

**VILLAGE OF RED HOOK  
PLANNING BOARD MEETING  
June 8, 2023**

Present: Co-Chair Jim Rogers; Member Steve Zacharzuk & Member David Markusen-Weiss

Absent: Chair Beth Pagano and Member David Pearson

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The meeting was stated with the Pledge of Allegiance.

Co-Chair Rogers announced that Clark Kimble has retired as Village of Red Hook Building Inspector/Code Enforcement Officer but will remain on as fire inspector. Co-Chair Rogers announced that William Johosky is the new Building/Code Enforcement Officer and Thomas Keith is the new Zoning Enforcement Officer.

***Member Markusen-Weiss made a motion to open the June 8, 2023 Planning Board Meeting at 7:30pm. Motion seconded by Member Zacharzuk. All in favor.***

Co-Chair Rogers announced all members present and that there was a quorum for this evening's meeting.

***Member Zacharzuk made a motion to approve the Planning Board meeting minutes dated May 11, 2023. Motion seconded by Member David Markusen-Weiss. All in favor. Motion approved.***

**Agenda Item #1.**

Thomas & Kelz Clare

Owner: Baright (consent on file)

7518 North Broadway

Tax Parcel ID 6272-10-471735

**Present: Kelz Kirker-Clare**

Co-Chair Rogers advised that the already existing freestanding sign was previously approved by the Planning Board by site plan approval dated 2/21/2017 and applicant is present to propose their letting on the freestanding sign.

Ms. Clare presented her signed proposal as submitted.

Ms. Clare said her and her husband own the martial arts academy and are moving to the old CVS building and would like to be granted to add to the street sign.

Co-Chair Rogers asked the Board if they reviewed or had any questions. No questions or comments.

***Co-Chair Rogers made a motion to approve the proposed metal sign panel to be attached to a previously approved freestanding sign located at 7518 North Broadway, listed as Tax Grid #6272-10-471735, as depicted in the submitted proposal. Said sign panel shall not exceed the square footage as provided by the Code of the Village of Red Hook, and that the sign panel is within the limits allowed and conforms to all provisions of Section 200-38 of the Code of the Village of Red Hook; applicant is required to sign and submit required building permit prior to installing sign panel. There is no fee for this permit. Motion seconded by Member David Markusen-Weiss. All in favor.***

### **Agenda Item #2**

John Halle & Marka Gustavsson  
35-39 Garden Street  
Tax Parcel ID: 6272-10-444720

#### Present:

John Halle and Marka Gustavsson, Owners  
Angela Maier-Lore – Attorney

Co-Chair Rogers advised that the applicant was referred to the Planning Board by the ZBA Board to propose a lot line adjustment. Owner owns both 35-39 Garden & 41 Garden St.

The property at 35-39 Garden St. currently houses a cottage which the owner wishes to renovate to use as personal space or possibly an accessory dwelling unit.

Clark Kimble, previous Code Enforcement Officer at that time, denied the original plans as the property at 35-39 Garden Street due to issue of property already being an existing 2-family.

Applicant is proposing a lot line to include this cottage on his parcel located at 41 Garden Street and that this application is for a lot line (minor subdivision) not a site plan.

Attorney Lore advised that for 35-39 they are proposing a reduction of .144 acres to be attached to 41 Garden Street which would increase that acreage from .512 acres to .656 and that one story building would be attached to 41 Garden Street. Attorney Lore said the current paved drive that goes to the one-story building is the driveway they use for their primary residence now.

Member Markusen-Weiss asked why Clark denied the building plans. Secretary Hart advised Clark denied plans due to it already being a 2-family and that the proposed accessory dwelling would not be permitted and ZBA Board recommended owner do a lot line to include that cottage on his property at 41 Garden Street.

No other questions or comments from the Board.

***Co-Chair Rogers made a motion to accept the minor subdivision/lot line alteration application for 35-39 Garden Street listed under Tax Parcel ID 6272-09-240689 as complete. Motion seconded by Member Zacharzuk. All in favor.***

***Co-Chair Rogers made a motion to classify the minor subdivision/lot line alteration application for 35-39 Garden Street listed under Tax Parcel ID 6272-09-240689 as a TYPE II Action with no further environmental review. Motion seconded by Member Zacharzuk. All in favor.***

Co-Chair Rogers advised since lot lines fall under minor subdivisions per Section 7-728; 7-730 & 7-732 of NYS Village Law a public hearing must be set.

**Co-Chair Rogers made a motion to set a public hearing for the minor subdivision/lot line alteration application for 35-39 Garden Street, listed under Tax Parcel ID 6272-09-240389 for July 13, 2023 at 7:00pm. Motion seconded by Member Zacharzuk. All in favor.**

**Co-Chair Rogers made a motion to table to minor subdivision/lot line alteration application for 35-39 Garden Street listed under Tax Parcel ID 6272-09-240389 to July 13, 2023 at 7:00pm. Motion seconded by Member Markusen-Weiss. All in favor.**

**Agenda Item #3.**

Robert Dupont, Architect  
Owner: Kaufman (consent on file)  
7366 South Broadway  
Tax Parcel ID 6272-14-320493

Present: Robert Dupont, Architect

Co-Chair Rogers advised that the application is for a site plan to convert existing commercial/residential use to all residential use; property is located in the Neighborhood Mixed Use District under Section 200-12 of Village Zoning Code; and pursuant to New Zoning amendment adopted as Local Law 2-2022 under multi family you can have up to 6 dwelling units per structure subject to Section 200-31.

