

**VILLAGE OF RED HOOK
PLANNING BOARD MEETING
February 25, 2014**

Present: Acting Chairman Mark Mirando, Member David Pearson, Member Beth Pagano,
Member Don Hanson and Member Ray Towle

(Meeting was held on this date due to the February 13, 2014 meeting being cancelled because of bad weather).

Acting Chairman Mirando opened the February 25, 2014 Planning Board Meeting at 7:00 pm.

Acting Chairman Mirando made a few announcements:

1. Informing the Board of the resignation of Chairman Everett Pearsall and acknowledging and thanking Everett for all his years of service to this Board and to the Village of Red Hook.
2. Announcing that the Mayor has appointed Mark Mirando as Acting Chairman.
3. Welcoming new planning board member Ray Towle.
4. Advising the Board that item #3 of the Agenda has been removed due to applicant withdrawing her application.

**#1. Kevin Mowry/Joseph Moscato 7484 South Broadway Signage Application
Tax Map #: 6272-10-443688**

Kevin Mowry was present on behalf of Joseph Moscato.

Kevin was present in front of this Board requesting additional sign at 7484 South Broadway for the Enchanted Café. Mr. Mowry advised that the sign was ¾" MDO wood sign board with vinyl letters to hang off the existing sign post located at the front of the business. Mr. Mowry said he was not sure if tenant was going to have lighting, but that lighting is already attached to that post. Mr. Mowry advised that it is high up so he will probably just attached some brackets to the side with some "S" hooks. Member Pearson asked if the metal pole was horizontal. Mr. Mowry advised it is the post that is there with an arm coming off of it - he thinks it is about 4x4. Mr. Mowry advised that the arm coming off of it has to be at least 10-12 feet in the air so it will definitely make the minimum to the height from the bottom. Chairman Mirando asked about how high from the ground to the bottom. Mr. Mowry advised approximately 7-8 ft. and 10-12ft. from the ground. Member Pearson asked that a condition be set for a minimum distance of 7 feet or higher. Chairman Mirando agreed with 7 foot requirement to the bottom of the sign. Chairman asked if the sign was single sided or double. Mr. Mowry advised double sided.

Member Pearson asked how many businesses would be allowed to use this. Mr. Mowry advised that they currently have about 15 businesses and will be limited to whoever is a member of the merchant group. Mr. Mowry said a key would be kept at Bread and Bottle and Whoever wanted to post something would have to get in touch with a committee member to be approved. Mr. Mowry advised that 6-8 flyers would be put up at a time. Chairman Miranda asked is work would begin in the Spring. Mr. Mowry advised yes. Chairman Miranda asked if some of the pavers would be pulled up along with some of the wall. Mr. Mowry advised yes to pulling up some of the pavers but that they will leave the wall – they will be going right up against the wall with being a few inches away from the wall. Chairman Miranda asked what size sono-tubes would be used to set the posts in. Kevin said they could use 6” because they planned on going down about 18 inches. Member Pearson asked if the pavers would be cut back. Mr. Mowry said they would take out just what was needed to get the hold in the ground. Chairman Miranda suggested going down at least 30 inches for the concrete foundation depth for each post. Member Pearson asked Mr. Mowry to confirm how many inches he would be going down. Mr. Mowry said he planned on 18”, but would go 30”. It was agreed that a condition be that the applicant dig down 30”.

Acting Chairman Miranda made a motion to accept the sign application for 12 East Market St. (a/k/a 7496 South Broadway) as submitted by applicant and depicted in the application, with a condition that the applicant provide concrete foundations for each post no less than 30” in depth, and that the sign meet all NYS Building Code with regard to wind. Motion seconded by Member Pagano. All in favor.

#3. Removed from Agenda.

#4. Judith Carr/Barbara Rabin

Mark Graminski

Maizeland Road

Subdivision/Lot Line Alteration

Tax Map No. 6272-10-

Engineer, Mark Graminski present. Applicant, Judith Carr present. Village Planning Board Attorney, Victoria Polidoro present.

