

**VILLAGE OF RED HOOK
PLANNING BOARD MEETING
March 14, 2024**

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

Absent: Chair Beth Pagano

Present: Village Attorney, Vicotria Polidoro

Member David Markusen-Weiss motioned to open the March 14, 2024 Planning Board Meeting at 6:32pm. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

Co-Chair Rogers asked all to stand for the Pledge of Allegiance.

Co-Chair Rogers announced that we had a quorum for this evening's meeting.

Co-Chair Rogers made a motion to approve the minutes of the February 8, 2024 Planning Board meeting. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Agenda Item #1.

Red Hook Natural Food Store
7478 South Broadway
Tax Parcel ID 6272-10-431694

Present: Michael Uccelini, Owner

Co-Chair Rogers advised that this application is a site plan for proposed hanging signage with lighting.

Applicant came forward to present and advised lighting would be with a gooseneck fixture with light shining downward onto the sign and not the ground and that signage was above the 8 feet requirement and would be hung in the center of the building at the apex and will be double sided.

Co-Chair Rogers asked the Board for any comments.

Member Markusen-Weiss asked if sign met square footage requirements. Signage is 5 square feet and within allowable limits.

Co-Chair Rogers advised that Chair Pagano is absent but has submitted comments; one of them being the wattage of the bulbs. Mr. Uccelini said he did not know what the wattage was but said whatever is appropriate they will install. Co-Chair Rogers said there will be a lighting condition if approved.

Member Pearson asked if the gooseneck was adjustable. Mr. Uccelini said yes.

No further comments from the Board.

Co-Chair Rogers made a motion to classify application as a TYPE II ACTION with no further environmental review. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Co-Chair Rogers made a motion to approve the proposed hanging signage with lighting from site plan dated 2/23/2024 for property located at 7478 South Broadway, listed as Tax Grid #6272-10-431694, as depicted in the submitted proposal. The signage shall not exceed the square footage as provided by the Code of the Village of Red Hook, and that the signage is within the limits allowed and conforms to all provisions of Section 200-38 of the Code of the Village of Red Hook and with the following condition:

Any proposed lighting shall not interfere with the visibility of traffic and shall shield direct light from adjoining streets and properties.

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

Co-Chair Rogers advised that applicant is required to sign and submit a building permit prior to hanging signage.

Agenda Item #2.

Robert J. Dupont, Architect
For Red Hook Partners, LLC (owner consent on file)
7385 South Broadway
Tax Parcel ID 6272-10-292549

Present: Robert J. Dupont, Architect

Co-Chair Rogers advised this is a continuation of site plan from February 8, 2024 and that Mr. Dupont was present on February 8th and the Board asked for amended plans to include the following:

Add maximum coverage calculations per zoning to the plans
Add elevations to plan

Submit letter from Village Engineer regarding sewer hook-up (Co-Chair Rogers advised that a letter was received and forwarded to Board members)

Show additional plantings on plans

Add septic location at northeast corner to the plans

Co-Chair Rogers advised that this Board has received a response from the Dutchess County Department of Planning & Development dated February 21, 2024 and that applicant was provided a copy. Co-Chair Rogers said he will not read the entire letter into record but advised the County recommends that the Board rely upon its own study of the facts in the case with due consideration of the comments.

Co-Chair Rogers made a motion to open the public hearing for the site plan application for 7385 South Broadway listed under Tax Parcel ID 6272-10-292549 at 6:39pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Mr. Dupont came forward and reported that all the conditions that the Board asked for at the last meeting were accommodated and revised plans were submitted. Mr. Dupont advised that the water line was added; septic was shown and requested letter from Delaware Engineering being received and no change to that; and they have incorporated landscaping at the front and side of the building by adding a Japanese maple at the northeast corner of the building (where existing cedar tree will be cut down) and low planting at the front of the building but advised at the south side of the building there is only a 2 foot planting strip between the building and the concrete curb where the driveway starts so they will use maiden grass. Member Rogers asked how high the maiden grass gets. Mr. Dupont said 3-4 feet but can get trimmed down in the Fall.

Mr. Dupont spoke on the concern with lot coverage and advised that they are at 90% and zoning allows 40%, but what they proposed was removal of some of the blacktop where they are installing the new septic system and they have extended that strip on the northern side of the property all the way to the back of the property so it's a nice clean line about 100 feet long; which will all be grass area for the tenants; and get them from 90% to 75%.

