

Town of Red Hook Planning Board

Approved Meeting Minutes / Monday September 19, 2022

Chairman Sam Phelan called the meeting to order at 7:30 pm. A quorum was determined present for the conduct of business. Members present at Town Hall: Kristina Dousharm, Karen Smythe, and Arthur Salman. Members present via Zoom: Sam Phelan and Lew Rose. Planning Board Clerk, Jordan Rosario, was present via Zoom. Consultants, Brandee Nelson and Ted Fink were also present via Zoom.

Mr. Phelan announced the meeting was being held virtually and at Town Hall, it was properly announced and publicized.

PUBLIC HEARINGS

NYS Solar Farm, Inc. roof mounted solar array – 241-249 Pitcher Lane – Site Plan

Public Hearing on application to install a roof mounted solar array on several buildings at the Greig Farm Market.

Ms. Dousharm made a motion to open the Public Hearing, Mr. Rose seconded and all members voted in favor. Rhona and Bret of NYS Solar Farm were present via Zoom, they gave an overview of the project and showed the site plan illustrating the proposed solar arrays. Anna Greig was present over Zoom. Ms. Greig explained the purpose and goal of Greig Farm installing these solar arrays is to have a more predictable utility cost. She also stated that the Historic Commission has sent a letter of approval for the project since it involves a historic building. There were no questions or comments from the Board. Mr. Phelan read an email from Linda Keeling who lives on a neighboring property. The email outlined Ms. Keeling's concerns with the solar array, including safety concerns during bad weather. NYS Solar Farm answered the questions posed in Ms. Keeling's email and explained the durability of the solar arrays and their secure anchoring on metal roofs. There were no other questions or comments from the public.

Ms. Smythe made a motion to close the Public Hearing, Ms. Dousharm seconded and all members voted in favor. Mr. Phelan read a draft approval resolution. Ms. Smythe moved to accept the resolution, Ms. Dousharm seconded and all members voted in favor.

OLD BUSINESS

Bard College: Master Plan – Special Use Permit

Continued discussion on Bard College's updated Master Plan.

Liz Axelson of CPL was present via Zoom. Ms. Axelson gave an overview of the recent changes to the Bard College Campus Master Plan. Those changes included clarification on the entrances to the campus as well as highlighting and labeling the Empire State Trail on the map. There were no questions or comments

from the Board. Mr. Fink read a draft approval resolution. Bard's attorney, Ian MacDonald, asked to clarify in the resolution the date that the Board approved the scale of the map (July 18, 2022). The Board agreed and the Planning Board clerk will make the revision. Ms. Smythe made a motion to accept the resolution, Mr. Rose seconded and all members voted in favor.

Claykill (Sweeny) Minor Subdivision and Lot Line Alteration – 5269 Route 9G

Continued discussion of application to subdivide 16.95 acres from parcel and adjust lot line of parcel to give 4.85 acres to neighboring parcel.

Board member, Mr. Rose left the meeting during this agenda item.

Applicant, Sarah Sweeny, was present at Town Hall. Ms. Sweeny reviewed the changes made to her survey based on the comments at the July 18, 2022 Planning Board meeting. The survey now includes the setbacks, the building envelope, and identifies the floodplain zone. There were no questions or comments from the Board. Mr. Phelan read a draft SEQR Lead Agency Resolution. Ms. Smythe moved to adopt the resolution, Ms. Dousharm seconded and the motion passed in a vote of 4 in favor, 0 against, and 1 absent.

Mr. Fink asked Ms. Sweeny to clarify the existing lot versus the proposed lots. Ms. Sweeny agreed to send an annotated survey for Mr. Fink.

A Public Hearing was scheduled for October 3, 2022

Kasselman Solar -Craig Neville-Manning PV Array-243 Woods Road, Tivoli – Site Plan, Special Permit and Certificate of Appropriateness

Continued discussion of application to install a ground-mounted medium solar energy system consisting of five arrays totaling 7, 670 square feet in size generating a total of 149.8 kW on a 10.226-acre parcel located at 245 Woods Road in the Limited Development, Historic Landmark Overlay and Scenic Corridor Overlay Zoning Districts.