Mark Graminski was present representing Judith Carr and Barbara Rabin. Mark prepared amended plans which now shows the outlined areas which are allowable per the bulk regulations of the Zoning Code for the construction of a home, and shows detailed locations for on-site sewage disposal. Mr. Graminski advised that the design that he plans on submitting to the Dutchess County Board of Health is for a sewage disposal system for up to a 4-bedroom home. Mr. Graminski said that the overall rational in the development of this property has been to show developments areas that are in keeping with the neighborhood. Mr. Graminski indicated that the large trees on this property, with is a beautiful attribute to this property, and are shown in the design and it is their intent to preserve these trees; and to develop the driveways and sites around the existing trees and vegetation that is there along with the sewage disposal systems. Attorney Polidoro asked if the trees that are shown will remain. Mr.

Graminski advised that he designed around the trees, and that it is his intent to keep them there. Attorney Polidoro advised the Board that a condition can be set that the trees remain and to request that the plat identify the trees that are to remain. Attorney Polidoro advised the Board that this condition does not have to be done at to night's meeting and that tonight is to begin SEQRA review and to circulate for lead agency. Mr. Graminski asked if this will then be a coordinated review assuming it is classified as an unlisted action. Attorney Polidoro advised that if it is a coordinated review it would be sent off to the County Health Department and Town of Red Hook. Acting Chairman asked for clarification if part of the property is in the Town of Red Hook. Mr. Graminski said originally it came back that the subdivision would be for all the property on the east side of Maizeland Road – the applicants decided that the parcel furthest to the north is going to be combined and part of a parcel with the land still owned by Barbara Rabin, and the reasoning was for a buffer. Mr. Graminski said it will be combined and although that piece actually has 2 tax grid numbers, one being in the Village and the other in the Town, it would be combined with the one in the Village. Attorney Polidoro advised that tax parcels are not the same as property boundaries, so it is her understanding that this is one lot and half is in the Town of Red Hook. Member Pagano said this will raise the issue of who is going to be taxing the property. Mr. Graminski said there is a different tax number for the Village and this will be taxes with that number. Attorney Polidoro feels that in order to file it this, it will need to be signed by the Town of Red Hook Planning Board. Member Pagano asked of this could still be a separate lot. Mr. Graminski said yes. Member Pagano said you could still protect your view shed just by not selling it, so why combine it? Mr. Graminski said this was the owner's choice. Judith Carr spoke at this time and advised that they would be happy to do it the other way. Attorney Polidoro said if they want to do this separate lot, they will need to design septic for it. Mr. Graminski said that is correct. Acting Chairman Miranda asked if that lot would be a buildable lot. Mr. Graminski said more than likely because they are all sand and gravel and well drained soils. Mr. Graminski advised that the key for that particular lot is the location of the driveway, which would be located to the south. Member Pagano said she feels that eventually they will be selling it and even if they did sell the whole thing, there is no reasonable way for this not to eventually become a separate lot. Judith Carr agreed. Mr. Graminski said he would have to do testing on that lot. Member Pearson asked if it met the minimum size for a lot. Mark replied yes - it was a little under $\frac{3}{4}$ acre, but that the size of the septic system would be little smaller. Mr. Graminski indicated that based on the soils, and with working with the Village on water supply, he sees no issues. Mr. Graminski said he has already spoke with Village Highway Foreman Dan Streib regarding driveways and is waiting his reply. Acting Chairman Miranda asked if the water department knows what size water main is there now. Mr. Graminski advised 6". Member Pearson asked with regard to water if they extended the main. Mr. Graminski advised no. Member Pearson asked Village Attorney if it were to make more sense for the owner to just make that a lot and not be in the Village and Town, and avoid having to be in the Town. Attorney Polidoro said right and that would avoid having to deal with the Town and would create a little bit higher of a tax bill, but she feels that in 10 years someone is going to look at this lot and argue that it is its own lot, separated from the remainder of the

lot by a road and therefore is buildable. Attorney Polidoro feels if the applicant does not want to keep this as a buildable lot at this time, she will suggest that a map be made stating that this is not a buildable lot until which time approval is received. Attorney Polidoro advised that you can't keep it as a separate lot unless you are going to add the septic and the driveway. Mark said he will go to the property and test to make sure there is gravel and that they can continue with this process and return in the Spring. Mr. Graminski said this will change the application. Attorney Polidoro advised that tonight the Board could classify it. Acting Chairman Mirando said his one concern is how far apart the hydrants are. Mr. Graminski showed on the map where the loop is completed. Member Pearson asked who would be paying for that. Mr. Graminski advised applicant will pay for that. Applicant will pay for installation of the water main and taps for the lots and then dedicated to the Village of Red Hook.

