

**Town of Red Hook Planning Board**  
**Meeting Minutes / Monday, April 18, 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 via Zoom: Sam Phelan, Lew Rose, Kristina Dousharm, Karen Smythe, and Brian Kelly. Also present were Planning Board Clerks Kathleen Flood and Jordan Rosario, Town Engineer Brandee Nelson and Planning Consultant Ted Fink.

Karen Smythe moved to approve the meeting minutes of April 4, 2022. Brian Kelly seconded, and all members were in favor.

Mr. Phelan announced the meeting was being held virtually only and was properly announced and publicized.

Mr. Phelan announced that the next meetings going forward will be held in a hybrid format.

**PUBLIC HEARINGS**

There were no public hearings on the agenda.

**OLD BUSINESS**

**Red Hook Barbershop – 7345 South Broadway – Site Plan**

Presentation of application to open a barbershop in an existing building on a 1.34-acre site in the TNDCC Zoning District

Applicant Delfirio Perez Cruz was present. Mr. Cruz reviewed the site plan and gave a description of the other businesses that share the building. Ms. Smythe asked where the parking for the barbershop would be. The applicant said his parking spaces are in front of his business. Ted Fink asked how many barber stations there will be. Mr. Cruz replied that he will have 3 chairs and 2 barbers working together when he opens.

Lew Rose asked if the Board was looking solely at the building Mr. Cruz's business is in or if they should be considering the entire parcel that the business is on, which includes mobile homes in the back and used to include an oil tank in the front. Mr. Rose stated that he thinks the Board needs to understand what is going on within the parcel completely. Mr. Phelan agreed and inquired about the mobile homes and their parking situation. The applicant said that the mobile homes have their own parking in the back. The Board told the applicant that the site plan needs to show that. The Board also told Mr. Cruz they need to know the exact square footage the other businesses occupy inside the building and that they need to know about all of the activity present on the parcel. Mr. Rose asked for the owner of the property, Todd Abrahams, to join the next meeting in order to discuss what is going on on the parcel as well as parking, landscaping, and water flow rate.

Kristina Dousharm asked if there have been any other site plan approvals for this property that the Board can reference. The Board asked the clerks to look into any previous applications, such as the driving school or the dance school.

Mr. Cruz showed his proposed signs. He proposed to put a small sign below the current driving school sign and a bigger sign next to the door with a barber pole on the corner of the building.

The Board discussed the proposed barber pole, which is internally lit. Internally lit signs are prohibited per the Zoning Code in the TNDCC district; Mr. Phelan said the applicant can put up a barber pole but it cannot have a light inside.

Ted Fink reviewed his memo. Mr. Fink said the applicant's sign is allowed and he discussed a lack of landscaping due to the asphalt.

Mr. Phelan read a draft type II resolution. Karen Smythe made a motion to approve the resolution, Mr. Rose seconded the motion and the resolution was approved on a vote of 4 in favor, 1 against, and 1 member absent.

**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 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.

Applicant Craig Nevill-Manning and representative Loreen Harvey of Kasselman Solar were present. Ms. Harvey reviewed the site plan, photos of the property and proposed location of the solar array. The plans were updated with a new solar array configuration and proposed landscaping which includes evergreens and a pollinator garden to shield the array. Ms. Harvey discussed the proposed fencing and showed examples of how the solar array will look. The Board asked Ms. Harvey to clarify the size of the array, and Ms. Harvey said the array will be 6 panels by 12 panels. The Board discussed the landscaping and told Ms. Harvey to find out the exact type and size of trees and other plants the landscapers will be installing.

Ms. Dousharm asked if Ms. Harvey had spoken with Clermont State Park. Ms. Harvey had not spoken with anyone from Clermont State Park; she said she will reach out to the park. Ms. Nelson discussed the process to engage with the State Office of Parks and mentioned that Ms. Harvey does have 2 letters acknowledging cultural resources and historic resources from the State Office of Parks in regards to the project.

The Board discussed the existing solar array on the property. Mr. Nevill-Manning stated he is not motivated to remove the old array and that it is completely independent and not integrated into the proposed array. Mr. Fink read the Zoning Code section regarding solar arrays; the Code only applies to new arrays installed or modified after 2017. The Board asked if the Zoning Code discusses having 2 separate arrays on one property, Mr. Fink replied that the language used in the Code refers to solar energy systems collectively and does not talk about separate systems on the same property. The Board told the applicant that they think leaving the existing array will result in an inconsistent look with the proposed array and they will research the Zoning Code in more depth for guidance.

Mr. Phelan asked if the applicant had received an approval from Central Hudson on the number of arrays the utility company will allow them to install. Ms. Harvey said they have not received an approval yet. The Board stated a public hearing can not be scheduled until Central Hudson issues an approval.

The Board told the applicant to indicate the fencing and more specific landscaping on the site plan, and to consider removing the existing array.

### **NEW BUSINESS**

#### **Mead Accessory Dwelling – 267 Hapeman Hill Rd – Special Use Permit**

Presentation of application to convert a portion of a detached garage into a 1-bedroom accessory dwelling on a 2.0-acre parcel in the RD3 Zoning District.