Mr. Dupont advised he looked at possible reductions of more blacktop, but the problem is where the driveway comes in and allowing for back up space for the cars they need to maintain a majority of that blacktop to the south where the cars are parking and just to the west of where the cars are parking it's a nice area for when the lot gets plowed during snow.

Mr. Dupont said it is an improvement but that they could never get down to the 40%.

Mr. Dupont referenced one of the County comments regarding lighting for parking and advised he has used 50 watt led bulb and that light pole is only 10 feet tall – and it spreads out very quickly and by time it spreads out it is only about 2 footcandles and feels it is appropriate and advised that the light poles are in the grassy strip and would like to keep as proposed.

Mr. Dupont said he provided elevations and floor plan and elevations of exterior were very minor.

Co-Chair Rogers asked for any further public comments.

No persons present and no comments received.

Co-Chair Rogers advised that no written comments were received via email or by regular mail.

Co-Chair Rogers made a motion to close the public hearing for the site plan application for 7385 South Broadway listed under Tax Parcel ID 6272-10-292549 at 6:45pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Co-Chair Rogers reminded that the site plan was classified as a TYPE II Action at last month's meeting.

Co-Chair Rogers advised that this Board could either approve or table the application and recommended to approve.

Member Pearson asked if we are still waiting on Board of Health approval. Mr. Dupont said yes.

Co-Chair Rogers advised that the Village Attorney Victoria Polidoro prepared a Resolution for the Board's consideration. Co-Chair Rogers said seeing no further comments he would moved to motion to ***approve said Resolution to grant site plan approval:***

**VILLAGE OF RED HOOK
PLANNING BOARD**

A meeting of the Village of Red Hook Planning Board was convened in public session at the Village Hall, 7467 South Broadway, Red Hook, New York on March 14, 2024. The meeting was called to order by Co-Chair Jim Rogers.

Moved by: Co-Chair Jim Rogers

Seconded by: Member David Markusen-Weiss

RESOLUTION TO GRANT SITE PLAN APPROVAL

Kaufman Two-Family Dwelling

WHEREAS, the applicant, Robert Dupont AIA, has submitted an application for site plan approval to convert an existing medical office building to a two-family dwelling at the property located at 7385 South Broadway, Red Hook, tax parcel number 6272-10-292549 (the "Property"), in the Neighborhood Mixed-Use Zoning District (the "Project"); and

WHEREAS, pursuant to Section 200-12B(1)(b) conversion of an existing building into a two-family dwelling unit is a permitted use in the NMU District subject to site plan approval; and

WHEREAS, the Project is depicted on a site plan set entitled, “Two- Family Building Conversion for Red Hook Partners, LLC” prepared by Robert J. Dupont, Architect, LLC dated January 24, 2024, last revised March 5, 2024, Sheets A-1- A-4, (collectively, the “Site Plan Set”); and

WHEREAS, pursuant to 6 NYCRR § 617.5(c)(18), the reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance is a Type II action under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on February 8, 2024, the Planning Board classified the Project as a Type II action under SEQRA; and

WHEREAS, by letter dated February 26, 2024, Robert Flores of Delaware Engineering, confirmed the Property and Project do not currently connect to the Village Sewer System and will not need to connect to the village sewer infrastructure; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law, which responded on February 21, 2024 with this is matter of local concern with comments; and

WHEREAS, a duly noticed public hearing was opened on February 8, 2024 and closed on March 14, 2024, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the Site Plan Set, and authorizes the Chair or her authorized designee to sign the Site Plan Set after compliance with the following conditions:

- 1. Payment of all fees.**
- 2. Approval by the Dutchess County Board of Behavioral and Community Health of the methods of water supply and wastewater disposal.**

BE IT FURTHER RESOLVED, that before the Building Inspector may issue a Certificate of Occupancy for the improvements shown on the Site Plan Set, the applicant shall provide a .pdf of the signed Site Plan Set to the Planning Board Secretary for her files.