Mr. Graminski advised on and showed the Board the plans/spreadsheets he prepared regarding storm water management for this property. Mark advised that CEO/ZEO Sam Harkins approves this. Attorney Polidoro advised that the Board should ask that map notes be added to ensure that CEO Sam Harkins knows what the conditions are. Acting Chairman Mirando advised that the Board would require that a Village Designated Engineer also be involved. Acting Chairman Mirando noted that the presented storm water plans looked very good.

Acting Chairman Mirando asked about wetlands and if this property was near the pond. Mr. Graminski advised it was near the pond. Acting Chairman Mirando stated that since the lots were going to be separated that we would not have to delineate the Wetlands. Mr. Graminski said correct. Attorney Polidoro advised the Board that they receive a letter from Natural Heritage saying whether any threatened or endangered species have been documented in the vicinity of the project.

Acting Chairman Mirando now began with reading Part I of the Short Environmental Assessment Form. Attorney Polidoro said it is too early for Part II, but the Board could start with Part I to see if we need any further information. Attorney Polidoro referred the Board to question #15 which was checked "NO" – she asked what is this based on?... and advised that there is a database the Board can go on and to request that back-up information. Attorney Polidoro referred the Board to questions #13 – both answers checked "NO" and the Board should request back-up data also. Attorney Polidoro also advised the Board that Mr. Graminski provide that a print off from the archeological database that this is not in an archeological sensitive area. Member Pagano asked with regard to question #7 if the board needed more data. Attorney Polidoro said no because she believes that the Village does not have any Critical Environmental areas, but you can print out a list from their website of all the areas. Member Pearson asked with regard to question #8 a, b & c – are they proposing that transportation service, if available, is near the site. Mark said yes. Member Pearson asked about bicycle route. Mr. Graminski indicated the new sidewalks that were put in on Linden Avenue. Member Pagano felt that is was a long walk to public transportation from this site. Member Pearson agreed. Mr. Graminski agreed to change #8 b to "NO". Member Pagano asked about question

#17 and if the properties are designed to have storm water and if this question meant street drains. Mr. Graminski said that is correct. Member Pagano stated that this Board would need back-up data on question #13 & #15. Attorney Polidoro advised that the next step is to classify the action and referred the Board to the Resolution that she prepared which is based on the February 3, 2014 plan. Attorney Polidoro read aloud the "NOW THEREFORE" section of said Resolution. Attorney Polidoro read the names from the Resolution of the parties whom should receive notice of this application and recommended that the Village of Red Hook Board of Trustees receive notice. Mr. Graminski asked if he makes a change to the plans to change to 4-lots and provides new sheets for circulation and takes away the lot line alteration, making that a separate lot, and puts tomorrow's date will this Board accept that. Member Pagano said since Mr. Graminski is making that representation, that that will be fine. Attorney Polidoro said she is comfortable with that, but suggested amending #2 of the Resolution to indicate "as soon as revised plans are received". Member Pagano asked if we were doing SEQRA based on the new plans that will be submitted. Attorney Polidoro said this Board will not be making any determination except that it doesn't meet the threshold of a Type I action. Acting Chairman Mirando asked if the applicant submitted escrow funds. Secretary Hart advised yes in the amount of \$2,000.00.

Acting Chairman Mirando made a motion to accept the Resolution #2014-1 dated February 25, 2014. Motion seconded by Member Pearson. All in favor.

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 February 25, 2014. The meeting was called to order by Chairperson Mark Mirando.