Mr. Dupont handed Board members colored copies of the property site.

Mr. Dupont said this building was constructed in 2008 and is  $\frac{3}{4}$  of an acre with access on South Broadway with secondary access of Firehouse Lane. Mr. Dupont said it is a well-built building and they are not proposing a lot of change to the exterior and that the design inside is not finished and building is 2,000 square foot footprint so complies with current zoning and they are proposing to divide into 4 apartment each having their own separate entrance and slight modifications to the exterior with windows and maybe a coat of paint; utilities will be upgraded and building will be sprinkled. Mr. Dupont said electrician will be looking at it and each apartment will have 100-amp service. Mr. Dupont said all heating will be electric.

Mr. Dupont spoke on the parking lot, which is all gravel, and proposed 8 parking spaces. Mr. Dupont said he reviewed the zoning for parking and 1.5 spaces for each apartment is required.

Mr. Dupont said they are adding an enclosed dumpster.

Mr. Dupont said there will be no signage or exterior lighting.

Mr. Dupont advised that the septic will be improved. Co-Chair Rogers asked in what way. Mr. Dupont said the flow that was calculated for this building is based on an office and one apartment, which is not sufficient, so a new system will be installed.

Co-Chair Rogers said this building is in the NMU Zone and is currently a mixed use building but there can also be purely residential buildings in the NMU and could be mixed use and could be residential but can't be all commercial and the proposal is to build how it is zoned. Co-Chair Rogers asked the Board members for comment. Co-Chair Rogers spoke about the Board asking for escrow for further review by the Village Attorney but did not feel it was needed and that it is mixed use or residential.

Co-Chair Rogers asked the Board for any comment.

Member Markusen-Weiss asked if the proposed dumpster enclosure should be on the plans and asked with the parking lot this size if lighting being proposed. Co-Chair Rogers asked if lighting would be required.

Co-Chair Rogers said if this Board approves; conditions will be plans to include dumpster enclosure, board of health approval, and we could accept this proposal.

Secretary Hart said the Board needs to accept the application as complete and can decide whether or not to hold a public hearing.

Member Zacharzuk said he agrees with Member Markusen-Weiss about the parking lot and asked if there was street lighting in the lot. Mr. Dupont said there is no parking lot lighting. Member Zacharzuk said it would be pitch dark. Member Markusen-Weiss felt it would be a good idea to have lighting. Mr. Dupont said he can discuss this with the owner but that there are spotlights on the building now.

Member Zacharzuk asked about the spotlights. Mr. Dupont said they are on the plans – one on the front and one on the back. Member Zacharzuk said we don't want it lit up like CVS but had concerns it would be dark without lights.

Secretary Hart said the Board can waive or hold a public hearing.

**Co-Chair Rogers made a motion to accept the site plan application as complete for 7366 South Broadway, listed under Tax Parcel ID 6272-14-32049. Motion seconded by Member Markusen-Weiss. All in favor.**

**Co-Chair Rogers made a motion to waive a public hearing for the site plan application for 7366 South Broadway, listed under Tax Parcel ID 6272-14-320493. Motion seconded by Member Markusen-Weiss. All in favor.**

**Co-Chair Rogers made a motion to table the site plan application for 7366 South Broadway, listed under Tax Parcel ID 6272-14-320493 to July 13, 2023 at 7:00pm. Motion seconded by Member Markusen-Weiss. All in favor.**

Co-Chair Rogers said the next set plans will need to include the dumpster enclosure; applicant will need BOH approval and Mr. Dupont will return after speaking with owner about a possible parking lot lighting proposal.

**Agenda Item #4.**

Mark Graminski, P.E., L.S.

Owner: RTC Farm, LLC - Cookingham (consent on file)

7617 North Broadway

Tax Parcel ID 6272-07-564993

Present: Mark Graminski, P.E., L.S. – representing the owner

Co-Chair Rogers said Mr. Graminski was present before this Board in February and on March 9, 2023 and received approval for a minor subdivision/lot line alteration for this property parcel and that Mr. Graminski is present this evening to amend that lot line alteration.

Mr. Graminski advised after presenting to this Board and to the Town the change was going to be another parcel being created, being a lot line alteration. Mr. Graminski provided the Board with copies of the new proposal.

Mr. Graminski advised with the first plans what he tried to do was outline the parcels and show the existing parcels on the property and said there are multiple parcels, showing the Board the Village and Town of Red Hook showing existing tax parcels that real property has.