The applicant's representative, Loreen Harvey of Kasselman Solar, was present via Zoom. Ms. Harvey gave an overview of the project and discussed the proposed fencing and landscaping. The Board noted that the materials presented were much clearer and more comprehensive than previous submissions. The Board had no other comments or questions. The Planning Board clerk will send the materials to the Hamlet Design Review Committee. A Public Hearing was scheduled for October 17, 2022.

Red Hook Apartments LLC – 30 Blue Echo Rd – Special Use Permit

Continued discussion of application for existing multi-family dwelling on a 5.5 acre parcel in the R1.5 Zoning District built non-compliantly in 1984 now requiring a special use permit with a site plan to be brought into compliance.

The applicants, Jane and Lloyd Levi were present via Zoom. Mr. Levi gave an overview of the project, he showed a site plan and photos of existing exterior light fixtures. One of the fixtures shown was a bare bulb; the Board informed Mr. Levi that the bulb needs to be updated to a fully shielded and downward facing fixture. Mr. Levi agreed and said he will submit pictures and cut sheets of a compliant fixture to be installed. Mr. Fink discussed the parking on the site plan and noted that the applicant is missing 2 parking spaces. Mr. Levi will submit an updated site plan showing the correct number of required parking spaces. Mr. Fink informed the Board that this application needs to be submitted to Dutchess County for review because it is on ~~off~~ a county road.

There were no other questions or comments from the Board and a Public Hearing was scheduled for October 17, 2022.

NEW BUSINESS

Mimeles-Dietz – 203 Barrytown Rd – Certificate of Appropriateness

Presentation of application to obtain a Certificate of Appropriateness for a pool and pool house in the Hamlet of Barrytown.

Applicant David Mimeles was present at Town Hall, applicant Helen Dietz and architect Tyler Horsley were present on Zoom. Mr. Horsley gave an overview of the project and thoroughly went through all the plans. Mr. Mimeles showed the Board his plant plan and landscape inspiration photos. There were no questions from the Board. A Public Hearing was scheduled for October 3, 2022.

Cara Silvernail Thomson – 68 Pitcher Ln – Special Use Permit

Presentation of application to construct a 2 bedroom cottage on a 3.01-acre lot in the RD3 district.

Applicant Cara Silvernail Thomson and her representative, Dan Wheeler, were present at Town Hall. Mr. Wheeler gave an overview of the project. The Board asked Mr. Wheeler to identify the lighting and parking on the plans. Mr. Wheeler agreed to submit an updated plan that shows the lighting and parking. Mr. Phelan read a draft Type II resolution. Ms. Smythe moved to accept the resolution, Ms. Dousharm seconded and the motion passed with a vote of 4 in favor, 0 against, and 1 absent. A Public Hearing was scheduled for October 3, 2022.

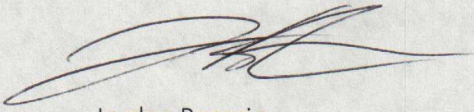
OTHER BUSINESS

There was no other business on the agenda.

ADJOURNMENT

There being no further business before the Board, Karen Smythe moved to adjourn. Kristina Dousharm seconded and all members present voted in favor.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'Jordan Rosario', with a stylized, flowing script.

Jordan Rosario

Resolution Granting Site Plan Approval to Greig Farm Medium Size Solar Energy System

Name of Project: Greig Farm Solar System

Name of Applicant: Anthony S. Sicari, Jr. / NYS Solar Farm, Inc.