Applicant Derrick Mead and representative Josh Payne were present. Mr. Payne gave an overview of the project and reviewed the site plan and floor plan. Mr. Phelan read the Variance Resolution granted by the Zoning Board of Appeals on February 9, 2022. Mr. Phelan discussed a section of the Zoning Code that restricts the proposed use in structures built after 1993. Mr. Mead explained the Zoning Enforcement Officer told him to obtain the Variance for a cottage because of the 1993 Zoning Ordinance. The Planning Board will talk to the ZEO and ZBA to clarify.

Mr. Fink reviewed his memo. The primary residence is two bedrooms and the applicant will need to have a septic engineer certify that their water and sewage system will be sufficient for a third bedroom since the proposed cottage is connected to the primary residence. Mr. Fink discussed the parking; the Zoning Code requires there to be two parking spaces – the site plan shows a sufficient amount of space, but the applicant needs to identify on the site plan where the dedicated parking spots will be. Mr. Fink asked about the plans for the lighting. Mr. Payne showed the existing lighting, which are small and downward facing. He plans to put in two additional exterior lights and will submit cut sheets for review at the next meeting.

#### **Bard College: Montgomery Place Path & Pedestrian Bridge**

Presentation of application to construct a pedestrian pathway connecting the Bard College Main Campus and the Montgomery Place Campus in the Historic Landmarks Overlay and Scenic Corridor Overlay Zoning Districts. The proposed path would begin at 1259 River Rd and continue until the Montgomery Place Visitor Center at 55 Montgomery Place.

Amy Parrella of Bard College, Liz Axelson of CPL, and Mike Schietzelt of LaBella Associates were present. Ms. Axelson gave an overview of the project and reviewed the plans for the proposed pathway. She stated that the proposed plans will use existing areas that are already graded or disturbed to construct the pathway. Ms. Axelson showed on a map where the proposed pathway will begin and end. Ms. Parrella explained that the intention of the pathway is to connect an existing path that Bard has to this proposed path, in order to allow greater accessibility and safety for pedestrians and cyclists going to the Montgomery Place part of campus. She stated that Bard has held many performances and events at Montgomery Place and the distance between there and the main campus has been a challenge for students travelling to and from. It is currently a 20-minute walk. Ms. Parrella discussed the location of

the proposed pathway and that it would provide a safe and accessible route not only for Bard students but also for the public that use the trails in that area.

Ms. Parrella discussed the current lighting in the area of the proposed pathway. Currently, there are no lights along the road and very minimal supplemental lighting in the Visitor Center parking lot and off of a few small buildings. Ms. Parrella said Bard is looking to install roadway and pathway lighting and upgrade the current lighting in the Visitor Center. She stated the proposed lighting will have a manual operation feature.

Ms. Parrella reviewed some features and amenities that Bard is planning to include in the pathway. She showed a proposed pedestrian bridge which would cross over a portion of the Sawkill River, as well as fencing, bike racks, picnic tables, and painting the entrance gate to the Visitor Center to be cohesive with the rest of the project. The board asked for clarification on vehicular use of the bridge, Ms. Parrella replied that the bridge would be about 10 feet wide and is intended for pedestrians and bicycles with a bollard in front to prevent cars from crossing. There were no other questions from the Planning Board.

Mr. Schietzelt discussed the proposed lighting plan and described that part of the plan is to remove the above ground utility communications and power poles to install them underground. There will be 2 types of fixtures – roadway fixtures and pathway fixtures. Mr. Schietzelt stated the pathway fixtures will run along the path and the roadway fixtures will run along the road and the parking lot. He discussed plans to add emergency blue light phones, emergency egress lighting to some buildings, as well as security cameras on the telephone poles. The board asked Mr. Schietzelt for more details on the proposed light fixture poles. Mr. Schietzelt replied the pathway fixtures will be spaced 40 feet apart and will be 12 feet tall while the roadway fixtures will be closer together and are 20 feet tall. He stated the type of fixtures were selected with consideration of the Historic District. He also said the fixtures will have photocell control, astronomical time clocks, and can be manually turned off but will not be motioned sensor controlled or dimmable since they are safety and security lights.

The Board questioned the need for so much lighting. Ms. Parrella responded that it is for safety reasons and explained the shape of some parts of the path and location to the woods and that Bard needs to ensure all the pathway can be lit. She said the pathway lighting will not spill out very far and the roadway lighting will provide a broader spill of lighting. Ms. Smythe asked if Bard plans to have the lights on 24/7, Ms. Parrella said the lights will go on at dusk and turn off at dawn which is consistent with the Bard main campus lighting. There were no other questions from the Planning Board.

Mr. Fink reviewed his memo. He stated the project is under the threshold of a type I action and is therefore an unlisted action requiring the State, the County, and potentially the Army Corps of Engineers to be involved because of the different lands the path crosses. Mr. Fink advised for there to be a coordinated review with the necessary agencies; he prepared a draft Lead Agency Coordination Request and draft Lead Agency Letters. Mr. Phelan read the draft Resolution Establishing Intent to be Lead Agency. Brian Kelly moved to approve the resolution, Kristina Dousharm seconded the motion and the motion passed unanimously.