Mr. Graminski said these are all different tax parcels that real property has and what they are trying to do is re-align and combine these parcels.

Mr. Graminski said the second portion of this is very similar to what he proposed the last time before this Board only they have to add another parcel and the parcel that is being reconfigured is ....(pointing to the parcel on the plans) which is being reconfigured to create this parcel.

Co-Chair Rogers said that was not part of this Board's last consideration correct. Mr. Graminski said correct. Co-Chair Rogers asked how'd that happen. Mr. Graminski said it is because of discussions with the Town. Mr. Graminski said this parcel is being created for affordable housing, which will ultimately be in front of this Board at some point. Mr. Graminski said if you recall Scenic Hudson is going to hold an easement on a large majority of this property and ultimately what is going to occur.

Co-Chair Rogers said this Board approved the prior lot line alteration and the only reason to add this additional parcel is because there may at some point be affordable housing. Mr. Graminski said that is correct.

Co-Chair Rogers said this parcel is being added so that parcel would exist as entity and could be used for that anticipated purpose, and asked why we would just not wait for that proposal and why change the lot line for something that might or might now happen.

Mr. Graminski said the purpose was to lot line the changes now and not come back.

Co-Chair Rogers said this is a new idea of something that could happen as so we figured as long as everything is not finalized with our original application we might as well do this, asking if they did not know about this back in March. Mr. Graminski said he did not know about it.

Member Markusen-Weiss said this parcel has no road frontage. Mr. Graminski said that is correct and explained that there were individual deeds how Cookingham purchased all the property, so that was a deeded parcel even though it was landlocked. Mr. Graminski said he reconstructed all of those because they were filed at different times, that is why real property has separate tax grid numbers for each separate parcel and part of the rationale and decision is to clean it all up to logical parcels all that are legal with frontage.

Co-Chair Rogers said right but the prior proposal cleaned it all up and made sense, and then somebody has a vision to build something, so we are doing something more than cleaning it up, and are actually creating a parcel that has a specific purpose in mind and its actually creating a piece of land that can exist being one unit or a specific purpose and not just a cleanup and that is something, in his personal position but open for debate, that we understand as little bit more clearly what the proposed high density housing that people are thinking about should go in that before creating a space for it, and hear about the plans of merit.

Co-Chair Rogers said feel free to disagree, people have an idea that they want to do something and let's grab all the low hanging fruit to do that thing first, which creates momentum then things become a fait accompli and that is my major issue with not agreeing on building plans and then dealing with all of the issues this Planning Board would have jurisdiction over, because those little bits and pieces, those low hanging fruits, the things that we can do now, they are all building blocks that we all may say we don't want or we may say we do want but does not want to be part of a process to build momentum on a project that no one had even debated yet. Mr. Graminski said OK.

Co-Chair Rogers said you cleaned it up great last time and it was fabulous, but in between then and now something has happened and something is somebody has a proposal to do something that would significantly impact this Village and this is one step in that process, and personally does not want to take that step until he knows what that thing is. That is my personal recommendation especially when it comes to high density housing. Member Zacharzuk said he agrees.

Co-Chair Rogers said he would motion to table this project until such time this Board can understand the use of this parcel that this Board would create.

Co-Chair Rogers asked for Board comment.

Mr. Graminski said he would like the option to withdraw as there is already approval and does not want to lose that approval and will have to go back and speak to his client.

Member Markusen-Weiss said he has a question that he knows there had been a lot of stuff happening and understands that this is a parcel that is landlocked, and we would just be moving a line on it, but concerned with creating another parcel with no road frontage on it which he feels does not make any sense.

Mr. Graminski directed the Board to his proposal – page 3 – showing the lots with frontage.

The Co-Chair said his sense of it is we need to get information so we can have a context in this decision so this Board can make the right decision.

Member Markusen-Weiss asked if the Town is involved here somehow and somebody bought an easement on the property. Mr. Graminski said that has not changed and still a Scenic Hudson easement and always been. Member Markusen-Weiss asked... what is the easement. Mr. Graminski said the easement has not occurred yet.

Co-Chair Rogers said a lot of this land is being set aside for conservation. Mr. Graminski said correct.

Co-Chair Rogers proposed tabling to July 13, 2023.

Mr. Graminski wants to make sure and asks the Board if this would be a separate application, but that he does not want to come back and lose the prior approval. Co-Chair Rogers said the prior approval stands approved.

Co-Chair Rogers said we are tabling the amendment which will not affect the prior approval.

Co-Chair Rogers noted that the prior minor subdivision/lot line approval approved on March 9, 2023 remains.

**Co-Chair Rogers made a motion to table the minor subdivision/lot line alteration for 7617 North Broadway, consisting of only the proposed amendment under a separate application, listed under Tax Parcel ID 6272-07-564993 to July 13, 2023 at 7:00pm. Motion seconded by Member Zacharzuk. All in favor.**

**Co-Chair Rogers made a motion to adjourn the July 13, 2023 Planning Board meeting at 8:22pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.**

Lara Hart  
Secretary

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