Beth Pagano, Chair	Absent
David Markusen-Weis	Aye
David Pearson	Aye
Jame Rogers	Aye
Steven Zacharzuk	Aye

James Rogers, Planning Board Vice-Chairperson

VOICE VOTE Aye-4 Absent- 1 Nay- 0 Motion Carried

Agenda Item #3.

Kristina Dousharm, Architect - KDA
Red Hook Community Center
59 Fisk Street
Tax Parcel ID# 6272-11-598636

Co-Chair Rogers advised that per request dated March 1, 2024 to Secretary Hart, applicant has asked that this application be tabled to April 11, 2024.

Co-Chair Rogers made a motion to table the site plan application for 59 Fisk Street to April 11, 2024 at 6:30pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Agenda Item #4

Kristina Dousharm Architecture, PLLC
For: Lofty Site Plan
Owner: Keil Realty (consent on file)
7536 North Broadway
Tax Parcel ID 6272-06-470753

Present: Erin Moylan, business owner
Victoria Polidoro, Village Planning Board Attorney

Co-Chair Rogers announced his recusal from this application and Acting Chair Markusen-Weiss will fill in for this application.

For the record: Kristina Dousharm from KDA was not present.

Acting Chair Markusen-Weiss advised that this was a continuation of a site plan application from February 8, 2024 and that escrow has been received as requested for both the Village Attorney and Village Engineer.

Acting Chair Markusen-Weiss advised that a letter to the Village Engineer was sent, and this Board is awaiting a response regarding sewer review since this parcel is now in the new sewer use area.

Acting Chair Markusen-Weiss advised that the applicant was asked at the February 8th meeting to submit amended plans to include the following:

Escrow – 2 checks for Village Attorney and Village Engineer - (Acting Chair Markusen-Weiss advised checks were received)
Obtain an easement or merge the 2 lots

Traffic study numbers based on ITE (882WC)

Courtesy Referral to DOT – (Secretary Hart sent on 2/15/2024. They have 30 days to respond. NO response received as of this date. Deadline is 3/15/2024.

Add 1 bike rack to plans

More information re: signage

More information re: lighting

Location of sewer tank and lines to be added to plans

Erin Moylan spoke at this time regarding the easement and advised that they are currently in a lease with the owner, Kim Keil, and do have permission to use that back parcel and they will be negotiating a sale in May so will have an easement from themselves to themselves for that back parcel and can provide a statement that they currently have use of that back parcel, but by the time they open they will have an easement.

Member Pearson asked if it would be easier to combine those lots. Erin Moylan said maybe but that they want to dig into it a little more to make sure everything makes sense with Graves Street and that she was not sure if this needs to be a permanent easement or can be temporary.

Attorney Polidoro advised that if they were separate lots that could be sold separately then there needs to be an easement. Erin asked temporary or permanent and that she would propose as a temporary in case they ever decided to sell or change the use of the property.

Attorney Polidoro said it is going to be permanent, but they could have their attorney contact her directly to talk about it, but that they could modify it, and that the easement is something that would be a condition of approval so you could not open without an easement.

Acting Chair Markusen-Weiss asked applicant to speak regarding traffic.

Erin Moylan said they have not done a traffic study, but if one needs to be done to be approved, they will do that, but does not anticipate more traffic than there already is, especially since they are having egress out on Graves Street. Erin said she can work on the traffic study.

Member Zacharzuk said on the plans he thought it was going to be a one way all the way to the back but the back is showing two ways. Erin said she thinks the proposal was that the entrance was for the dumpsters. Member Zacharzuk said he sees a Do Not Enter sign.

Member Zacharzuk asked how they will stop the through traffic because traffic backs up and they tear through CVS so you will get traffic to avoid the light and there is no lighting in the back.

Erin said she does not feel confident speaking on that without Kristina present. Erin was asked to call KDA.

Erin hoped that with an operating business that it would not become a through-way. Member Zacharzuk asked about putting no through traffic signs up. Erin said yes and thinks that is what they would do.

Member Pearson asked then they won't be putting up a one-way sign. Erin said yes but the back entrance would be exclusively for future events and future parking area, so they have an entrance of Graves for the dumpster and a do not enter in the front area.

Member Zacharzuk asked how they would get their product in. Erin advised through the front of North Broadway.

Member Zacharzuk said there are no lights and dirt in the back. Erin said they will make a note of that and get that worked out.

