

**TOWN OF RED HOOK PLANNING BOARD
DRAFT MEETING MINUTES
May 3, 2021**

Chairman Sam Phelan called the meeting to order at 7:30 pm. Mr. Phelan assured compliance with the NYS Open Meetings Law regarding the use of videoconferencing the meeting utilizing the Zoom internet platform.

A quorum was determined present for the conduct of business. Members present: Sam Phelan, Kristina Dousharm, Karen Smythe, Lew Rose and Brian Kelly. Also present were planning consultants Michele Greig and Ted Fink, engineering consultant Brandee Nelson, and Planning Board Clerk Kathleen Flood.

PUBLIC HEARINGS

Arlyck/ Costello-Baker Lot Line Adjustment – 7 Old Road

Public Hearing on application to transfer .904 acres of land from the 15.28-acre Arlyck parcel to the 33.78-acre Costello-Baker parcel in the Agricultural Business Zoning District.

Sam Phelan read the Public Hearing that was published in the Poughkeepsie Journal. Karen Smythe moved to open the hearing. Brian Kelly seconded, and all members voted in favor. Mr. Phelan explained how the public could comment on the public hearing projects by communicating with Board member Brian Kelly.

Applicant’s representative Dan Russell was present. He gave an overview of the project.

Mr. Phelan asked if there were any comments from the public. There were none. Brian Kelly moved to close the public hearing. Kristina Dousharm seconded, and all members voted in favor.

Mr. Phelan asked if there were any questions from Board members. Ms. Smythe asked how the lot line alteration would be handled by the two Counties, Columbia and Dutchess, that the parcels are located in. Mr. Russell said that approved maps would be filed with both counties, and the owners will get separate tax bills for their parcel.

The Board reviewed a draft approval resolution. Kristina Dousharm moved to adopt it. Karen Smythe seconded, and the motion passed unanimously.

Mighty Donuts Site Plan – 7269 South Broadway

Public Hearing on application to establish a donut and coffee shop in the Traditional Neighborhood Commercial Center Zoning District.

Applicants Dennis Kanuk and Rhianon Jones, and applicant’s representatives Ayaka Hale and Zak Hall were present. Kristina Dousharm recused herself.

(At this point, the meeting was intruded upon by hijackers. Mr. Phelan ended the meeting temporarily to clear out unwanted attendees. The intrusion lasted approximately 20 minutes.)

Sam Phelan read the public hearing announcement that was published in the Poughkeepsie Journal. Mr. Phelan said the applicants are currently before the Zoning Board of Appeals for two variances. Lew Rose made a motion to open the public hearing. Brian Kelly seconded, and all members voted in favor.

Ayaka Hale described for the Board recent changes to the site plan, including moving the donut shop building 14 feet to the south, removing the street screens, the addition of street trees, the removal of signage, and the addition of wheel stops in the parking lot as per comments from the Board and the Board's planning and engineering consultants. She gave an overview of the project for the public. Dennis Kanuk and Rhianon Jones described the vintage diner and their business model.

Alan Monarchi, tenant of the existing residence on the property that is proposed to be demolished, was present. His written comments to the Board were acknowledged. He spoke against the project and said he felt disrespected. Patrick Slater also spoke against the project, saying a donut shop was not a necessity and would create competition for struggling businesses. Bruce Ratcliff agreed with Mr. Slater that many similar niche businesses have suffered due to the pandemic, and the competition that the project would bring may hurt those businesses. Mr. Monarchi added that there were other business opportunities in the town and village that would not involve demolishing his home.

Mr. Phelan said he understood Mr. Monarchi's concerns that his landlord and property manager did not notify him of the project, but the Planning Board cannot respond to that situation. With respect to the comments about there being too many similar businesses in the area, he said it is not the Planning Board's responsibility to try to apportion how land gets utilized within the town of Red Hook, but rather to make sure that businesses are sited appropriately and meet the requirements of the Zoning Ordinance. He said the Planning Board cannot determine whether a business is needed in Red Hook.

Sam Harkins, owner of the Historic Red Hook Diner, said he does not feel that the project fits into the Traditional Neighborhood District-Community Center (TND-CC) zoning regulations, and therefore concessions requested, including variances and waivers requested, should not be allowed.

Mr. Phelan said the public hearing would continue at the next meeting, recognizing that some members of the public were unable to re-join the meeting, and that the project is currently before the Zoning Board of Appeals. He said additional comments that had been received by email would be acknowledged at the next meeting.

Comments from the Dutchess County Department of Planning and Development were reviewed. Discussion followed about the Planning Board's inability to produce a supermajority (due to 2 vacant seats and one Board member recusing herself from deliberations on the project because her firm represents them) to overrule the County's recommendation that the donut shop building be moved further south. Zak Hall said he was concerned that it would delay a possible approval at the next Planning Board meeting. Mr. Phelan said he would consult with the Planning Board's attorney on the matter.

The project lighting plan was discussed. The applicants were directed to provide a detail of the 'tape lighting' proposed on the donut shop diner car.

Michele Greig and Brandee Nelson reviewed their respective comments dated 5-3-21.

The masonry building existing on the site, commonly referred to as the Bottini building, was discussed. Mr. Phelan said that although the future use of the building cannot be determined now, improvements to the building should be part of the site plan .

The public hearing will be continued May 17.

OLD BUSINESS

O Zone Site Plan – 148 Pitcher Lane

Continued discussion of application to operate a zero-waste sustainability services center in the Agricultural Business District.

Applicant Amelia LeGare was present. She described some changes she has made to the building for handicapped accessibility.

She said that the landowner had constructed a fence between the O Zone and adjacent landowner Kate Karakassis after the last Planning Board meeting. Mr. Phelan said the fence was not approved by the Planning Board. Ms. Karakassis, who was present, said the fence installed was a 'spite fence' that was installed around her entire parcel. She said she and Ms. LeGare had agreed on a 60' fence between her residential property and the O Zone. Mr. Phelan asked Ms. LeGare to present the fence plan to the Planning Board at the next meeting. He suggested locating the fence close to the parking lot, it can be lower than 6 feet.

Schultz Cottage Special Use Permit – 16 Echo Valley Road

Continued discussion of application to convert a workshop above a garage to a cottage on a 3.7-acre parcel in the R1.5 Zoning District.

Applicant Lindsay Schultz was present. She said that her engineer has advised her to make some improvements to the existing septic system, and they are being reviewed by the County Health Department.

The Board reviewed a draft conditional approval. Brian Kelly moved to adopt it as revised to reflect lighting requirements. Karen Smythe seconded, and the motion passed unanimously.

Sabroso Mexican Restaurant Site Plan – 7909 Albany Post Road

Continued discussion of application to construct a pavilion for outside dining at an existing restaurant in the R1.5 zoning district.

Applicant's representative Floyd Johnson was present. He said the pavilion was downsized to 925 square feet. Mr. Phelan advised the applicants to provide a landscape plan and current photos of the project. A Public hearing was scheduled for May 17.

NEW BUSINESS

Simcock Certificate of Appropriateness – 236 Dock Road

Presentation of application to renovate an existing residence on a 1.58 -acre parcel in Barrytown.

Stephen Simcock was present. He gave a history of the house, and an overview of the project. The Board reviewed the Design Review Committee's recommendation for a Certificate of Appropriateness. A public Hearing was set for May 17.

OTHER BUSINESS

Shafer's Hudson Valley Request for extension

Brian Kelly moved to grant a 180-day extension for site plan and special permit. Kristina Dousharm seconded, and the motion passed unanimously.

ADJOURNMENT

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

Respectfully Submitted,

Kathleen Flood
Planning Board Clerk