

**VILLAGE OF RED HOOK
PLANNING BOARD MEETING
October 17, 2024**

Present: Chair Elizabeth Pagano; Member David Markusen-Weiss & Member David Pearson

Absent: Co-Chair Jim Rogers and Member Zacharzuk

Chair Pagano opened the October 17, 2024 Planning Board Meeting at 6:32pm. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

All Stood for the Pledge of Allegiance.

Chair Pagano announced members present and that we had a quorum for this evening's meeting.

Chair Pagano motioned to approve the minutes of the September 12, 2024 Planning Board meeting. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.

Agenda Item #1

Marie Welch, L.S. for Thomas LeGrand
St. John Street – Site Plan
Tax Parcel ID: 6272-06-389759

Present: Marie Welch, L.S.
Thomas LeGrand, Property Owner
Victoria Polidoro, Esq. – Village Planning Board Attorney

Chair Pagano advised that This is a continuation of a site plan and public hearing.

Chair Pagano advised that a revised site plan dated September 25, 2024 was received from Marie Welch and forwarded to all Board members.

CHAIR PAGANO MADE A MOTION TO OPEN THE PUBLIC HEARING AT 6:33PM. MOTION SECONDED BY MEMBER MARKUSEN-WEISS. ALL IN FAVOR.

Marie Welch came forward to speak and advised of the correct date for the revised map she submitted as September 25, 2024.

Chair Pagano advised that the proposed septic system has been added. Marie Welch said that was per the soil tests done by Tim Ross (a copy of which was submitted to this Board) and

behind the proposed building partly under parking spaces 9, 10, 11 & 12, and notes on it were provided on the plans. Marie Welch advised soil tests showed good soil.

Marie advised they added the water line and approximate but have actual physical location of water values.

Member Pearson asked if they would have to cut the street for the water lines. Marie advised she does not do that, but the engineer does, but yes would imagine they would have to cut it.

Chair Pagano size of handicap parking spot is 8x19. Marie said there is a striped section as well that counted as part of it.

Attorney Polidoro asked if it was wide enough. Marie said she believed it was and the dimensions were from the internet. Marie said she can add a note on the map about handicap parking.

Attorney Polidoro said the accessible isle has to be 60 inches. Marie said 5 feet and ok. Attorney Polidoro said 96 inches & 60. Marie said 8 feet, so they met that, and they have the proposed walk which will be concrete and ADA compliance (Marie noted that it was not on the plans but will be added).

Chair Pagano said the sign that says "forward parking only" will need to be shown on the plans.

Chair Pagano asked about the note on the plans indicating "no obstruction to vision between the height of 3.5 feet and 10'" and if that was for the bushes. Marie said yes and for anything that would be on that corner, but that it is typically required for a 4-way intersection and not even required for this lot. Chair Pagano said if you can do that it would be best.

Chair Pagano said trees were shown. Marie said they were the existing. Member Pearson asked which ones would have to go and which would remain. Marie said she does not know but could have a problem with the roots – and that the Maple will go, but the 26" locust will stay. Marie said they can trim back branches that are hanging over.

Chair Pagano said this Board still needs a lighting plan. Mr. LeGrand said yes and still needs an elevation plan. Lighting was discussed.

Mr. LeGrand said there will be a change to the stairway will now be interior to keep free of snow/ice. Marie asked Mr. LeGrand what kind of lighting would be proposed. Mr. LeGrand said he wants to have a little covered porch with a light. Marie said recessed with no sky lighting. Attorney Polidoro said to submit a cut sheet of the light.

Chair Pagano said bulk coverage table was added.

Chair Pagano said parking spaces were added.

Mr. LeGrand apologized that elevations were not complete yet, but that he is working on that.

Chair Pagano asked about 2nd handicap spot? Marie said that was when we did not know if there was one out front. Chair Pagano asked if this was required. Attorney Polidoro said that would need to be checked, and advised she thinks it is 1 for every 20. Marie said ok and they don't have 20.

Chair Pagano asked to add on the plans that the extension of walkway will be concrete.

Member Pearson asked about the plans indicating going from a narrow sidewalk to a wider sidewalk where the handicap spot is and why. Marie said it was because they wanted to concrete it all the way to that parking spot. Member Pearson said he feels it would be nicer to put a smooth curb on the other sidewalk. Marie said rather than the 90 degree and do you want at both corners? Member Pearson said no – just the one corner.

Chair Pagano advised that the buildings were labeled.

Chair Pagano asked about the flower box and flowers. Marie said she does not recall that comment. Marie said that was on the north side of the building and would get no sun. That item was removed. Marie said she will include ground cover.

Attorney Polidoro asked if this Board wanted them to identify which trees are being removed and which will stay. Member Pearson said that would be good. Marie said there really aren't any trees being removed except for the one in front.