Whereas, the Town of Red Hook Planning Board has received an application for Site Plan approval from Anthony S. Sicari, Jr. / NYS Solar Farm, Inc. to install five roof-mounted solar arrays; three on the existing Greig Farm barn and two on a nearby existing shed building generating approximately 45.6 kWAC/64.0 kWDC of electrical energy, along with inverters, meters, and associated equipment on a $\pm$ 108.0 acre parcel of land owned by Robert Greig (Greig's Farm) identified as Tax Parcel ID No. 6274-00-980090 and located at 221-249 Pitcher Lane in the Town of Red Hook, Dutchess County, New York; and

Whereas, the applicant has submitted an eleven page Site Plan set consisting of Sheets PV-0 to PV-9 entitled "Greig Farm 45.6 KWAC/64.0 KWDC Rooftop Photovoltaic Project" prepared by James A. Koppenhaver, P.E. dated June 7, 2022; and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on August 29, 2022 classified the proposed project as a Type II action pursuant to SEQR with no further action under SEQR required; and

Whereas, the property is not within 500 feet of a State or County Road or other threshold requiring referral to the Dutchess County Department of Planning and Development for review under General Municipal Law § 239-m; and

Whereas, the property is located on land within an Agricultural District and therefore an Agricultural Data Statement was forwarded to and filed with the owner(s) of farm operations identified in the Statement and the Planning Board must evaluate and consider the Statement to determine possible impacts the proposed project may have on the functioning of farm operations within the agricultural district; and

Whereas, the Planning Board determined that there will be no land disturbance or other activities other than trenching and installation of a 50 foot underground electrical line; and

Whereas, the Planning Board has found the proposal complies with all applicable sections of the Zoning Law; and

Whereas, on September 19, 2022, the Planning Board opened a duly-noticed public hearing on the Site Plan application, at which time all interested persons were given the opportunity to speak and the Planning Board closed the Public Hearing on September 19, 2022; and

Whereas, the Planning Board has deliberated on the application and all the matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Site Plan approval to Anthony S. Sicari, Jr. / NYS Solar Farm, Inc. for the proposed medium size solar energy system in accordance with the plans and specifications heretofore enumerated upon the following conditions:

- A. The Planning Board authorizes the Chairman or his authorized designee to sign the Site Plan after compliance with the following conditions:
 - (1) The applicant shall provide a copy of the interconnection agreement between the applicant and Central Hudson Gas and Electric Corp.
 - (2) The applicant shall pay to the Town of Red Hook any outstanding fees due and owing for the review of this application.
 - (3) The applicant shall pay any and all outstanding escrow balances for consultant review.
 - (4) The applicant shall submit Site Plan drawings for stamping and signing in the number and form specified under the Town's Zoning Law, including all required stamps and signatures.

When the above conditions have been satisfied, three (3) sets of the above referenced plans shall be submitted for endorsement by the Planning Board Chairman or his designee. One (1) set will be returned to the applicant, one (1) set will be retained by the Planning Board, and one (1) set will be provided to the Building Department. The applicant must return to the Planning Board for approval of any desired changes from the endorsed plans.

- B. The following conditions shall be fulfilled:

- (1) All proposed improvements shall have been completed in accordance with the approved Site Plan.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Karen Smythe, seconded by Kristina Dousharm, and a roll call vote, which resulted as follows:

Chairman Sam Phelan	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& two vacant seats	

Resolution was declared adopted on September 19, 2022.

Resolution Certified, Filed with the Town Clerk and Mailed to the Applicant



Jordan Rosario, Clerk to the Planning Board

September 19, 2022

Date

Resolution Granting Special Permit Approval Bard College Campus Master Plan 2022

Name of Project: Bard College Campus Master Plan 2022 Special Use Permit

Name of Applicant: Bard College

Whereas, the Town of Red Hook Planning Board has received an application for a Special Use Permit from Bard College for a Campus Master Plan, detailing proposed development and redevelopment projects proposed by the College for the next 10 years, in accordance with § 143-81 of the Town of Red Hook Zoning Law, for its campus located generally on Annandale and River roads in Annandale-on-Hudson west of State Route 9G in the Town of Red Hook, Dutchess County, New York; and

