



6. Discussion on the 10% landscaping. Mr. Learn advised that they revisited the parking count and had 8 extra spaces. The Board did advise that they would prefer that they measure actual area of asphalt for parking. Attorney Polidoro suggested not adding a vehicle charging station to Lot #1. Mr. Learn said they will move the vehicle charging station. Attorney Polidoro advised that the Chairperson suggested Lot 3. Co-Chair Mirando said he has concerns with Trustco Bank and mixing residential parking with the EV charging station and suggested putting the EV charging station near the residential buildings. Mr. Learn said ok. Member Pearson agreed with putting EV stations at the residential buildings. Member Pearson asked about the 10% landscaping. Attorney Polidoro said it was an interpretation issue. Mr. Flores said with regard to the 10% landscaping they should define the parking area. Mr. Learn said they will do it based on the actual area and go out to the property line. Mr. Learn asked the Board if they were agreeable to rather than adding islands to increase the space if they could take some space off the end. Co-Chair Mirando said that could be done so long as they have the access. Attorney Polidoro advised Mr. Learn to look at the Zoning Law.
7. Adjusted lot line boundary making it conforming. Member Towle asked about Lot 5 and if there was any change to that lot. Mr. Learn will check on that.

Mr. Learn was hoping that the Board would set a public hearing this evening.

Attorney Polidoro advised that there was a letter from Chair Pagano stating her opinions on this application. Attorney Polidoro went over the letter (letter will be attached with these Minutes).

1. Negative declaration cannot be done this evening due to not having lead agency notice from NYS DEC. Attorney Polidoro did advise that Rebecca Crist with the NYS DEC felt this should be a Type I Action due to the St. Pauls' being across the street. Attorney Polidoro feels that St. Paul's is not across the street far enough away and could remain an unlisted action, but that it was the Board's decision. Co-Chair Mirando and the Board members felt it was far enough away.

Attorney Polidoro advised that with Subdivisions you have to complete SEQR first, but that the Board could set a hearing for June, but not open the hearing, until which time SEQR is done first.

Co-Chair Mirando advised that the SPDES permit expired in July, 2016. Mr. Learn said that should not create a problem. Co-Chair Mirando said yes because you would be adding waste load. Attorney Polidoro said they will have a conversation about this issue.

2. The Board will require a proposed easement for temporary and permanent access across the applicant's property to reach the wastewater treatment plant. Mr. Learn said that was no problem.

3. The easement identified as sanitary sewer "c" should also provide permanent access to the wastewater treatment plant.
4. Landscaping for Lot 3 is required. Mr. Learn will address this further.
5. Parking for Lot 2 & 3 was addressed.
6. One more bike rack is required.
7. EV Station locations were discussed and clarified.
8. At Lots 2 & 3 - trees should be placed in the green spaces between the buildings and sidewalks as in Lots 11& 6. Mr. Learn said he will check on the landscaping plan.
9. Landscaping requirements were discussed.
10. Landscaping addressed.
11. Remove the zoning line on the Preliminary Plat between the LC and NMU District. There is no longer an LC District.
12. Referenced note added to Preliminary Plat to be added to the Site Plan. This was addressed.
13. Rendering of the exterior. Co-Chair said this should be covered on the drawings. Member Pearson feels if it similar to existing buildings that would be ok. Co-Chair said add some general notes about materials.
14. Lighting plan – all the foot candles indicated are under the 1.0 recommended by Dutchess County Planning. Mr. Learn advised that a lighting plan was submitted. Co-Chair asked if there were any lights (wall mounted; soffit) on the proposed building, if so, this should be included in the photometric plan. Attorney Polidoro said she will propose with condition of approval that the applicant enter into a light agreement with the Village so that the Village is allowing the developer to have the light poles there, but that the developer will be responsible for the poles.
15. Parking at Lot 3. Addressed.
16. Requested easements. Addressed.

Attorney Polidoro asked the Board if they felt they were ready to do Environmental Review at the next meeting. Co-Chair Mirando said the SPDES is a concern and that it needs to be completed before a public meeting and would like to complete the Neg. Dec.

Mr. Learn asked what the Board wanted with regard to the SPDES, and that it could not be reviewed quickly, but that a renewal could be submitted. Co-Chair Mirando said it would have to be rectified before an approval. Attorney Polidoro advised that in order to properly evaluate the system they would need to submit the paperwork to DEC and supply some sort of Engineer's certification that it was inspected and still meets the standards necessary to ensure that pollution is not going into the water. Mr. Learn asked if sample reports would be ok. Attorney Polidoro said sample reports with the letter would need to be submitted.

