

**VILLAGE OF RED HOOK
PLANNING BOARD MEETING
November 10, 2022**

Present: Co-Chair David Pearson, Member Steve Zacharzuk, Member Jim Rogers and Member David Markusen-Weiss

Absent: Chair Beth Pagano

Village Attorney: Victoria Polidoro

Co-Chair Pearson opened the November 10, 2022 Planning Board Meeting at 7:01pm with the Pledge of Allegiance.

Co-Chair Pearson acknowledged members present and that there was a quorum for this evening's meeting.

Co-Chair Pearson asked for any Board comment on the proposed August 11th minutes. No comment.

Co-Chair Pearson made a motion to approve the Planning Board meeting minutes dated August 11, 2022. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

Co-Chair Pearson asked for any Board comment on the proposed October 13th minutes. No comment.

Co-Chair Pearson made a motion to approve the Planning Board meeting minutes dated October 13, 2022. Motion seconded by Member David Markusen-Weiss. All in favor. Motion approved.

#1. Yasin Syed

Tax Parcel ID #: 6272-10-436749

3 St. John Street Continuation of Site Plan

Present: Dan Wheeler, Engineer
Yasin Syed, Applicant

Co-Chair Pearson advised that the escrow has been paid and is up-to-date.

Co-Chair Pearson advised that applicant was asked at the September 8th meeting to submit an updated site plan to include the items outlined in a memo from Attorney Polidoro dated January 17, 2022.

Co-Chair Pearson read into record the response from the Dutchess County Department of Planning and Development dated November 4, 2022. Attorney Polidoro advised that the County's response was that the submission was incomplete. Co-Chair Pearson read aloud paragraph "2" - Notice of Incomplete Submittal (copy of letter on file with the Building Department).

Co-Chair Pearson read into record the memo from Chair Pagano dated November 8, 2022 (copy of letter on file with the building department).

Co-Chair Pearson asked for Board comments.

Member Rogers asked if this Board was going to address County concerns and how we were going to handle this.

Attorney Polidoro advised that as it stands the County was required to weigh in on the application and the County said it was incomplete so this Board cannot vote on the application and advised it would be helpful to go through the County's comments so the applicant understands what is needed.

Member Rogers asked Attorney Polidoro if it makes sense that we assist the applicant with clarifying the County's concerns and go no further until we get their approval. Attorney Polidoro mentioned that we can go over both comments as a lot of the issues are the same.

Mr. Wheeler said he will make a small presentation and address all the issues.

Member Rogers asked Mr. Wheeler, in his opinion, if his presentation would answer the County's issues sufficiently such that he would be ready to re-present to them because if we are not ready to re-present we cannot move forward. Mr. Wheeler said he disagrees with that.

Mr. Wheeler advised they have submitted the drawings and used a tabloid size drawing because the large drawings, although helpful, are cumbersome. Mr. Wheeler submitted 2 pages of plans – Sheet CS-1 & C-2. Member Rogers asked, so the record is clear, that the document handed to the Board is the same as what was submitted in the D size just smaller. Mr. Wheeler said correct and not to scale and that the larger one is to scale. Mr. Wheeler spoke on scaling and said that this was the least preferred method and only stated in one place, the steel manual, under the specifications, which says it is not an approved method. Mr. Wheeler advised that the written word always takes precedent over the scale.

Mr. Wheeler referenced 239m and that it is a referral that comes as a recommendation only in that the Board does not have to take this. Mr. Wheeler said if you don't take it the Board will need to have reasons and that it is a recommendation on the site plan not the building and if you look at their checklist they talk about it as a site plan not a building examination and that the building examination is left for the building department which will use NYS Code. Mr.

Wheeler said within the walls themselves it is the responsibility of the building inspector and, in his opinion, not the property of the County.

Attorney Polidoro advised the internal lines of the 2 plans do not match.

Member Rogers asked attorney Polidoro if we are bound or not. Attorney Polidoro advised that the County's response is generally a recommendation and if they recommend denial you have to have a super majority to approve the project. Attorney Polidoro said the report has not happened yet because it is incomplete so this Board cannot ignore the incomplete letter and have to comply with the requirement referred and when they give the recommendation the Board can decide whether to accept or not and we are not there yet and this Board cannot legally act.

