

Town of Red Hook

**Agriculture and Open Space Committee**

**Minutes of March 24, 2015**

**Attendance:** Co-chairperson Norman Greig, Ken Migliorelli, Michael Robertson (7:08) John Hardeman (7:10), Richard Biezynski (7:40), Town Board Councilman William O’Neill (liaison) and Linda Keeling, secretary.

**Absent:** Co-chairperson Pete Hubbell, Marina Michahelles and Mary Ann Johnson

**Guests:** Robert McKeon

**Open:** Co-chairperson Norman Greig opened the meeting at 7:02 and waited for a quorum which was attained.

**Minutes:** There was no meeting in April.

**Motion:** *John Hardeman* motioned to accept the minutes of 9-23-14, *Mike Robertson* seconded. All agreed.

**Motion:** *Ken Migliorelli* motioned to accept the minutes of 2-24-15, *Mike Robertson* seconded, all agreed.

**Agenda Items:**

PDR applicants; Red Hook Trails; CPF Update; ZRC language; Potential New Members: Hannah Beal and Kimberley Hart; 6. Update Farm List from Bicentennial

**1. Purchase of Development Rights (PDR) Application:** There is \$20 million dedicated to NYS and \$14 million federally for. Robert McKeon provided information about the \$20 million application process. It will be allocated following the NYS Budget passing. The total allocation is for \$69 million covering down state, out west, etc. It’s an RFP. The enabling parties are land trusts and municipalities. There is going to be some funding allocated for young farmers, about \$2 million. The \$20 million is all for the Hudson Valley. He suggests applying through the land trusts like Dutchess Land Conservancy and Scenic Hudson to leverage their roles for funding and monitoring. The project is appraised by the farmer’s real estate value submission and the State and a third if there is a large discrepancy on the property’s value. The Red Hook Town Board passed a resolution of support. The state still has its 75% matching funds.

Robert McKeon inquired if anyone is interested in applying for the funds. *Norman Greig* said he might be interested for his 60 acres on Hapeman Hill. Ken Migliorelli said his cousin might be interested on the Linden Ave. strip, the former Central Hudson property which is about 18 acres

so the farm can be put back together. Perhaps Sheehan might be interested especially after the goat barn fire. Yellow Bell farm has already had conversation with DLC.

**2. Red Hook Trails:** There has not been any contact from this committee. Robert George and Ryan Roberts presented their proposal to the town but it seems to not have gone much further than that. They want to connect Red Hook to Tivoli. They received a grant and an individual will be hired. John Hardeman thought the trails group wanted to do two trails. Bill O'Neill thought they wanted to connect from Rhinebeck up through Red Hook to Tivoli. The Linden Ave. bridge reconstruction work from May until October will probably impact the connection of the Rec Park to Tivoli.

*Linda Keeling* suggested since we cover open space it might be nice for them to give a presentation. *Chairman Norman Greig* agreed as the AOSC might be able to help them. Linda passed around their tentative trail map. John Hardeman thought the present designated areas Bard to Tivoli Bays is for bikes. Norman would like to meet with them and assigned the secretary this task for their presentation at the next meeting.

Robert McKeon asked *John Hardeman* what progress has been made on his parcels he wants included in the ABD, the 6 acres for the farm stand, cold storage and greenhouse and another area for a total of 24 acres. Robert McKeon explained the process for selecting the agricultural reserve parcels in 2005. 10 acre parcels or less were eliminated. The process to petition for inclusion in the ABD requires soils of 50% statewide importance with connectivity relationship.

*Bill O'Neill* suggested going to Steve Cole, ZEO, and explain what land you want included and he has the procedure and forms.

*Co-chairman Norman Greig* feels that being in an ABD requires more work to get a project through as it is impacted by surrounding houses. He wants to convert a 9500 sq. ft. barn to an Inn with 14 bedrooms and Restaurant with 80 seats. Allowable is a 10 room in and 30 seat restaurant. He modified the drawing for the entrance for one neighbor. The ZBA required 3 variances on the 93 acres with an acre devoted to a special permitted airstrip. One requires location on a state road. There is also an issue of an area variance versus a use variance and the SEQRA procedure. An Article 78 was filed by the neighbors against the ZBA. *Ken Migliorelli* said farms have to be creative.

