

Draft

**TOWN OF RED HOOK**  
**CONSERVATION ADVISORY COUNCIL**

Minutes of meeting

August 8, 2012

Members present: Chairwoman Laurie Husted, Susan Ellis, Mike Zelic, Dr. Jane Ferguson, Denis Collet Absent: Anne Rubin, Zoie Riel, Karen Schneller-McDonald, Sarah Imboden

**CALL TO ORDER/QUORUM:** Chairwoman Laurie Husted called the meeting to order at 7:55 P.M. A quorum was present.

**MINUTES OF THE JULY 11, 2012 MEETING:** The minutes of the July meeting were approved with a motion made by Jane Ferguson and seconded by Mike Zelic.

**LETTER TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) RE: PERMIT APPLICATION FOR USE OF HERBICIDE TO ELIMINATE *PHRAGMITES* STANDS IN TIVOLI NORTH BAY:** Laurie Husted thanked Susan Ellis for drafting a letter to the DEC expressing CAC concerns about justification for the need to eliminate *Phragmites* stands in Tivoli North Bay and the alternatives to the use of the pesticide glyphosate. Laurie presented the response letter from DEC which detailed the alternatives considered and why they were unsuitable. The DEC conclusion was that a carefully monitored application of glyphosate to kill *Phragmites* stands is the most effective way for preventing an invasive expansion that would dominate the Tivoli North Bay marsh.

**ZONING BOARD OF APPEALS MEETING AUGUST 8, 2012:** The CAC had been asked to attend the ZBA meeting to hear the issues regarding two requests for interpretation of the Zoning Code in connection with the use of property owned by Mitchell Bodian on Oriole Mills Road. CAC members spent the first hour of meeting time at the ZBA meeting, listening to discussion of the two requests, one by Mitchell Bodian and the second by Jacob Cirell.

*Application 12-08 by Mitchell Bodian* is a request for interpretation of whether or not storage is an allowed use on a farm. A party rental service currently stores equipment in a building on the property and conducts a commercial dishwashing operation. Zoning Enforcement Officer (ZEO) Bob Fennell gave the opinion that such use was not allowed in the RD3 district, and issued a violation order. ZBA Chairman Nick Annas said that then Mr. Bodian must cease the dishwashing operation. A follow-up letter from ZEO Bob Fennell advised Mr. Bodian that he needed to appeal the interpretation and would be allowed to continue until the appeal was settled. Neighboring property owners spoke against the commercial use. Mr. Bodian was not present and the ZBA had to reschedule the discussion for the September meeting. Neighbors gave the opinion that if the owner could not plan to be present, then the ZBA should have the right to move forward with a decision.

*Application 12-07 by Jacob Cirell* is a request for an interpretation regarding the Section 143-41 (D) (4) of the Town Zoning Code regarding allowable farm industries and businesses in the RD3 District. Mr. Cirell proposes to establish a small brewery on the Mitchell Bodian property. Mr. Cirell was asked if he has been given legal authorization to speak for the owner Mr. Bodian regarding the application for interpretation of allowable farm industries. He has not.

Neighbors spoke of the lack of current agricultural use of the land and objected to the brewery as an accessory use to a farm operation when there is no farm operating. They raised issues of traffic on a road not suited to commercial traffic, water use that they felt would be excessive, and waste that would need to be disposed of and potentially would contaminate the stream in the area. ZBA Chairman Nick Annas presented a list of findings to summarize the facts of the issues. The ZBA took note of comments and discontinued the discussion until the September meeting, as Mr. Bodian was not present and had not given a letter of authorization.

The CAC discussed environmental considerations for both applications. Denis Collet said that the CAC should speak about waste water disposal and if it would be to the Sawkill Creek. Susan Ellis noted that there are two water issues, the second being the amount of water withdrawal for the brewery process. Both issues would need to be addressed when any special permit application goes to the Planning Board.

**PLANNING BOARD MINUTES REVIEW:** Mike Zelig reviewed the Planning Board minutes from the July 16, 2012 meeting. He announced that the Robertson Farm Market and the Bard College baseball field plan received Planning Board approval.

The Planning Board discussed the Preserve at Lakes Kill preliminary subdivision plat proposal, and Mike noted that Robert McKeon was circulating a petition opposing the project. Laurie Husted said that is important with this type of project that the issues are being reviewed early in the planning process. Mike asked if there is a flow chart for how a subdivision starts and was told to ask Planning Board Secretary Paula Schoonmaker.

**CAC WEBSITE:** Laurie Husted reported that Sarah Imboden has reviewed the website, and asked if a clearer website link could be made to recycling information.

**WATER RESOURCES PROTECTION:** Anne Rubin and Karen Schneller-McDonald were out of town, so there was no discussion of water resources protection.

**ENERGY AND CLIMATE ACTION PLAN (ECAP):** Laurie Husted reported that the ECAP is complete. On Tuesday, August 14, 2012, consultant Erika Maher will present her report on the ECAP to the Town Board.

Jane Ferguson thanked Laurie for pushing forward on the project with a new contract, stating that the resulting product (ECAP) is greatly improved. CAC members agreed.

**RAIN BARREL WORKSHOP:** Laurie Husted reported that the rain barrel workshop was successful. She and Mike Zelig thought that the CAC should do one again. There is an option to buy 30 barrels. Laurie took photos. She said that another time there should be more work on publicity. Susan Ellis said

that she had been interested in the workshop, but had concerns that there had to be adequate screening of the downspout to prevent leaf infiltration.

**ADJOURNMENT:** The meeting was adjourned at 8:30 P.M.

**NEXT MEETING:** Wednesday, September 12, 2012 at 7 P.M. at the Town Hall

Respectfully submitted,

Susan H. Ellis, Secretary