The timeframe for the project was discussed. Ms. Parrella said once they receive the various permits and approvals they need, then they can get construction estimates and the project will be done in phases as their budget allows. Bard's goal is to have a portion of construction completed by December 2023.

**OTHER BUSINESS**

**Discussion on Lighting Guidance for Applicants**

Discussion of suggestion presented at previous meeting to provide information packet to applicants regarding requirements on lighting when a new project is started.

The Board did not have the updated packet ready to review and agreed to table this discussion until the next meeting.

**Bard College: Master Plan**

Preliminary discussion of plans to proceed with Bard's Master Plan.

Mr. Phelan gave an overview of the issues surrounding the previous Master Plan which Bard had submitted in 2017. At that time, Bard did not proceed with any of the proposed projects. Since 2017, a few projects have been approved that Bard has been working on, such as the President's Library and the Dining Common. Bard is now submitting an updated Master Plan that Mr. Phelan finds to be more practical and comprehensive, it includes a few large projects and a few minor projects. Mr. Phelan asked the Planning Board members to read and review the updated Master Plan and be prepared to discuss at the next meeting.

**ADJOURNMENT**

There being no further business before the Board, Ms. Smythe moved to adjourn. Mr. Kelly seconded, and all members voted in favor.

Respectfully submitted,



Jordan Rosario  
Clerk for the Board

617.6  
State Environmental Quality Review (SEQR)  
**Resolution**  
Type 2 Action

**Name of Action:** Red Hook Barbershop Site Plan Approval

**Whereas**, the Town of Red Hook Planning Board is in receipt of an application for Site Plan approval by D. P. Cruz for a parcel of land consisting of ± 1.34 acres, located at 7345 Broadway, Town of Red Hook, Dutchess County, New York, and

**Whereas**, an Environmental Assessment Form (EAF) dated 3/2/22 was submitted at the time of application, and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the threshold found in 6 NYCRR 617.5(c)(9) and, therefore, SEQR does not apply, and

**Whereas**, the Planning Board has determined that the proposed project may be within a New York State Agricultural District or on property with boundaries within 500 feet of a farm within an Agricultural District and, therefore, the requirements of 6 NYCRR 617.6(a)(5) apply, and

**Whereas**, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter, which will make their own SEQR determinations.

**Now Therefore Be It Resolved**, that the Planning Board hereby declares that no further review under SEQR is required for Site Plan Approval.

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

4 for, and 1 against, 1 absent, and 1 vacant seat this resolution was adopted on

April 18, 2022.

617.6  
State Environmental Quality Review (SEQR)  
**Resolution Establishing Intent to be Lead Agency**

**Name of Action:** Bard College Pedestrian Path and Pedestrian Bridge

**Whereas**, the Town of Red Hook Planning Board is in receipt of applications for Site Plan and Special Use Permit approvals from Bard College for a ± 337 acre area of the College's overall 688 acre site located along River Road in the Town of Red Hook, Dutchess County, New York; and

**Whereas**, an Environmental Assessment Form (EAF) dated April 6, 2022 was submitted at the time of application; and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is an Unlisted Action; and

**Whereas**, the Planning Board has determined that the proposed project is within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) apply meaning that an Agricultural Data Statement must be 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**, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter including the New York State Department of Environmental Conservation, the Dutchess County Department of Public Works, the Town of Red Hook Building Department, interested agencies including the New York State Office of Parks Recreation and Historic Preservation, the Dutchess County Department of Planning and Development, and a Federal Agency the US Army Corps of Engineers.

**Now Therefore Be It Resolved**, that the Planning Board hereby declares its intent to be lead agency for the review of this action; and

**Be It Further Resolved**, that the Board hereby authorizes its Chairman to circulate the attached lead agency coordination request letter(s) to all other involved and interested agencies and to discharge any other SEQR responsibilities as are required by 6 NYCRR 617 in this regard; and

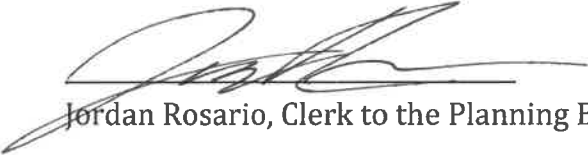
**Be It Further Resolved**, that unless an objection to the Planning Board assuming lead agency status is received within thirty (30) days of the date of mailing the EAF, the Planning Board will become lead agency for the review of this action.

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

Chairman Sam Phelan	Voting Aye
Deputy Chairman Brian Kelly	Voting Aye
Member Kristina Dousharm	Voting Aye
Member Arthur Salman	Voting Absent
Member Lewis Rose	Voting Absent
Member Karen Smythe	Voting Aye
& one vacant seat	

Resolution was declared adopted on April 18, 2022.

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

  
Jordan Rosario, Clerk to the Planning Board

April 18, 2022  
Date