

Draft

**TOWN OF RED HOOK  
CONSERVATION ADVISORY COUNCIL**

Minutes of Meeting  
November 12, 2014

Members present: Chairwoman Laurie Husted, Susan Ellis, Mike Zelig, Jen Cavanaugh, Sarah Imboden, Denis Collet

Absent: Anne Rubin, Dr. Jane Ferguson

**CALL TO ORDER / QUORUM:** Chairwoman Laurie Husted called the meeting to order at 7:14 P.M. A quorum was present. Laurie noted that Anne Rubin was taking minutes at the Zoning Board of Appeals meeting and Jane Ferguson had notified her that she couldn't come.

**MEETING NIGHT AND MEMBERSHIP:** Laurie Husted asked CAC members if any other meeting night would work for them, as Anne Rubin has the job as clerk at the ZBA meeting on the same night. CAC members present did not find a more suitable night. Laurie also asked for any other suggestions for new members.

**MINUTES OF THE OCTOBER 8, 2014 CAC MEETING:** Mike Zelig said that he gave a Planning Board review before the CAC recording of the October 8 meeting, and would review them with the report for this meeting. The minutes of the October 8 meeting were approved with a motion made by Sarah Imboden and seconded by Jen Cavanaugh.

**WEBINAR ANNOUNCEMENTS:** Laurie Husted announced 3 webinars scheduled for November 13:

- ◆ Climate Smart Communities webinar on “Micro-grids and Community Choice Aggregation at 10:30 A.M. Denis Collet said that he had a meeting conflict and could not do it. He added that he did the first of the webinars, and found that he has a problem with the perspective of the presentation vis-a-vis his energy work and background. He suggested that someone else from the CAC should do the second part and give a different perspective. Laurie decided that she would try to get the webinar.
- ◆ The Baltimore Energy Challenge and “green” programs of the city at 2 P.M. No CAC member signed up for that.
- ◆ The Changing “Waste Stream” webinar from 1 – 2:30 P.M. Sarah Imboden has signed up for that one.

Laurie Husted asked if any CAC member had attended the Omega Institute annual conference “Building the Collaborative Commons” and could report on it. No one present had gone.

**PLANNING BOARD MINUTES REVIEW:** Mike Zelig reported on items he thought of interest to the CAC.

- ◆ *Patrick Murphy accessory apartment public hearing:* On October 20 the Planning Board held a public hearing on an accessory apartment over a garage where Patrick Murphy and his family lived while building a house on the same property. Mr. Murphy applied for a permit to allow the accessory apartment. At the hearing, residents had questions about the septic and well situation, and disputed the number of people living there, as well as the size of the building. Mike reported that there are two septic systems for the lot, and the well would service both the house and apartment. Denis Collet noted that a check with the Health Department would determine if the permitted septic systems are proper for the number of bedrooms and the size of the lot. Mike added that the Planning Board plans to visit the site and continue the hearing.
- ◆ *Hoffman Residential Development:* The Planning Board continued discussion of the development plan for 102 units on 52 acres. Mike Zelig reported that the Hucklebush Trail was brought up and engineering representative Richard Rang said that they could try to continue the trail connection through the sidewalks in the development plan. Sarah Imboden noted that while the developer has agreed verbally to the idea, she wrote a letter on behalf of the CAC to formally request that there be use of the name and incorporation of means such as the sidewalk which could be used as a future continuation of a rail trail on other parts of the former rail bed. She added that the Town of Rhinebeck has taken steps to preserve its portion of the rail trail and the Vosburgh conservation easement may also recognize it. Sarah said that she would like to submit the letter on Friday if CAC members review it and approve, as Brenda Cagle suggested that it be sent to the Planning Board with a cc to the developer.

Laurie Husted questioned the number of units. Sarah replied, and added that the calculation of the amount of water supply required is still under discussion. The developer is looking for the County to adjust its numbers. Sarah reported that the Intermunicipal Task Force had a discussion of whether or not to allow an increase in the proposed size of cottages from 1200 sq. ft. to 1400 sq. ft. Sarah added that there was a long debate about whether the Town should administer the Water District or allow the County Water and Waste Water Agency to administer it, as they have offered to do so. Sarah continued that the County currently operates the Rokeby Gardens water supply and wants the Hoffman project to be connected to it, which would give a greater revenue pool for upgrading needed for the Rokeby Gardens system.