Robert McKeon said the ABD is the only area where commercial weddings are permitted. He said Norman is renovating the barn for an inn and restaurant. The logical extension is for weddings. Norman said he's not interested in weddings although there have been some in the orchard and with a viewshed of the mountains. He argues that those are outdoor events which can take over the neighborhood. An indoor wedding is self-contained. He indicated when events are done on his farm they are done away from the community. He allows events to go on all night if they are 1500 ft. from neighbors.

**3. Potential New Members:** Hannah Beal and Kim Hart

They were instructed to send a letter of interest to the town board. They couldn't make the meeting tonight as they have another meeting. There is definitely one opening but current member *Mary Ann Johnson* can't make the meetings due to a conflict. She does read the minutes but town board policy requires a 60% attendance. The two girls are encouraged to attend our next meeting.

**4. Weather Station:** *Ken Migliorelli* said he is getting the weather station on his farm. It is solar powered and will have soil sensors. It is managed through the State University of Albany.

**5. Community Preservation Fund (CPF):** This fund is about \$321,000. They meet periodically. Enacted in 2007, 2% of real estate sales over the medium price go into the fund. Robert McKeon estimated that the Hoffman TND development will put in about \$660,000 into the fund.

**6. General Discussion:** *Mike Robertson* asked about the Vermont Program Opportunity for Purchase. *Ken Migliorelli* said Hearty Roots is set up that way. The group was not sure if the land has an easement if young farmers still qualify.

*John Hardeman* noted that if land has an easement it continues to rise in value and can be unaffordable to new young farmers. It was felt that Scenic Hudson formed as an open space rather than an agricultural promoter. Their board had one farmer but he has since retired and it was felt that he was not replaced. They have an Agricultural Advisory Committee with a right to first refusal, ie: the easement is valued at \$1 million and a farmer can only pay \$400,000. Robert McKeon stressed Scenic Hudson's mission is to preserve the resource rather than promote exclusivity for the rich. They would not allow the barn on Rt. 9 to be walled.

*Richard Biezynski* said the problem with his property is from the federal government as it only allows 2% coverage. *Ken Migliorelli* said he ran into the same obstacle with the greenhouse on Lasher Rd. for 4% coverage but they are not counting it as greenhouses are considered temporary structures. There is a 25% tax credit for a conservation easement, that's income for the taxpayer of the land. There's an 80% farmer's school tax credit.

Robert McKeon said Scenic Hudson will be reaching out to all farmers with a survey about their easement programs, etc. John Hardeman and Ken Migliorelli received the mailing. John Hardeman felt the easements initially were more flexible but have tightened up as time has passed. John was allowed to have farm buildings outside the farmstead.

Robert McKeon reminded all that you can get agricultural assessment if you have cattle in your woods with a 50 acre minimum.

**7. ZRC Language:** *Ken Migliorelli* is the liaison for the ZRC. No report. They are meeting the third Thursday in April with Steve Cole in attendance. *Bill O'Neill* said they are fine with agricultural fences but are not okay with spite fences definition.

**8. Bicentennial Farm List Updated:** Since 2012, there have been new farms so the information is somewhat dated. The question is do we want to do an upgrade for distribution. Robert McKeon added that the map could be updated, too. There are about 40 farms. There was no vote on whether or not to work on this project.

## **NEW BUSINESS**

**1. Constitution Pipeline:** *Bill O'Neill* mentioned this pipeline is coming through NYS. It's coming from Pennsylvania to Albany then going east. If you don't accept their offer then they will seize your land. The trench is 40 yards wide. One farmer's house is 60 yards from the pipeline but he has no input on it but will be impacted. John Hardeman said the Iroquois pipeline is about 20 years old and it hasn't had any problems.

**Adjournment:** *Richard Biezynski* motioned to adjourn the meeting, *Norman Greig* seconded, all agreed.

The meeting adjourned at 8:27 pm.

Respectfully submitted,

Linda J. Keeling, AOSC Secretary

APPROVED 6/23/15