Acting Chair Markusen-Weiss asked about bike racks. Erin said bike racks were added.

Member Pearson asked what the three things were in the dumpster area. Erin said recycling, garbage disposal and compost.

Erin advised that there is no proposed signage. They will return to this Board for signage when ready.

Acting Chair Markusen-Weiss asked about lighting in the back. Erin advised that with the hours of operation and closing at 8pm there should have no issue. Acting Chair Markusen-Weiss asked if there was street lighting on Graves Street. Erin said she does not believe so, but lighting floods over from the next-door parking lot (old CVS). Member Zacharzuk said their exit is more to the front of Graves Street. Erin said if the Board feels it necessary, they can add lighting but does not want it to invite or deter traffic. Member Zacharzuk said he feels lighting needs to be added back there.

Acting Chair Markusen-Weiss advised that Chair Pagano was absent but has submitted comments for the Board's review.

Acting Chair Markusen-Weiss made a motion to open the public hearing for the site plan for 7536 North Broadway listed under Tax Parcel ID 6272-06-470753 at 7:02pm. Motion seconded by Member Pearson. All in favor. Motion approved.

Acting Chair Markusen-Weiss spoke about parking and Chair Pagano's comments for the Board to take into consideration and that Chair Pagano indicated 12 spaces were required but 23 are being proposed and felt that was too many spaces.

Member Zacharzuk advised they have 10 parking spaces out front, and the rest are marked "staff parking" so there are 10 spots for public use which includes one handicap so down to 9 spots.

Member Pearson asked Erin how many people they expect at one time. Erin said it was pre-orders and scheduled trips and cannot say how many. Member Pearson asked if they would have 11 staff. Erin said no.

Member Zacharzuk said they could have 11 customers in there at once. Erin said they do not intend to have more than 4 customers at once. Member Zacharzuk asked if each customer would be taken care of by one employee. Erin said it is pre-orders so should be a swift in and out process and they will have tablets inside for ordering and the intention is to keep it fast moving.

Member Zacharzuk asked if a customer has access to any product. Erin said no and no product touching inside the building. Member Zacharzuk asked if customers enter and exit at same door. Erin said no and that it is marked on the site plan.

Acting Chair Markusen-Weiss advised sewer connection was added to plans.

Acting Chair Markusen-Weiss spoke on the County's response comments dated February 21 2024 and asked the Board if they reviewed.

Member Pearson asked if any remediation will be done around the back barn and warehouse. Erin said nothing currently and is a future project. Member Pearson suggested a grassy area. Erin said the plan is to put pollinators back there with some landscaping.

Member Pearson asked about the loading area. Erin said it will be utilized for large pallets and door used for internal use only and will be gravel.

Member Zacharzuk asked if all that traffic will be coming off North Broadway. Erin said yes and felt it was better to have one entrance and not exit out on North Broadway.

Member Zacharzuk asked if they wanted trucks to exit out onto Graves Street. Erin said yes. Member Zacharzuk asked how big the trucks were. Erin advised the biggest would be a u-line truck which is a traditional 18-wheeler which that lot has seen for the past 75 years with Keils and feels that lot can handle that and provide ample space to back up and unload and exit one way.

Member Zacharzuk asked about the 22 foot in the back at the driveway if it will be gravel. Erin said yes.

Member Zacharzuk said since they will be exiting all that traffic onto Graves Street it should be brought up to Code – because right now it is all dirt. Member Pearson said it is gravel. Erin said they will be filling and taking care of the gravel on their parcel. Member Markusen-Weiss said if that is an egress being used all the time it has to be maintained. Erin said with Keils it was used for heavy traffic in and out and they will be filling holes and grading it.

Attorney Polidoro asked Member Zacharzuk if that was something you wanted the Village Engineer to weigh in on. Member Zacharzuk said yes. Attorney Polidoro said they are changing from a two way on Route 9 to sending everything out back. Member Zacharzuk said even though they are putting signs up you get through traffic and people trying to avoid the light. Attorney Polidoro asked if they wanted to know if any improvements were needed or curb cuts on Graves Street. Member Zacharzuk said right.

Attorney Polidoro asked Erin if they were working with DOT for a permit and if an application was made. Erin referenced the courtesy referral sent by this Board. Attorney Polidoro said they have to submit to DOT. Erin said she will work on that.