Mr. Wheeler said if the County comes up with a wrong concept the Board has to accept it or if deny has to write a letter. Mr. Wheeler said in the plans are many answers to their questions. Mr. Wheeler said now we are forced into another 30 days waiting for their response. Mr. Wheeler asked for a copy of the Chair's comments (copy was provided to Mr. Wheeler).

Mr. Wheeler said a 239m is a recommendation and requires a super majority.

Mr. Wheeler said inside the building is for the building inspector not the County. Co-Chair Pearson said it seems to be site plan.

#5 on County's letter: no detailed signage information.

Mr. Wheeler felt this was not true and there is one diagram showing what is existing - repair shop - and one showing what is proposed being labeled "proposed elevation" for the laundromat.

#6 on County's letter: communication with County Health Department.

Mr. Wheeler said the Village is going through larger step improvement plan which is basically sewage lines and sewage treatment plant and in December this location will be part of that system and in fact have already met with CT Male and Carver and have located the tank location and tank size.

Attorney Polidoro asked to confirm that Carver is aware of this change and decided the tank. Mr. Wheeler said yes. Attorney Polidoro asked if there was a letter. Mr. Wheeler said no, only verbal communication. Attorney Polidoro asked for letter from Carver or CT Male.

Mr. Wheeler explained the decision on the tank based on the washing machines and that it is already staked out by GPS.

#7 on County's letter – facade alterations to the rear

Mr. Wheeler feels that is not true in that the drawing shows the existing and proposed condition, which is almost identical, except for change in sign and is correct about not showing colors.

#8 on County's letter: gravel storage area:

Mr. Wheeler said that is correct – that came from the survey when they laid the survey down the survey had the existing conditions as a gravel storage area and in fact it is being paved which prompted the 2 additional storm drains; and for the 25 year storm because that is the standard storm for a small site.

#2 on County's letter: no proposed light fixture specification sheets:

Mr. Wheeler said the location of the lights are on the plan and spec/cut sheets were not included and can certainly do that.

Mr. Wheeler said there is no requirement for an iso lumen diagram.

#4 on County's letter: plant materials

No comments

#3 on County's letter: parking information

Mr. Wheeler said they showed parking as stated on the plans.

Attorney Polidoro said there was a zoning table added to the front but an N/A for everything, so the parking information needed is to show what parking is required for this use. Attorney Polidoro said you are showing parking spaces but what is missing is the calculation of what would be required for the use.

Mr. Wheeler said he does not recall in the review in the Code any need for a calculation.

Mr. Wheeler said those requirements usually come from the municipal Engineer.

Attorney Polidoro advised that the Board did ask for the zoning table with parking calculations.

Mr. Wheeler said the Board does not give him letters on what is needed and all he gets is meeting minute notes and that there is no coordinated effort in this review from the Village.

Member Rogers said it sounds like there are some items of what the County is asking for already done but at least a few things that the County still needs information on. Mr. Wheeler said correctly. Member Rogers said we all agree that there are at least a few things that the County needs before they can recommend or not recommend. Member Rogers asked to now go over Chair Pagano's email.

Attorney Polidoro asked why the site plan includes a lot up the street (Cole and Owen property). Mr. Wheeler said it was taken from the survey and probably surveyed the next place over. Attorney Polidoro said she understands, but odd to see a site plan with multiple lots on it. Mr. Wheeler said it can be taken off, but there is no requirement in the regulations that says you cannot do that. Attorney Polidoro pointed out to the Board this area.

Member Pearson said the new submission did not have it but indicated a corner piece of the lot was cut off.

Member Rogers felt it would be helpful to Mr. Wheeler and his client that we work through the issues and between now and the next time it will be up to them to work with the County so they can arrive at a decision. Mr. Wheeler said he does not talk to the County. Member Rogers said let's continue with the list.

