion of the Planning Board. # 12 – except for ATMs. Change the word thoroughfare throughout the law to streets. # 13 – should add pedestrian. Deputy Mayor Kovalchik states he is thinking of pedestrian safety and wants “pedestrian safety acknowledged”. # 14 – add application shall mitigate any negative impact on pedestrian circulation due to drive through window. # 7 remove – Trustee Zacharzuk is in favor of keeping and change shall to may and remove width.

Attorney Polidoro submitted long form EAF for signature on page 13 by Mayor Blundell. Trustee Trapp made a motion to approve Mayor Blundell sign the long form EAF. Deputy Mayor Kovalchik seconded. All were in favor.

RESOLUTION 20-2013

Clerk Cole read the following resolution into record:

RESOLUTION TO SCHEDULE A PUBLIC HEARING ON THE AMENDMENT OF THE ZONING LAW

Resolution #: 20-2013
Date: December 19, 2013

Moved By: Trustee Norris
Seconded By: Trustee Trapp

WHEREAS, the Village of Red Hook Pattern Book and Architectural Guidelines Committee has prepared a Pattern Book and Architectural Guidelines to provide guidance and recommendations for the future development in the Village; and

WHEREAS, the Pattern Book and Architectural Guidelines includes historical architectural references, documentation of vernacular architectural styles in the Village, and recommendations for the encouragement of attractive, functional and village-oriented development, all of which material could serve as an update to the Village of Red Hook Comprehensive Plan; and

WHEREAS, the proposed incorporation of the Pattern Book and Architectural Guidelines into the Village of Red Hook Comprehensive Plan is part of the SEQRA action; and

WHEREAS, the Village Board has developed proposed amendments to the Zoning Law to be known as Local Law No. 1 of 2014 to incorporate the Pattern Book and Architectural Guidelines into the Zoning Law, to make other modifications to the Zoning Law to implement recommendations in the Pattern Book and to make other associated changes; and

WHEREAS, the Village Board has prepared an environmental assessment form to assist it in assessing the potential environmental impacts of the proposed zoning amendments and comprehensive plan amendment.

NOW THEREFORE BE IT RESOLVED that the Village Board hereby:

1. Directs the Village Clerk to refer the proposed Local Law No. 1 of 2014 and the environmental assessment form to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law;
2. Directs the Village Clerk to refer the proposed Local Law No. 1 of 2014 and the environmental assessment form to the Town of Red Hook Town Clerk pursuant to Section 239-nn of the General Municipal Law;
3. Declares itself to be the lead agency for the environmental review of the proposed action as no other agency has approval authority over the proposed Local Law No. 1 of 2014;
4. Classifies the proposed action as a Type 1 action pursuant to the State Environmental Quality Review Act ("SEQRA") as the proposed change in allowable uses may affect more than 25 acres of the Village;

5. Sets the date of January 13, 2014, 7 pm, for a public hearing at the Village Hall on the proposed adoption of Local Law No. 1 of 2014 to incorporate the Pattern Book and Architectural Guidelines into the Village Zoning Law, to make other modifications to the Zoning Law, to implement recommendations in the Pattern Book and to make other associated changes.

Vote: Aye 5; Nay 0

Attorney Polidoro will revise zoning revision and submit a revised copy to the Board before the Public Hearing scheduled for January 13, 2014.

Trustee Trapp made a motion set a set a second Public Hearing on the Comprehensive Plan on January 13th at 7:00 PM. Deputy Mayor Kovalchik seconded. All were in favor.

Mayor Blundell made a motion to adjourn the meeting at 10:15 PM. Deputy Mayor Kovalchik seconded this motion. All were in favor.

Submitted by,

Cynthia Cole
Clerk/Treasurer