Member Zacharzuk addressed Attorney Polidoro about no lighting in the back and with front lot proposed double headed that could be provided in the back also. Erin said you would want the same in the back. Attorney Polidoro said that is up to the Board. Member Zacharzuk asked that consideration has to be given to neighbors.

Acting Chair Markusen-Weiss said there was a zoning question about previously approved storage and the language in the Zoning Law is a little ambiguous about how much manufacturing/process is allowed. Erin asked isn't it based on the number of employees. Acting Chair Markusen-Weiss read aloud Section 200-10-B-30 (Miscellaneous retail stores). Erin said they will be under 5 employees. Attorney Polidoro said it is not just about employee size and if you look just at the footprint it is larger than retail so how what is the argument that it is incidental to the retail and not actually the primary use.

Erin advised they can only sell products that they create ourselves and grow ourselves, and anything they are growing comes into their processing space and gets packaged and put into final form and has its own inventory and processing space which is required by OCM and then goes into a separate retail vault and checked into that vault through software track and trace and goes into a retail inventory system that is tracked daily.

Attorney Polidoro said the question is... is the manufacturing incidental to the retail because manufacturing is not allowed in this District.

Acting Chair Markusen-Weiss asked if this Board needs a determination on this and how do we figure that out.

Attorney Polidoro said the Planning Board cannot interpret the Zoning Law so if this Board has a question about it being incidental they would refer it to the Zoning Officer for interpretation.

Erin said she is not understanding and what does it mean incidental to the retail space. Acting Chair Markusen-Weiss said not primary. Erin said it is not primary and a retail location and selling their products. Acting Chair Markusen-Weiss said this Board is just not sure they are within the Zoning Law. Attorney Polidoro said it's an accessory to the retail. Erin asked so it needs to be an accessory to the retail. Attorney Polidoro said right, and the question is... Is this processing facility incidental to the retail and allowed here.

Attorney Polidoro said if you were in a District where manufacturing was permitted then this would be called manufacturing, but this district only allows retail. Erin said this is not manufacturing, if we are getting into language, it's processing of product. Member Pearson asked if they were mostly packing it. Erin said yes packaging into final form and preparing for final sale. Member Pearson asked if any cutting. Erin said yes trimming, gummy production – like a commercial kitchen. Acting Chair Markusen-Weiss asked if any extraction. Erin said no and all solventless – no chemicals on site. Attorney Polidoro asked if any drying there. Erin said no drying or cultivating on site. Product will be received in its final cured packaged form. Member Zacharzuk asked how it is received now. Erin said it is not- we don't have a license. Member Zacharzuk said you said it is for storage. Erin said that is a whole different conversation and there is no product affiliated with this retail location. Attorney Polidoro asked where they are receiving it from. Erin said it will come in from 55 gal. drums/containers from themselves – they grow and cultivate off site and they are allowed to grow within 25 miles of their retail location, and they will be doing that. Erin advised they will be growing in Hudson.

Member Zacharzuk asked what you are putting in there now. Erin said nothing. Member Zacharzuk referenced the red barn and asked what is being stored in there and asked if product was being stored in there. Erin said there is currently product being stored in there that was approved by this Board under a separate license by the OCS, but nothing to do with this license or retail space. Erin advised that that barn is not under the same usage and plans say future removal and they will not continue to use that barn. Erin said she is not sure of the process for removal.

Attorney Polidoro said the plans do not show they will stop using and proposal is storage. Erin said it says future removal. Attorney Polidoro advised it says storage. Erin said it will be used for actual storage, i.e. packaging, boxes, traditional storage.

Acting Chair Markusen-Weiss said this will be referred to the Zoning Officer for interpretation.

Acting Chair Markusen-Weiss asked for any other Board comments. No Comments.

Acting Chair Markusen-Weiss read public hearing rules aloud.

PUBLIC HEARING began at 7:25pm.

#1. Peter Tselikis – 10 Cherry Street, Red Hook

Mr. Tselikis submitted to the Board a letter and photographs. Mr. Tselikis read his letter out loud. Copy of letter is on file with the building department. Mr. Tselikis asked that the Board check on what type of vehicles are permitted on Graves Street and felt vehicles permitted to turn left will have to exit out of CVS lot and if permitted to turn right could get jammed up.