Board went through Chair Pagano's memo:

#1. Mr. Wheeler said ok - zoning table has been added

#2. Mr. Wheeler said that is correct and will be added.

Member Zacharzuk asked if C1 and C3 were supposed to be representative of each other.

Mr. Wheeler reviewed both. Member Markusen-Weiss said C1 does not have the garage/office on it. Mr. Wheeler said yes because it was to focus on the laundromat itself and you are correct. Member Zacharzuk said the garage is part of this. Mr. Wheeler said because C3 was focusing on the laundromat and to show the drainage structures in and around the laundromat and he already said that he would provide more information for. Member Zacharzuk said you are proposing a laundromat that is twice the size as C3 and now with a walk-in freezer. Attorney Polidoro pointed it out on the plans.

Member Markusen-Weiss said the proposed laundromat should be on the portion of the building it is on and maybe a line down the middle showing the freezer. Mr. Wheeler said if it is confusing, he will straighten that out for the Board. Attorney Polidoro asked if the freezer was part of the laundromat or the garage. Mr. Wheeler said neither and part of the shop/convenience building.

Mr. Wheeler said he will clarify it. Mr. Wheeler said this Board has to look at the entire site and zoom in on the laundromat area and he will attempt to make it clearer. Co-Chair Pearson said they do not match. Mr. Wheeler said they do match and are different and part of the garage and that there is a 2-bay garage there – one bay shut-off because it has a walk-in freezer and the other half is where the proposed laundromat will be. Attorney Polidoro said they just want it to match. Mr. Wheeler said he will attempt to clarify.

Member Markusen-Weiss went on to #4 that sewer has not been overlaid onto the site plan. Mr. Wheeler said correct.

Mr. Wheeler said #5 is correct and he will correct.

Mr. Wheeler said #6. half true and if you look at drawing it says gravel storage area, which was the condition at the time when the surveyor did it and should have been taken out because it is being paved over and the had to add 2 drop in-lets (left & right) and will be changed to indicate asphalt.

Mr. Wheeler said #6. Material – he will provide that.

Mr. Wheeler said #7 – there is no signage.

Member Markusen-Weiss asked if no change to existing signage. Mr. Wheeler said correct. Attorney Polidoro said you are not adding anything to the existing monument sign. Mr. Wheeler said no but will be changing what says Mechanics Garage to Red Hook Laundromat. Member Markusen-Weiss asked what this Board would need for that signage. Attorney Polidoro said the Board asks for materials, colors, lighting, etc. Mr. Wheeler said that will come in under a sign permit. Member Markusen-Weiss said this should be done now so to include that in the updated plans. Mr. Wheeler said ok.

Mr. Wheeler said with #8. If you look at the legend E & P stands for existing and proposed and you are asking for cut sheets and a valid point and he will provide.

Mr. Wheeler said with #9. That is not exactly true in that there is but not an architectural thing. Mr. Wheeler said they are in there but lacking color and selection. Member Markusen-Weiss asked the Board if they were ok with this interior layout or do they need more information.

Attorney Polidoro advised the reason you ask for an interior layout in a site plan is:

1. to help identify the parking needs for each of the spaces
2. to make sure that where they are showing the doors and egress matches up on the site plan with their existing walkways and doors on the exterior.

Member Markusen-Weiss said we have no exterior elevation of the west side of the building. Co-Chair Pearson said we need that. Attorney Polidoro said you want to see if there is a sidewalk or something that it comes around to that door and access for people crossing the lot. Member Markusen-Weiss asked Mr. Wheeler if the Board will get the elevation of the west site. Mr. Wheeler said right and indicated there was a garage door there.

Co-Chair Pearson asked if walk in freezer was new or existing. Mr. Wheeler said exiting.

Mr. Wheeler said with #10. - this was already discussed, and Mr. Wheeler will correct.

Mr. Wheeler said with #11. – Mr. Wheeler said there are dimensions on here, and whether or not you see them.... Mr. Zacharzuk said there are no dimensions on them. Member Markusen-Weiss said with proposed elevation of C3-1 you are closing up garage doors and adding a door and window and this Board will need to know the materials. Yasin advised aluminum. Member Markusen-Weiss said to show that on the plans. Attorney Polidoro said the Board should refer to the Village’s Pattern Book for materials and windows.

