

**TOWN OF RED HOOK PLANNING BOARD
DRAFT MEETING MINUTES
May 17, 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, Lew Rose, Karen Smythe and Brian Kelly. Also present were planning consultants Michele Greig and Ted Fink, engineering consultant Brandee Nelson, and Planning Board Clerk Kathleen Flood.

Brian Kelly moved to approve the draft minutes for April 5 and 19. Kristina Dousharm seconded and the motion passed unanimously.

Ms. Flood announced that all Board members are required to participate in a NYS Webinar concerning harassment and discrimination, which is offered monthly. Links to the webinar will be emailed to Board members as the dates are announced.

PUBLIC HEARINGS

Simcock Certificate of Appropriateness – 236 Dock Road

Public Hearing on application to renovate an existing residence on a 1.58 -acre parcel in Barrytown.

Mr. Phelan read the announcement that was published in the Poughkeepsie Journal.

Applicants representative Kyle Wells was present. He gave an overview of the project

Mr. Phelan asked is 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.

The Board reviewed comments from the Design Review Committee that recommended that the Board approve a Certificate of Appropriateness.

Kristina Dousharm moved to approve a Type II SEQR Resolution, meaning no further review under SEQR is required. Brian Kelly seconded, and the motion passed unanimously. The Board reviewed a draft Certificate of Appropriateness. Brian Kelly moved to adopt it. Kristina Dousharm seconded, and all members voted in favor.

Sabroso Mexican Restaurant Site Plan – 7909 Albany Post Road

Public Hearing on application to construct a pavilion for outside dining at an existing restaurant in the R1.5 zoning district.

Sam Phelan read the public hearing notice that was published in the Poughkeepsie Journal.

The hearing was interrupted intermittently by internet hackers. It took nearly 30 minutes to eliminate the interference by shutting down the meeting and starting a new one.

Brian Kelly moved to open the hearing. Kristina Dousharm seconded, and all members voted in favor. Applicant's representative Floyd Johnson was present. He gave an overview of the project.

Mr. Phelan asked if there were any questions or comments from the public. There were none. The applicants were asked to provide details of the signs, add the existing lighting to the site plan and provide photos of the existing light fixtures.

Michele Greig reviewed her comments dated 5-13-21. She asked if the applicants propose to alter or paint the existing fence in the front. Mr. Johnson answered no. Ms. Grieg offered some comments about the proposed landscaping such as deer resistance and the hardiness of certain plants proposed. She noted that comments have not yet been received from the Dutchess County Department of Planning and Development (DCDPD).

Because of the interference, Mr. Phelan said the public hearing will remain open. The applicants will update the landscape plan and provided information about the existing lighting and signs.

Mighty Donuts Site Plan – 7269 South Broadway

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

Kristina Dousharm recused herself. Applicants' representatives Ayaka Hale and Zak Hall and applicants Dennis Kanuk and Rhianon Jones were present.

Ms. Hale gave an overview of the changes to the site plan. The most significant change was moving the diner car south in response to comments from the DCDPD.

Public comments from Leslie Fisher, Amy Linker and Patrice Shields were reviewed. Mr. Phelan said the Department of Transportation has agreed to the Planning Board's request to be the lead agency for SEQR.

Brandee Nelson reviewed her comments dated 5-13-21. She said there was no data in the photometric plan that shows a minimum illumination level in the parking lot, and recommended that more lighting be provided there, or that data be provided showing adequate light spillage from the movie theatre parking lot.

Michele Greig reviewed her comments dated 5-13-21. She noted all the comments from the DCDPD have been satisfied.

The applicants described the three waivers requested from the Planning board: the use of natural exterior finish materials, the requirement for a sloped roof, and the requirement for 70% of the façade on the frontage be glazed.

Mr. Phelan said the Planning Board must conclude SEQR so that the Zoning Board of Appeals can close their public hearing and decide on the two variances before them.

The Board reviewed parts 2 and 3 of the EAF prepared by Ms. Greig. Brian Kelly commented that demolishing a residence on the property seemed to him to be a significant change in the use of the land, particularly because the building proposed to be demolished is a residence. He said that he felt the Board has not appropriately addressed this issue, which has come up repeatedly in the public hearing. Lew Rose said there is nothing the applicant or the Planning Board can do about the proposed demolition. Karen Smythe said she felt it is unfortunate for the family renting the existing house, but the property has been advertised for sale for quite a while, and there seemed to be a lack of understanding of the process and communication, which cannot be resolved by the applicants as the potential buyers. Mr. Kelly said that these positions had not been clearly articulated to the tenant, which he (Mr. Kelly) felt was necessary. After more discussion, the Board generally agreed that the change in use is a small to moderate impact for the purpose of SEQR.

At the conclusion of review, Mr. Rose made a motion to adopt a Negative SEQR Declaration. Karen Smythe seconded, and the motion passed unanimously.

The Public hearing will be continued at the next meeting. Alan Monarchi, who resides in the existing rental on the property, commented that the area where the parking lot will be is very dark. He asked the board what was more important in the Traditional Neighborhood District mixed use area: business or residential. Mr. Phelan said he felt there is no answer to that. Mr. Monarchi said the site plan under consideration is not a mix of business and residential. He expressed his frustration with his current circumstances. He asked if there is a governing body that decides what businesses are good for Red Hook. Mr. Phelan said the Community Master Plan is the basis for the Zoning Ordinance, which defines the uses that are allowed in a certain area. Mr. Phelan said he understood the stress that Mr. Monarchi is going through.

At this point, Lew Rose left the meeting, and Kristina Dousharm rejoined the meeting.

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 said she plans to construct a 4-4 1/2-foot pine fence to shield headlights from the adjacent property. Planning Board consultant Ted Fink said he had drafted an approval resolution, but recently learned that the owner of the property had constructed a fence after the last Planning Board meeting that was not approved by the Planning Board and has since been served with a violation notice by the Town Zoning Enforcement Administrator. He said the Board cannot approve any project where a violation exists, even though they generally approve of the project. Mr. Phelan said he would seek legal counsel for the unusual situation. He asked Ms. LeGare if her lease allows her to build the fence. Ms. LeGare said she would send a copy of her lease to Mr. Phelan.

Bard College Expansions: Kline Commons, Fisher Arts Center – Site Plan, Certificate of Appropriateness and amended Special Use Permit

Continued discussion of application for retroactive Site Plan and Certificate of Appropriateness approval for Kline Commons and a proposed new 510 SF addition to the Fisher Studio Arts Building, and Amended Special Use Permit for the College Master Plan.

Applicants' representatives Liz Axelson, Randy Clum, Peter Sweeny were present. Mr. Sweeny gave an overview of the project.

Michele Greig reviewed her comments dated 5-11-21. She said the project should be referred to the Design Review Committee for Certificate of Appropriateness and be sent to DCDPD for review.

The applicants have requested waivers relating to hardships in showing certain information due to the size of the property. The Board generally agreed to grant the waivers.

A public hearing will be held June 7.

NEW BUSINESS

T-Mobile Site Plan –31- 33 Twin Towers Drive – Site Plan

Presentation of application to make antenna upgrades on a 2-acre parcel in the RD3 Zoning District.

Applicants' representative Doug Culp was present. He said the project was an update/modernization resulting from T-Mobile's acquisition of Sprint.

Brandee Nelson said it was a standard upgrade and there is no need for additional engineering review.

The Board reviewed a resolution declaring that the project is limited in scope and requires no further review. Brian Kelly moved to adopt it. Kristina Dousharm seconded, and all members voted in favor.

ADJOURNMENT

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

Respectfully Submitted

Kathleen Flood
Planning Board Clerk