#2. George Beekman 0- 15 Cherry Street, Red Hook

Mr. Beekman spoke on roads – Cherry & Graves – and feels they are not wide enough. Mr. Beekman g said coming out of Cherry Street you are not making a left and you would have to drive through the CVS parking lot and said trucks coming out of Keils would go through CVS and he feels is not allowed to make a right onto Graves and onto 199 and feels it is not meant for tractor trailers and a problem exiting trucks onto Graves Street.

Chair Markusen-Weiss advised no other person present to speak.

Attorney Polidoro recommending not closing the public hearing if the Board was waiting on a Zoning interpretation.

Acting Chair Markusen-Weiss advised that no written comments were received via email or by regular mail.

Acting Chair Markusen-Weiss made a motion to table the public hearing for 7536 North Broadway to April 11, 2024 at 6:30pm. Motion seconded by Member Pearson. All in favor. Motion approved.

Attorney Polidoro advised that the applicant did hear some questions about the traffic and that you indicated earlier that the curb cut may be an issue and does not know if Delaware Engineering has a traffic consultant on hand, if they don't she asked the Board if they want her to recommend – and does not know what level of concerns this Board is looking for but they have a traffic engineer who can advise

if the one way in and one way out is appropriate. Member Pearson asked if they could have a sign at Graves Street that says cannot turn left – same as CVS – and feels a study of some sort would be good. Member Zacharzuk agrees.

Attorney Polidoro asked if they wanted to motion to have Secretary Hart reach out to Hudson Valley Engineering. The Board said yes.

Acting Chair Markusen-Weiss made a motion to direct Secretary Hart to reach out to Hudson Valley Engineering regarding traffic concerns. Motion seconded by Member Pearson. All in favor. Motion approved.

Acting Chair Markusen-Weiss made a motion to table the site plan application for 7536 North Broadway to April 11, 2024 at 6:30pm. Motion seconded by Member Pearson. All in favor. Motion approved.

CO-CHAIR JIM ROGERS RETURNED TO THE MEETING

Agenda Item #5

Marie Welch, LS for Randy Haddad (owner)
32 Garden Street
Tax Parcel ID: 6272-10-250660

Present: Marie Welch, L.S.

Co-Chair Rogers advised application is for a special permit for a change in use from a 1-family to a 2-family. Marie Welch said it was a 3-family going to a 2-family. Secretary Hart advised it was an illegal 3-family.

Co-Chair Rogers advised this was an-allowed use under Zoning Section 200-9-C-(5) but would require a special permit.

Co-Chair Rogers advised the building is currently under renovations from damage due to a previous fire and during the building permit process it was determined that the applicant needed a special permit in order to obtain a required Certificate of Occupancy for a 2-family use. Co-Chair Rogers advised that per Secretary Hart, homeowner Randy Haddad is in compliance with the building department with building permits and inspections.

Marie Welch came forward and said she now understands why they proposed going from a 3-family to a 2-family as she did not know about the 3-family being illegal and that being why they are converting a single-family residence into a 2-family residence.

Marie advised the plans show site conditions and setbacks with a preexisting nonconforming front yard setback because the house was built probably prior to zoning. Marie advised that there is an existing septic system on the lot which is shown; 4 proposed parking spaces with

gravel parking. Marie said only 3 spaces are required per zoning but they 4 and parcel is served by existing water supply and utilities. Marie advised that the use would be less now not being a 3-family.

Co-Chair Rogers asked the Board for any further comments. No comments.

Co-Chair Rogers made a motion to classify this special permit application for 32 Garden Street as a Type II Action with no further environmental review. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Co-Chair Rogers made a motion to waive the public hearing for this special permit application for 32 Garden Street as a Type II Action with no further environmental review. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Co-Chair Rogers made a motion to approve the special permit application for 32 Garden Street, Red Hook, NY listed under Tax Parcel ID 6272-10-250660, as proposed in plans dated January 29, 2024 with the following conditions:

Plans to include owner's consent signature box and Planning Board approval signature box.

Approved site plan/special permit shall comply with all Local, County, State and Federal Laws.

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

Marie asked that since this is not being filed with the County that they don't have to have an owner's consent box. Secretary Hart agreed.