Whereas, the Planning Board has reviewed the 2022 Campus Master Plan proposed by Bard College along with a Master Plan drawing of the Campus dated June 8, 2022 and showing the locations of projects the College anticipates constructing during the 10 year period along with various related materials submitted in support of the College's plans; and

Whereas, after reviewing the Part 1 Full Environmental Assessment Form prepared by Bard College and comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board on May 2, 2022 classified the proposed project as a Type I Action and, there being no other Involved Agencies nor Federal Agencies, declared itself Lead Agency under SEQR; and

Whereas, after reviewing the Part 2 and 3 Full Environmental Assessment Form documents including a number of attachments and verbal commitments made by Bard College and its representatives at Planning Board meetings, determined that issuance of a Negative Declaration under SEQR was appropriate and issued such Negative Declaration on August 29, 2022; and

Whereas, the Bard College campus is located within the Town of Red Hook's Waterfront Revitalization Area and is subject to the Town Local Waterfront Revitalization Program (LWRP); and

Whereas, the Planning Board, acting as the Town of Red Hook Waterfront Advisory Committee, has reviewed and considered the Town's Local Waterfront Revitalization Program Consistency Form document prepared for the Campus Master Plan 2022; and

Whereas, LWRP Consistency Form describes each coastal policy and sets forth the applicability or non-applicability of the proposal with such policies and describes

how the proposed Campus Master Plan 2022 demonstrates consistency with applicable policies; and

Whereas, the application for the Bard College Campus Master Plan Special Use Permit is subject to Section 239 of General Municipal Law and such application was duly forwarded to the Dutchess County Department of Planning and Development for review on July 19, 2022; and

Whereas, the Planning Board has reviewed the application for the Campus Master Plan 2022 Special Use Permit against the general standards for a special use permit found in § 143-51 of the Zoning Law and has found that the proposal complies (or will comply at a later time when detailed plans are submitted for projects described in the Campus Master Plan) with all of the general standards, including: the location and size of the use, and the nature and intensity of the operations involved are in harmony with the orderly development of the applicable Zoning districts; the size of the site in relation to the use, the location, nature and height of the existing and proposed buildings in which the College Campus uses are existing or will be developed, redeveloped and located, and the nature and intensity of intended operations will not discourage the appropriate development and use of adjacent land and buildings, nor impair the value thereof; proposed traffic accessways will be adequate, and safe and accessible off-street parking will be provided; the general landscaping of the site will continue to be in character with the character generally prevailing in the neighborhood; all structures will be readily accessible for fire and police protection; the character and appearance of the future buildings and related projects will be reviewed at such time as detailed site plans and supporting documents are proposed and submitted so that each can be determined to be in general harmony with the character and appearance of the surrounding neighborhood and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or flashing lights; and the uses of the College Campus can continue to be carried out in a manner compatible with the College's environmental setting and with due consideration to the protection of natural resources; and

Whereas, the Planning Board has reviewed the application for Special Permit against the specific standards for Educational campuses found in § 143-81 of the Zoning Law and has found the proposal complies with all of the specific standards, including: a) the presentation of an overall plan of land and structure development and use and an associated program for facility operation and management depicted within a campus master plan report; said campus master plan report includes a facility-wide master site plan at a scale of not less than one inch equals 200 feet (due to the size of the Campus which is more than 900 acres and was approved by the Planning Board on a meeting held on July 18, 2022) and includes a related narrative at a suitable level of detail to describe the features of the educational campus existing and proposed over the next 10 years with a review at five years; b) the primary use of the campus is as an educational institution and is proposed to remain an educational institution; c) the educational

campus is located on a site of approximately 922 acres and shall remain on a site of not less than 100 acres during the period when the Campus Master Plan is in effect; d) the educational campus has and shall remain directly accessible from a state or county highway or by at least two Town roadways other than residential subdivision streets; e) all buildings and other structures, parking and other outdoor activity areas associated with the educational institution shall have a minimum setback of 100 feet from any property line and 200 feet from any existing neighboring residence; and f) upon issuance of the special use permit for the educational campus, any development of the uses and related improvements described within the Campus Master Plan may be undertaken following project-specific site plan review and approval by the Planning Board in accordance with the requirements of Article VII of the Zoning Law and any additional and applicable special use permits are obtained in accordance with Article VI following review and approval by the Planning Board; and