Attorney Polidoro asked the Board if they had any other issues that needed addressing.

Co-Chair Mirando asked if the Smith Street easement in the back was ever addressed. Attorney Polidoro stated that there were no structures in it. Mr. Flores said it would be to the property owner and not the Village. Attorney Polidoro said they pulled the deed and it was not a Village Road. Attorney Polidoro said the one she read only went east/west and that if there was another one going south she would like to see a copy of it. Mr. Learn said he will check on this.

Member Pearson asked if the SPDES renewal would hold up this process. Attorney Polidoro said the SPDES permit will be a condition of the site plan approval, but this Board could approve it on a condition that they update the SPDES permit.

Attorney Polidoro advised that should the Board want to set the public hearing for June that the Board should prepare for a negative declaration and she could have a Resolution prepared; or the Board can wait until changes are made and wait until July. Co-Chair Mirando said he feels the Board should wait until July due to the SPDES renewal permit. Attorney Polidoro asked Mr. Flores what the Village is expecting as far as time wise. Robert said he feels the July meeting will not be an issue. Co-Chair Mirando said the Board can make a condition that no further connections can be made where there is a proposed build-out. Mr. Learn said that so long as it does not affect what the Village wants. The Board was in favor of not setting a public hearing for June. Attorney Polidoro said this project came about to subdivide giving a portion of lands to the Village for the Municipal Sewer System, so the Board could hold up the site plan issues, but the subdivision is what the Village is interested in. Member Towle asked Mr. Flores for a time line. Mr. Flores said that they are a ways from construction, but things need to happen in order to move forward.

Attorney Polidoro said the Board can move forward with doing a Neg. Dec. in June and a public hearing in July.



I met with Victoria Polidoro and Robert Flores today to discuss the Red Hook Commons continuation for Thursday's meeting. Since I cannot make the meeting on Thursday, here are the notes for you all.

1. The Planning Board cannot issue a negative declaration unless we have received responses to the request for Lead Agency status. May 11 will be less than 30 days since the requests were mailed.
2. We need a proposed easement for temporary and permanent access across the applicant's property to reach the wastewater treatment plant. We need the easement because Morgan's Way has not been built.
3. The easement identified as sanitary sewer "c" should also provide permanent access to the wastewater treatment plant.
4. Landscaping for lot 3 is required. We reviewed the Code and did not see a provision which would allow the Planning Board to waive the landscaping requirement.
5. Parking requirements for lots 2 & 3: 24 required for residential and 10 required for commercial. The two lots contain 39 parking spaces.
6. There should be a bike rack for each pair of apartment buildings. Lot 11 has a bike rack; Lot 6 has a bike rack; Lot 3 NEEDS a bike rack.
7. The applicant placed the EV Charging station in Lot #1. This is the Trustco Bank parking lot. This lot is for the use of the bank's customers and is not convenient to the residents of Red Hook Commons. Also, Lot #1 is not a subject of this application. The EV Charging Station should be located in Residential Lot #3 which is a subject of this application and is more convenient for residential tenants. It is very likely that a resident of the market rate apartments would have a likelihood of owning an electric vehicle.
8. Additional landscaping for lots 2 & 3. There is the triangle by the parking lot. Trees can also be placed in the green spaces between the buildings and the sidewalks as they were in Lots 11 & 6
9. Regarding the Landscape requirements: The Planning Board has no authority to waive the site plan requirements as laid out in § 200.29(e) of the Zoning Law.

10. Any change in use requires compliance with CURRENT zoning regulations. Therefore, the request to replace the commercial buildings located on Lots 2 & 3 means that those two lots must comply with the requirements for Landscaping as noted in § 200.29(e).
11. Remove the zoning line on the Preliminary Plat between the LC and NMU District. There is no longer an LC district. The entire site is now NMU or R10,000.
12. NOTE for p. 3 of the letter to the Planning Board from Morris Associates: Item #10 – The referenced note has been added to the Preliminary Plat, but it has not been added to the Site Plan. This note also needs to be added to the Site Plan.
13. What about the new buildings to be built on Lots 2, 6 & 11? We have been provided with a rendering of the interiors and the exterior. Does anyone want more information than the one page? For example; a color rendering, samples of anything, for example?
14. Review the lighting plan and photometrics: All the foot candles indicated are under the 1.0 recommended by Dutchess County Planning.
15. NOTE for p. 4 of the letter to the Planning Board from Morris Associates: Item #5 – regarding the location of Parking Lot #3. The parking lot is not any closer to the street than the adjoining buildings, so it complies.
16. Victoria has not received copies of the requested easements as noted on page 4 in NOTE #8