

Town of Red Hook

Agriculture and Open Space Committee

Minutes of November 24, 2015

APPROVED February 23, 2016

Attendance: Co-chairman Norman Greig, Ken Migliorelli, Talea Hekman-Taylor, Mike Robertson, Marina Michahelles, John Hardeman, Town Board Councilman William O'Neill (liaison) and Linda Keeling, secretary.

Absent: Co-chairperson Pete Hubbell, Hannah Beal and Rich Biezynski

Guests: Chris Klose and Meagan Hardeman

Meeting Opened: *Co-chairman Norman Greig* opened the meeting at 7:15 pm.

OLD BUSINESS

1. **Minutes:** There was a quorum 6 of 9.

MOTION: *Norman Greig* motioned to accept the October 27, 2015 minutes, *John Hardeman* seconded, all agreed.

2. **Farm List:** There were a few more names to include. Robert McKeon responded and thought the ones starting with Blue were not in business. He thought the Nannick Farm on East Kerley Corners Road should be included. *Marina Michahelles* noticed that Jim Stagias was missing from the farm markets. Discussion focused on a Milan farm with a Red Hook mailing address called Great Song which they felt for its uniqueness should be included. The consensus agreed to contact Dutchess County Tourism to see what they could do in advertising the list and perhaps speak with the group.

Rose Hill Farm sold and the young couple who will continue to farm it. The woman is an architect and they will renovate the houses. Our local farmers will guide them.

3. **Fence Resolution:**

At the April meeting the Zoning Review committee agreed on the following Amendment to the current Zoning Ordinance, Section 143-28, and insertion of subdivision D:

“No fence or other structure in the nature of a fence shall be erected for a purpose other than as defined for fences, under Section 143-4, or Agriculture Fences under Section 143-4.”

Email 10-30-15 from John Hardeman to members: 1. I agree with Pete, 3.1 Section 74-5 “C” of the Code needs to be changed. The last sentence should say: “A permit will not be required for Agricultural Fencing that constitutes fencing used to separate pastures or temporary fencing used for Agricultural purposes.” 2. In 3.1 Section 143-28 C needs to be modified. Any fence could possibly be considered to

prevent passage of light, air or view to or from such property. A lot depends on an individual's perspective. This section is going to be a big headache. How are we to know if a fence is constructed to annoy a neighbor? I would get rid of the whole passage: 3.1 Section 143-28 C".

Bill O'Neill explained there is control for a boundary fence with a fee adjustment and no fee for interior fencing. ZEO, Steve Col's spite fence qualifies as having "no useful purpose". *John Hardeman* felt it was a misconstrued understanding of Ag and Markets position of not wanting to get involved with boundary fence as this would be a town issue.

If the land is surveyed there is no dispute; rotational grazing does not require a permit as well as interior trellising which is not a fence. Chris Klose was concerned about a boundary fence on a public road.

Bill O'Neill noted the Ag fence has no height restriction and read the definition. The attorney to the town will draft a resolution. The Town Board will hear from the AOSC and the ZRC which meets on Jan. 7th. There will be no decision until they hear from the co-chairman Pete Hubbell.

4. Conference Report: Talea Hekman-Taylor and Hannah Beal

There were not a lot in attendance at the American Farmland Trust, Wed. 10-4, conference in Albany located underneath the Convention Center. They split up to attend the different sessions.

A. "*Communicating about Agriculture with Non-Farming Audiences*": We are losing 42 acres per hour every day and of that 91% are in fruit and berries. Every farmer feeds 155 people according to federal statistics. Lawsuits are generated against small CSA farmers in the case of 13 violations generated for cruelty to animals with number one being keeping sheep in an unheated barn. Farmers always need to watch each other's back.

B. "*Connecting Land Use, etc.*": They broke into three groups. A Venn diagram showed the overlapping relationship between Economic Development, Farmland Protection and Land Use Planning. The focus under Talea's farmland protection group is to attract new and young farmers to the land, food security, protecting soils and farm succession.