Marie said she will provide copies of the map to Secretary Hart.

Agenda Item #6

Marie Welch, L.S. for Thomas LeGrand (owner's consent on file)

St. John Street

Tax Parcel ID: 6272-06-389759

Co-Chair Rogers advised that this application is a site plan for construction of 2400 sq. ft. two story building for office and residential use.

Co-Chair Rogers advised that Chair Pagano is absent but submitted comments for the Board's consideration and addresses those comments:

- **First Meeting on this site plan.**

- **RETAIN VICTORIA for this site plan. Ask for escrow \$1,500.00**

Marie acknowledged escrow request.

- **CONDITION: Board of Health approval of septic.**

Marie advised that Mr. LeGrand has spoken with his Engineer, and this will take a special septic system since it will have to be under the parking lot.

- **GB District: Commercial/Office and residential.**
- **Building is 1,200 sf PER FLOOR – TOTAL SF 2,400. Everywhere this appears needs to be changed.**

Marie said he does not have a design yet but won't exceed by much. Co-Chair Rogers said the plans indicate 1200 sq ft. Marie said she did not indicate per floor. Co-Chair Rogers asked that it indicates total square footage.

- **PARKING: Traffic study is needed because St John Street is being used to avoid the corner light.**
- **Traffic pattern for both lots needs to be improved. I believe the existing conditions are dangerous because of the number of people who use St John Street as a cut-off.**

Co-Chair Rogers advised that a traffic study will need to be done.

- **Why 17 spots? Way in excess of the 8 needed.**

Co-Chair Rogers asked why 17 spots in excess of the 8 that were needed. Marie advised you will need 8 for West Market Street and when the lot line was done it was requested by Chair Pagano that they designate the parking and put a permanent around those 8 parking spaces to create that ability for 49 W. Market Street to use those, and they could be shared, but the 9 proposed behind the building are really just for the 2400 square feet which was based on Village Zoning. Co-Chair Rogers said in part a proposal to build a parking spot for another building. Marie said the reason for the lot line change was so he would have the 1-8 spaces for his septic system because he could not put a septic system on the other lot, but could use parking on this lot because he could get an easement.

Marie said in order to do both office and residential that is number of parking Zoning requires.

Member Pearson asked about the rectangle and if that was the easement space. Marie advised parking spaces 1-8 was the easement and she will add to the “note” on the site plan. Member Pearson asked if the easement was already set up. Marie advised correct.

Co-Chair Rogers asked how the traffic will run in and out of this parking lot. Marie said she did not put arrows but does have enough width under St. John Street, where proposed driveway would be, with a minimum width of 24 feet between both sides of the parking lot which is enough room for a car to back out and turn around. Marie advised they would propose ingress and egress at the same spot. Co-Chair Rogers asked if cars would be backing out onto St. John Street. Marie said no – there is enough room because of the width of the parking area.

Member Zacharzuk asked about proposal of parking spaces 1-9 asking if that where you are looking to blacktop. Marie said she has not considered but can talk to Mr. LeGrand. Member Zacharzuk recommends gravel. Co-Chair Rogers agreed.

Marie advised if they were to have infiltrators underneath, they believe they will have evaporation type and could not pave over. Member Pearson said they cannot be paved over.

Member Zacharzuk asked about parking spaces 1-8 and can they add a handicap spot. Marie said the reason they did not put one is because there is a handicap ramp in front of the building so they would park on the street, but that one was added at the 1-9 parking space area.

- **Old parking lot needs to be converted to grass and landscaping.**
- **Tabular Summary of Site. Needs to have ACTUAL vs. MAX.**

Marie said she may want how many parking spaces for each site because when the lot line was done we talked about parking spaces on the street in addition to the rear. Noting in addition to the 1-8 on St. John there was parking on West Market Street. Member Pearson said you may want to change the numbering system. Marie said ok.

Co-Chair Rogers asked could we have a special condition of less parking spaces. Marie said she believed they were sharing – so if they could share maybe 4 spaces, they could eliminate some spaces. Marie said she will review Zoning. Co-Chair Rogers said we have retained the Village Attorney who will review now, but more grass and less spaces would be good. Marie said this was a first draft and now they can discuss what they can possibly eliminate or modify.