Chair Pagano spoke about referral to Dutchess County Planning & Development. Secretary Hart said she cannot resubmit until there is a lighting plan because the original submission was deemed "incomplete". Copy of original letter dated March 29, 2024 given to Marie Welch. Attorney Polidoro advised has to include elevations as well.

Attorney Polidoro asked how far they were from having elevations done. Mr. LeGrand said he hopes to have for next month's meeting.

No further Board comments.

Attorney Polidoro asked how far along they were with Department of Health approval. Mr. LeGrand advised Tim Ross has met with them but not sure.

Attorney Polidoro asked if it was discussed with DPW about backing out into the road. Marie advised she did not, but that the parking area was existing. Attorney Polidoro said ok. Chair Pagano said they are only requesting "forward parking only signs". Attorney Polidoro asked that the plan show that it is an existing lot.

Chair Pagano asked Secretary Hart if any comments/letters were received for the public hearing. Secretary Hart replied no. Chair Pagano advised that no persons were present this evening for the public hearing.

CHAIR PAGANO MADE A MOTION TO TABLE THE SITE PLAN APPLICATION AND PUBLIC HEARING FOR ST. JOHN STREET LISTED UNDER TAX PARCEL ID 6272-06-389759 TO NOVEMBER 14, 2024 AT 6:30PM. MOTION SECONDED BY MEMBER MARKUSEN-WEISS. ALL IN FAVOR.

Agenda Item #2

Paul Sturtz & Polina Malikin, Owners
25 Fisk Street
Tax Parcel ID 6272-10-496612

Chair Pagano announced that per email received dated October 2, 2024 received from applicant, Polina Malikin, a request has been made to table the site plan application to November 14, 2024.

CHAIR PAGANO MADE A MOTION TO TABLE THE SITE PLAN APPLICATION FOR 25 Fisk Street LISTED UNDER TAX PARCEL ID 6272-10-496612 TO NOVEMBER 14, 2024 AT 6:30pm.

Member Markusen-Weiss asked if the Board could discuss the letter that was received from the applicants dated October 2, 2024.

Attorney Polidoro said the Board can discuss.

Member Markusen-Weiss said he read the letter and felt they were disputing their take on what the zoning allows per the number of goats.

Chair Pagano said she feels that as long as they are out of compliance with their zoning approval then there is no site plan approval. Attorney Polidoro advised they need it to come into compliance. Chair Pagano said that was not the only thing.

Attorney Polidoro said the way to do this is: 1) to get an interpretation from the Zoning Officer to interpret this provision of the Code; or 2) for the planning board to approve project with a condition that they have a number of goats based on the zoning law.

Member Markusen-Weiss said he feels we can do both of those things and be done because he feels they have addressed a lot of the items but feels it is only the number of goats that is not addressed, and we should ask our Zoning officer to clarify that before the next meeting, and if they still want to dispute this, the Board can advise that our zoning officer has told us this and we will approve their site plan based on that.

Attorney Polidoro said the variance had lasted if only it was about those 5 goats, so this Board could approve it saying that the law says you cannot have more than 4, you had a variance for specific 5 goats and you could have them or reduce to 4 when one of them dies.

Discussion was had about obtaining pictures of goats or that they are tagged.

Member Markusen-Weiss said he would be ok with approving based on what was submitted with the caveat that it is based on the interpretation of the law.

Secretary Hart will obtain the interpretation.

Member Markusen-Weiss spoke about having to obtain pictures of original goats and feels that we know that they are not the original 5 goats because of the babies and there is no longer 5. Attorney Polidoro said true and that the original 5 goats under the variance is no longer.

MOTION TO TABLE SECONDED BY MEMBER MARKUSEN-WEISS. ALL IN FAVOR. MOTION APPROVED.

Member Pearson asked about the manure issue and that at the last meeting he did mention there was a possible typo in Zoning and believes manure is not to be spread around the property. Attorney Polidoro advised this could be a condition upon approval.

Attorney Polidoro asked if we were in a public hearing. The board advised they never set a public hearing. Attorney Polidoro advised the Board to schedule a public hearing for next month.

The Board agreed that the submitted site plan application was complete.

CHAIR PAGANO MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR THE SITE PLAN APPLICATION FOR 25 FISK STREET LISTED UNDER TAX PARCEL ID 6272-10-496612 FOR NOVEMBER 14, 2024 AT 6:30PM. MOTION SECONDED BY MEMBER MARKUSEN-WEISS. ALL IN FAVOR. MOTION APPROVED.

Attorney Polidoro asked about referral to County Planning. Secretary Hart advised when she put in RAMP it indicated no referral required/not within 500 feet.

CHAIR PAGANO MADE A MOTION TO ADJOURN THE OCTOBER 17, 2024 PLANNING BOARD MEETING AT 7:15PM. MOTION SECONDED BY MEMBER MARKUSEN-WEISS. ALL IN FAVOR. MOTION APPROVED.

Lara Hart
Secretary to the Planning Board