Denis Collet asked about any strategic plan for expansion of Water Districts and infrastructure requirements. He said that perhaps if all the services for water and septic are consolidated under the County, there would be a better chance of addressing infrastructure and development issues. His concern was that without having a vision about how local businesses are going to be attracted and addressing their needs, it is not possible to have additional hotels or inns or larger businesses. Sarah said that at this point and for this project, she felt that the CAC would not have major concerns about that, as development of the water system would be done by Kirchoff Associates with whatever engineering is agreed upon by the County and the Town. Afterward, the consideration of who runs it can be discussed. Laurie Husted thanked Sarah for the time that she has spent at the Intermunicipal Task Force meetings.

- ◆ *Cokertown Springs Water Company* : Mike Zelig reported that Bill Anagnos of Cokertown Springs Water Company wants to bring the nonconforming use allowance of his operation into compliance with current zoning regulations. According to Planning Consultant Michele Greig, the current operation does not withdraw ground water, but collects overflow from the springs. The Planning Board told him that he needs to do a hydrogeological study and submit an Environmental Assessment Form (EAF). The other part of the application is a lot line variance to create a required 5 acre parcel for the operation. Mr Anagnos will return with the site plan application and other requested information. Jen Cavanaugh recommended that the CAC ask the Planning Board to have a third party review of the application and hydrogeological reports. Sarah Imboden noted that it really was a discussion stage since the applicant has not completed the forms or studies and offered to do research on the current status and permitting for the operation as it is now. Laurie said that then the CAC would send an initial letter of concern to the Planning Board and do further research.

**BUDGET 2014 REMAINDER:** Laurie Husted has asked how much money remained in the CAC budget. She didn't have an answer yet, but asked if there would be any other purchases or meetings CAC members thought could be useful. Sarah Imboden noted that she would like the Waste Subcommittee to put together a “Love 'Em and Leaf 'Em” program for next fall and wondered if the CAC could get some materials to prepare for the program.

#### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) SUMMER CAMP SCHOLARSHIPS AND RUTH OJA ENVIRONMENTAL**

**SCHOLARSHIP:** Laurie Husted has asked if other CAC members would take over administration of the application process for the scholarships, which she has done the last few years. She suggested that the work needs to be started earlier for them, and include other means of attracting applicants, such as Facebook postings. For the DEC

Summer Camp scholarships the VFW needs to be contacted by the beginning of 2015 for their approval of the funding, which they have provided for over 20 years. The CAC handles the applications for the summer camp, and they need to be encouraged as early as possible to attract more applicants and avoid last minute or past deadline situations. For the Ruth Oja scholarship, February or even early March would give enough time, as the CAC only promotes the scholarship, while the Community Fund Foundation handles the applications. Jen Cavanaugh agreed to get past information and work on both the DEC summer camp and Ruth Oja scholarships.

**ANNOUNCEMENTS:** Laurie Husted gave the following announcements:

- ◆ *Notice of Violation* : Laurie received in the mail a copy of a Notice of Violation from NYSDEC sent to Arvine Coon and Sons, Inc. It cited a violation of the Mined Land Reclamation Law NYS ECL Article 23 and Freshwater Wetlands Act, NYS ECL Article 24 for mining operations without a permit and filling a designated Freshwater Wetland without a permit.
- ◆ *Biodiversity Grant* : Laurie reported that the Town of Red Hook might be able to establish a Critical Environmental Area designation with the Biodiversity Grant that was recently funded.

**WASTE SUBCOMITTEE:** Laurie Husted announced that there there will be an E-Waste Collection Day with Bard College on January 17, 2015. She needs CAC members to help.

**WATER SUBCOMMITTEE:** Mike Zelig has provided a small septic maintenance handout for new homeowners and will refer to the Cooperative Extension pamphlet for handling septic systems.

*Cokertown Springs Water Company* : The CAC will follow the Planning Board review. Susan Ellis will draft a letter of initial concerns and circulate it for CAC comment to be submitted at the time an application is reviewed.