Whereas, the Planning Board has found the proposed Campus Master Plan 2022 complies with all applicable sections of the Zoning Law; and

Whereas, on August 29, 2022, the Planning Board opened a duly noticed public hearing on the Special Permit application, at which time all interested persons were given the opportunity to speak, and the Planning Board closed the Public Hearing on August 29, 2022; and

Whereas, the Planning Board has deliberated on the application and all the matters before it.

NOW THEREFORE BE IT RESOLVED, that the Planning Board authorizes its Chairman to sign the June 24, 2022 Local Waterfront Revitalization Program Consistency Determination Form, to file it along with any recommendations received from the Waterfront Revitalization Committee, and to make such files available for public inspection upon request; and

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Special Permit approval to Bard College for its Campus Master Plan 2022 in accordance with the application materials and specifications heretofore enumerated upon the following general conditions, which shall be fulfilled throughout the 10 year timeframe addressed in such Master Plan:

- A. This special use permit involves a total of 11 proposed projects over the next ten years including the following general goals for development and redevelopment of specific elements of the Bard College Campus environment described more fully in the Master Plan document:
 - (1) North Campus Residence Halls

- (2) Athletic Center Addition (Field House)
 - (3) Science Commons
 - (4) Stevenson Library Addition
 - (5) Montgomery Place Visitor's Center/BPI Micro-colleges Building
 - (6) Performing Arts Studio Building/North Campus Performance Lab
 - (7) Fisher Studio Arts Building Addition/Nature Lab
 - (8) US-China Music Institute Pavilion (Music Practice Rooms Addition)
 - (9) Garcia-Renart House Addition/Architecture Program
 - (10) CCs Storage Building
 - (11) Faculty Housing; and
- B. Each of the above noted proposed development and redevelopment projects will be subject to site plan review and approval and if applicable, with additional special use permit approval by the Planning Board at such time as Bard proposes to obtain such approvals and all Town of Red Hook building permits and approvals and permits from any other agency shall be obtained as are necessary to commence construction of such projects; and
- C. In the event there is a significant change in any of the above 11 projects or if Bard College proposes a new development project not currently addressed in the Campus Master Plan, an amendment to the special use permit may be required, depending on the circumstances involved and its potential for effects to the general or special conditions of the special use permit; and
- D. To ensure a complete record of the Campus Master Plan 2022 special use permit, Bard College will provide a listing of all documents submitted in support of the Master Plan special use permit application as an Addendum to the Master Plan; and
- E. Bard College shall continue to comply with all requirements of the Special Use Permit, the Town Zoning Law, and with any and all conditions imposed by any outside agencies in their approvals and permits relevant to such projects; and
- F. Payment to the Town of Red Hook of any outstanding fees due and owing for the review of this application; and
- G. Payment of any and all outstanding escrow balances for consultant review.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this resolution, the Chairman or other duly authorized member of the Planning Board shall cause a copy of this resolution to be filed with the Town Clerk, and a copy sent to the applicant.

On a motion by Karen Smythe, seconded by Lew Rose, and vote of

Roll Call Vote:

Chairman Sam Phelan	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Aye
Member Lewis Rose	Voting Aye
Member Karen Smythe	Voting Aye
& two vacant seats	

This Resolution was declared adopted on September 19, 2022.

Resolution Certified, Filed with the Town Clerk, and Mailed to the Applicant



Jordan Rosario, Clerk to the Planning Board

September 19, 2022

Date Resolution Adopted