Date: February 25, 2014

Moved by: Acting Chairman Mark Mirando

Seconded by: Member David Pearson

RESOLUTION TO CLASSIFY THE ACTION AND CIRCULATE FOR LEAD AGENCY Rabin and Carr Minor Subdivision

Date: February 25, 2014

Moved By: Acting Chairman Mirando

Resolution: #2014-1

Seconded By: Member David Pearson

WHEREAS, the applicants, Barbara Rabin and Judith Carr, have submitted an application for subdivision and lot line alteration approval to subdivide a 3.711 acre parcel of land located on Maizeland Road and identified as Tax Parcel No. 6272-06-322935 into three new residential building lots and to add .711 acres to an existing lot located in the Town and Village of Red Hook identified as Tax Grid Nos 6272-06-297890 and 6273-00-291016; and

WHEREAS, the proposal is shown on a plat entitled, “Subdivision Plat, Rabin and Carr Minor Subdivision – Lot Line Alteration,” prepared by Mark R. Graminski PE LS and Robert Campbell, LS, dated February 3, 2014; and

WHEREAS, the applicants have submitted a Short Environmental Assessment Form (“EAF”) dated February 3, 2014; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), said Board is required to determine the classification of the proposed action and make a determination of significance.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby:

- 1. Classifies the project as an unlisted action under SEQRA; and**
- 2. Declares its intent to act as lead agency in a coordinated review of the action and directs the Secretary to the Planning Board to send notice of its intent to all interested and involved agencies, as soon as revised plans are received.**

YES - Mark Mirando
YES - Donald Hanson
YES - Beth Pagano
YES - David Pearson
YES – Ray Towle

Mark Mirando, Chair

List of Interested and Involved Agencies:

Village of Red Hook DPW (with plans)
Village of Red Hook Board of Trustee (with plans)
Dutchess County Department of Health (with plans)
Town of Red Hook Planning Board (w/out plans)
Red Hook Fire Company, Inc. (w/out plans)

Attorney Polidoro asked the Board if they are making the decision to refer this application to the Designated Village of Red Hook Engineer. Acting Chairman Mirando asked if she knew who that would be. Attorney Polidoro said she has spoken with the Mayor and was advised they are in contract with C.T. Male., but that the Planning Board could hire their own Engineer. Secretary Hart will confirm the Engineer for the Village of Red Hook. Attorney Polidoro said the Board will need a review letter with comments from the Engineer before the next meeting. Attorney Polidoro asked if the next meeting would be March 13th. Acting Chairman Mirando suggested a special meeting so that not to hold off the applicant until April. Mr. Graminski said he would not be ready until April, so preferred to hold off until the April planning board meeting. Mr. Graminski said he would provide the new maps and get them to Secretary Hart

for notice mailing. Mr. Graminski said he appreciates this Board's offer for a special meeting, but would prefer to wait for the notices to be mailed and receive back comments. It was agreed that this application would be tabled to the April 10, 2014 planning board meeting. Mr. Graminski said he will provide Lara with the revised plans for the lead agency notice, and will provide Lara with the detailed materials for circulation to Village Engineer, CT Male. Member Pagano advised that the Engineer's review is independent of the 30 day period so she recommended starting the clock on the other agencies and municipalities. Attorney Polidoro asked if any Board Members wanted to do a site walk. Mark said he is always available to meet any member there. Attorney Polidoro advised the Board that they can ask that the trees be marked. Mr. Graminski said the trees are very visible and stand out. Attorney Polidoro advised the Board that they could ask that Mr. Graminski stake the corners of the proposed lot, but is not a requirement. Mr. Graminski said there are flags along the fence. Member Pagano said trees would not be designated now due to weather conditions. Attorney Polidoro did advise the Board about the rules of the open meeting law. Attorney Polidoro did recommend that if they do a site walk that at the next board meeting they document the walk and any observations.

OTHER BUSINESS

Acting Chairman Mirando asked the Board if they reviewed the minutes dated January 9, 2014. All members said yes.

Acting Chairman Mirando made a motion to accept the January 9, 2014 planning board minutes. Motion seconded by Member Hanson. All in favor.

Member Mirando made a motion to close the Planning Board Meeting at 8:31pm. Motion seconded by Member Pagano. All in favor.

Submitted by,

LARA HART, Secretary
Village of Red Hook Building Department