**ENERGY SUBCOMMITTEE:** Denis Collet reported that the Tivoli Energy Workshop was well attended, but really more of a forum for vendors of solar power.

*Community Choice Aggregation* : Denis reported that the Community Choice Aggregation webinar described a project on Cape Cod MA. The idea behind the Community Choice Aggregation is that citizens of a participating community could opt in or out of a program. The sponsoring communities would have administrators or program managers that would provide all the legal or financial documents that would be used to negotiate on behalf of the Aggregation what the sources of energy supply would be. They could decide to wind or solar or other “GREEN” sources to purchase, as well as negotiate a better rate for a larger customer base. Denis is more interested in the

source than the rate structure. There is no mandate to provide appropriate “GREEN” energy. Denis feels that there would be a possibility that it would just be used as a negotiation for a lower rate for more fossil fuel, not an environmental progress. While lowering rates is beneficial, if it sacrifices improvement of sources and impacts on climate change, he would not be for it.

Denis added that there were some letters sent to Town Supervisor Sue Crane with energy proposals appear to be similar to the Community Choice Aggregation proposal, but with a single goal of reducing the cost for the current fuel supply for the municipality, with no mention of source. The New York Association of Towns is one proponent. Laurie Husted asked Denis if he could follow up his review with a letter. Denis agreed that he could ask if they would consider renewable sources, but was not sure of the impact. Laurie suggested that whatever aggregation might be formed should adjust the charter to emphasize renewable resources. Other CAC members thought that it is worth promoting. Denis will think more about it and draft a letter for consideration.

*Outdoor Wood Burning Boiler Regulations* : Denis Collet noted that he had an issue of a neighbor violating the prohibition of using an outdoor wood burning boiler from May 1 – November 1. Three years ago, he asked Zoning Enforcement to investigate. He was told that the violation was not observed, and that the neighbor was sent a letter. The issue was not resolved, except that the neighbor finally moved away. If the intent of the law is to protect the health and limit environmental impacts, then the law needs to be enforced. Jen Cavanaugh asked if the outdoor wood burning furnace was used for hot water, and was garbage being burned in it. Denis said the real issue was that the neighbor was in violation and Town enforcement did not resolve it. He said that if the Town Enforcement Officer is not available at the time of the occurrence of a violation, particularly one that causes a health or safety issue, the Sheriff's office or other authority which can offer timely remediation should be designated.

Denis asked if it would be within the purview of the CAC to make a recommendation to the Town Board that the law be amended to assure that there would be a timely remedy of a situation that impacts health and welfare of residents. Laurie Husted asked Denis if he could put together the issues that he would like to have addressed on enforcement so that the CAC could officially ask them of Town Attorney Chris Chale. Denis said that he could, with the main point being that any regulations that are intended to protect health and the environment should have enforcement capabilities that act within a timely manner. Sarah asked about adding that if there is a stated penalty that it should also be enforced.

**TRANSPORTATION SUBCOMMITTEE** : Laurie Husted reported that the Town was awarded the Sidewalk Grant for the East side of Route 9 between the Town Hall and Hannaford's. Councilwoman Brenda Cagle has asked who from the CAC would

like to be on the grant team. Laurie said that there would be a paid engineer and the grant team involved in pre-construction and construction meetings, probably a regular time commitment for the next year. So far, Laurie has agreed to do it. Sarah Imboden said that she could share the load if there were meetings that Laurie couldn't make, and Susan Ellis and Denis Collet said that they could be alternates.

*Permeable paved parking lot at Bard College* : Laurie reported that the College was ready to pour asphalt for the new parking lot, but was told that under the terms of the grant, pouring could not take place if the temperature was less than 50 degrees. They will probably have to wait until spring.

Denis Collet noted that he saw some very innovative materials and treatments when he attended a recent Green Building conference in New Orleans. Laurie asked if he would report on them at the next CAC meeting.

**ADJOURNMENT:** The meeting was adjourned at 9:05 P.M.

**NEXT MEETING:** Wednesday, December 10, 2014 at 7 P.M. at the Town Hall

Respectfully submitted,

Susan H. Ellis, Secretary