C. "*Eminent Domain*": Concerns were for fracking, pipelines, electricity and those that sold their development rights (PDR). It was terrifying and the worse session for her. Fighting it can cause health problems, financial strain and tear families apart. *John Hardeman* said redevelopment along riverfronts for hotels and restaurants has been upheld in the courts. *Norman Greig* noted that Con Ed originally wanted to go down the center of Pitcher Land but the farmers united and asked them to locate it further north on poorer soils. *John Hardeman* said in the case of Al Cole's 40 acres on Starbarrack Rd. with Con Ed he had deeded rights to farm for the others it was at the discretion of Con Ed. Ken Migliorelli said it was different for Linden Acres because it split the farm so they had the right to cross and farm. According to American Farmland Trust, Robert Mead in central NY sold his development rights and it didn't matter. Ken Migliorelli questioned if fracking goes horizontally and is a half mile down, do you still have rights. Talea got to meet a variety of people and Bard College cafeteria was there.

D. “*Food Hubs, Growing Resources for Farmland Conservation Funding and another one*”: Hannah attended these.

5. **Solar Industry Letter**: Chris Close said he received a letter regarding solar but it involves 20 acres. He didn’t act on it.

6. **PDR on three properties near Hapeman Rd**: No action. The Community Preservation Fund is growing. *Ken Migliorelli* asked if farms need to pay into that. The answer was no if they have an easement.

7. **Weather Station**: *John Hardeman’s* weather station placement is being looked at carefully when near 15 ft. high trees. The station itself is 30 ft. high. It’s an early warning detection automatic solar driven system. *Linda Keeling* asked if there is any learning opportunity for the high school kids. John didn’t ask the representative about that. There will be some sensors on the high school building. It will be installed next year.

8. **Website Page**: Marina Michahelles volunteered to work on the concept pages. She spoke with Mary Ann Johnson of HVADC and a grant would cover 75% of the cost and Mary Ann thought it would cost \$4,000 if it is not too complicated. Mary Ann sent the paperwork to Marina and also suggested looking at Workforce Development.

Marina thought other less expensive options are available. She thought the website should include: a search for farms using our list, products, and restaurants sourced from local farms, maybe the Chamber of commerce. Chris Klose mentioned Dick Wambach EDC’s home page “Red Hook Hudson Valley” <http://www.redhookhudsonvalley.com/>

9. **No December Meeting**: The next meeting is January 22, 2016. We possibly could have Dick Wambach as guest speaker at a future date.

10. **Historic Preservation Information Meeting**: There is a proposed Historic Preservation Law mostly affecting west of Rt. 9G; changing 5 acres zoning to 10 acres zoning, lodging in B-1 in the Upper Red Hook hamlet. It is before the Town Board, will need to go through SSEQRA, GreenPlan will to the final document and public hearing will be held. (Feb. 24, 2016 at 7:35 pm, town hall)

NEW BUSINESS

1. **Building Permits for Greenhouse, Senate Bill 1992**: *Norman Greig* stated under State law no permit is needed for a greenhouse as the foundation is discontinuance as it is considered equipment not real property tax and is viewed as a temporary structure. Steve Cole, ZEO, defines temporary as less than 30 days. The ZEO inspected Bucky Coon greenhouses, could be retail shop. Norman argued that a greenhouse is a greenhouse even for whatever purpose it is set up for retail sales of potted plants, growing plants, having a dance or selling feed.

2. **Red Hook Economic Development**: *Norman Greig* noted “recreational uses” listed allowed. Innovation should include car club auto cross with cones path timed. ZBA will make an interpretation

on the ZEO's recent cease order. *Bill O'Neill* thought it would cost about \$50. Norman felt there should be a process for uses and new uses without having to go through the ZBA each time. It provides an open space opportunity resource. *John Hardeman* thought there should be a list of what you don't want for Agricultural accessory recreational farm activities. *Marina Michahelles* questioned how the recreational uses got into a list. John said according to law you need to list allowable uses.

Motion to Adjourn:

MOTION: *Marina Michahelles* motioned to adjourn the meeting, *Ken Migliorelli* seconded, all agreed.

Adjournment: The meeting adjourned at 8:25 pm

Next Meeting: The next regular meeting will be **Tuesday, January 26, 2016.**

Respectfully submitted,

Linda J. Keeling, AOSC Secretary

APPROVED 2/23/16