- **Lighting Approval. Need lots more information; number, location, type and illumination among other**

- **Water line to be added to map.**

Marie said will find out if the Village can mark out but no water on this lot because it is vacant but will show water valves and water line indicators.

- **Septic location to be added to map.**

Co-Chair Rogers said septic will be under parking spaces. Marie said that will be up to the Engineer to decide, but if they eliminate 6, 7, 8 & 9 makes sense to put in that space, but up to the Engineer.

- **Need a landscape plan. Location of existing trees**

Co-Chair Rogers asked for a landscaping plan. Marie said she will try and some trees already there that can maybe be maintained.

Member Pearson asked if the front of the proposed building will line up with other proposed buildings on that side of the street. Marie said the other side of the building is Frontier and next lot over fronts on West Market Street – on the 3rd lot over is set quite a bit further back, but Law says to put parking in rear. Marie said there is a big u-hedge that you would not immediately spot if the buildings did not evenly line up but in order to put this building back to line up you would have all the parking on front. Member Pearson asked about moving the building back a little bit. Marie said probably instead of getting rid of 6, 7, 8 & 9. Co-Chair Rogers asked to look into that.

Elevations for building.

Marie said someone will be designing the building.

- **Short EAF (environmental form).**

Co-Chair Rogers said this will be done at the next meeting.

Co-Chair Rogers asked for any other comments.

Member Pearson asked about lighting. Marie had already made a note on the lighting.

Co-Chair Rogers made a motion to table the site plan application for St. John Street listed under Tax Parcel ID 6272-10-389759 to April 11, 2024 at 6:30pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Agenda Item #7

Catherine Ackert

46 W. Market Street

(Owner: Brochetti Catering, LLC – owner’s consent on file)

Tax Parcel ID: 6272-10-378736

Present: Catherine Ackert

Co-Chair Rogers advised this application is a site plan for proposed Italian deli and that the proposed use is an allowed use in the General Business District under Zoning Section 200-10-B-15 – Eating and Drinking Establishment

Co-Chair Rogers announced that the County has sent a response with regard to the referral that this is a “matter of local concern”.

Applicant come forward to present.

Catherine advised the deli is located where prior business Modern Taco and Terry’ Bakery was located and is proposing a grab-n-go deli with some outdoor seating only.

The Board asked to specify the sewer location on the plans. Catherine said with the 6 caps that the 3 adjacent to the back door were grease traps.

Member Zacharzuk asked Secretary Hart about sewer plans. Secretary Hart advised she reached out to the Village Engineer regarding a review since parcel is in the new sewer use area, and thinks the new sewer was installed for that use but has not heard back from Mr. Flores.

Co-Chair Rogers advised that Chair Pagano is absent but has submitted comments for the Board’s review:

- **Location of sewer to plans**

Addressed above

- **GB table is good, but need the “allowed” to also include “actual”**

Has to add what is there now as far as coverage

- **There is not any information about lighting on the sign plan. Are they making any changes to the existing lighting or wattage.**

Catherine advised no change to lighting. Co-Chair Rogers advised that there will be a lighting condition.

Co-Chair Rogers advised proposed signage is within limits with no change to existing lighting.

Co-Chair Rogers advised that the applicant has corrected the site plan application to indicate correct prior use; Applicant has redone and submitted Short Form EAF and all questions have been addressed by applicant, owner and surveyor.

Applicant advised she was using existing lighting for both the sign and building.

Co-Chair Rogers made a motion to set a public hearing for the site plan application for 46 West Market Street to April 11, 2024 at 6:30pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Co-Chair Rogers made a motion to table the site plan application for 46 West Market Street to April 11, 2024 at 6:30pm. Motion seconded by Member Zacharzuk. All in favor. Motion approved.

Agenda Item #8

Patricia Breinin – The Inwood Foundation
Firehouse Lane
Tax Parcel ID: 6272-10-388518

Co-Chair Rogers advised that the applicant could not be present this evening and asked for a motion to table the application.

Co-Chair Rogers made a motion to table the site plan application for Firehouse Lane listed under Tax Parcel ID 6272-10-388518 to April 11, 2024 at 6:30pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Co-Chair Rogers made a motion to adjourn the March 11, 2024 Planning Board meeting at 8:14pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Lara Hart
Secretary to the Planning Board