Member Zacharzuk asked about the parking spaces C4-C8 and asked if C-8 is the end of the walk-in freezer and the laundromat itself. Yasin said it starts at the walk-in freezer. Mr. Wheeler said you cannot get to the walk-in freezer.

Mr. Wheeler said with #12 the Board said west side. Member Markusen-Weiss said yes but in terms of materials to do the façade. Mr. Wheeler said they will give the elevations.

Member Markusen-Weiss said the Board will need a note on the plans that there is no change to existing signage. Attorney Polidoro said it can be addressed easily by adding a note on the plans “no change to existing monument sign”. Applicant, Yasin, said that is fine.

Attorney Polidoro referenced Chair Pagano’s memo asking about the adequacy of the storm water system and advised this was not something she has expertise in and the Board will need to decide if they want to run it by the Village engineer. The Board said yes.

Co-Chair Pearson asked if the Board was in agreement with setting a public hearing. No comment.

Attorney Polidoro asked Mr. Wheeler when updated plans would be submitted to the building department. Mr. Wheeler said in 2 days.

Co-Chair Pearson made a motion to set the public hearing for the Site Plan for property located at 3 St. John Street listed under Tax Parcel ID 6272-10-436749 for December 8, 2022 at 7pm. Motion seconded by Member Rogers. All in favor. Motion approved.

Co-Chair Pearson made a motion to table to Site Plan application for 3 St. John Street, listed under Tax Parcel ID 6272-10-436749 to December 8, 2022. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

#2. Lauren Cunningham-Houseman
Owner: Baright
Tax Parcel ID #: 6272-10-444720

1 East Market Street

Site Plan

Present: Lauren Cunningham-Houseman

Co-Chair Pearson advised that the prior business was a cafe/deli but has been closed for more than 6 months which triggered applicant having to submit for new site plan approval.

Co-Chair Pearson advised that a cheese café/eatery is allowed use per Village Zoning - Section 200-10-B-14 – Eating and drinking establishments.

Applicant advised that she will apply for signage at a later date.

Discussions were had regarding the new covered garbage building outside in the rear.

Applicant advised that the previous tenant had 28 seats which she has confirmed with Department of Health and is planning on 28 seats or less.

Co-Chair Pearson said no change to sewer plan. Applicant said no and they are just waiting on the change.

Member Markusen-Weiss asked if they are building the inside out. Applicant advised yes and will be submitting building plans to add some walls but no other structural changes.

Applicant advised they will be using the Baright parking lot for parking and can use the municipal lot and will not be using street parking.

Applicant advised that the bathroom is ADA compliant. Member Zacharzuk asked about entrance. Applicant advised that there is 2 steps and she did check with her attorney who advised that it meets the State ADA accessibility clause to enter. Member Zacharzuk asked of the steps had railings. Applicant advised yes.

Co-Chair Pearson made a motion to classify this as a TYPE II Action with no further environmental review. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

Co-Chair Pearson made a motion to waive a public hearing. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

Member Zacharzuk asked about the window that previous tenant used for outside service and asked if they are continuing with that. Applicant advised no unless something impacts that. The Board agreed that should the applicant decide to use that window for service they would need to come back for site plan approval.

No further Board comments.

Co-Chair Pearson made a motion to approve the site plan for property located at 1 East Market Street listed under Tax Parcel ID 6272-10-444720 with the following conditions:

- 1. Board of Health Approval**
- 2. Applicant to return for site plan approval if outside window is used for service**

Member Zacharzuk asked if there will be any change to lighting. Applicant said no and that there is only one existing lighting always on at the front door.

Motion seconded by Member Zacharzuk. All in favor. Motion approved.

Co-Chair Pearson advised that the next Planning Board Meeting will be held on December 8, 2022 at 7:00pm.

Co-Chair Pearson made a motion to adjourn the November 10, 2022 Planning Board meeting at 8:03pm. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

LARA HART, Secretary
