

APPROVED
Community Preservation Fund Advisory Board
Meeting Minutes
January 8, 2009

The meeting was opened at 7:40 p.m. A quorum was determined to be present. Members present — Chair Susan Ezrati, Pete Hubbell, Phil Seymour, Brent Kovalchik, and Rich Biezynski. Town Board member Harry Colgan and planner Ted Fink were also present.

Susan said that at the request of the Board at the last meeting, she and Brent had discussed the office of chair and had agreed that she would act as chair and that Brent, as deputy chair, would fill in when she was unable to attend.

The members also discussed potential member vacancies on the Board, since both Victor Behoriam's term and Phil's term had expired at the end of December, 2008. Victor had indicated that he did not want to be re-appointed, but Phil said he would like to serve another term. Susan said she would write a letter to the Town Board to that effect, adding that she would also include the CPFAB's nominations for chair and deputy chair for the upcoming year.

The members reviewed the minutes of December 4, 2008. Pete made a motion to adopt the minutes. Brent seconded the motion, and all members voted in favor except Phil, who abstained because he had not attended that meeting.

Pete reported on the subcommittee's work toward drafting a monitoring policy. He said he had spoken to David Boehm of the NYS Department of Agriculture and Markets about the department's requirements for easements. He had also spoken with representative of the Land Trust Alliance. He then distributed copies of the monitoring agreement for the Mead Farm and also the Dutchess Land Conservancy's Scope of Services for monitoring that easement. He reminded the Board that the cost of monitoring was limited to 10% of the easement cost.

Pete went on to say that the Mead easement combined funds from the state, the county and the town. He said that the expenses for placing the easement totaled about \$24,500 and that that amount included a \$10,000 contribution to the endowment. He said that Dutchess Land Conservancy holds that easement and that the Board could use that agency's documents as models.

Pete said that the subcommittee recommended adopting the definition of stewardship used by Winnakee Land Trust; that is, "stewardship is the obligation to make sure that the conditions of the easement are upheld."

The Board generally agreed that the subcommittee should meet again before the next Board meeting. Brent suggested that the subcommittee also look at the three Warwick documents.

Pete noted that in the case of the Mead easement, the Town had third party enforcement rights and could defend the easement in case the land trust failed to do so for some reason. The Board generally agreed that the Town should be notified of the annual monitoring date for any easement using Community Preservation Fund money and that a representative of the Town should accompany the land trust monitor.

Pete said that David Boehm had suggested that the Town consider participating in a defense insurance fund currently proposed by the Land Trust Alliance. He said that the fund would provide a pool of money that could be used to prosecute an easement violation. Pete said he would check on the premium for this insurance.

Brent asked whether the Greenway legal fund could be used for easement enforcement. Ted and Harry were doubtful. Ted said that that use of that fund is limited to cases involving zoning.

The subcommittee set a tentative meeting date for 4 p.m., Friday, January 16, 2009 at the Village Building.

Ted Fink then reported on his progress with the inventory of parcels. He proposed that the document be titled "Red Hook Community Preservation Plan- Inventory of Parcels ". He explained that the job of this Board would be to decide where CPF money might go, using the inventory list. Other committees would decide how best to preserve or protect those community resources.

The Board and Ted discussed future revisions to the inventory list. Ted said that the Town of Red Hook Preservation Fund Law (New York State Town Law section 64-h, i.e. Town of Red Hook preservation funds) stated that the inventory list may be revised after three (3) years from the date of the adoption of the initial plan and must be updated within five (5) years. In answer to a question about Village resources, Ted said that the inventory would include Village parcels. After consulting a list of local structures on the National Register of Historic Places, the Board discussed such Village buildings as Maizeland, the Village Diner and the Lutheran Church. The Army Corps of Engineers wetland behind the Red Hook library was also discussed.

Ted said that he had posted an opening for an intern through the Bard College website and student employment office but had had no responses. Pete and Susan suggested that he try getting a high school student.

Ted distributed his updated inventory list. He said he had finished a section in the southeast corner of the Town, between Route 199 and Yantz Road. He said he had begun with the base map of active agricultural parcels and added other parcels with prime soils.

Rich suggested that the inventory include some non-agricultural parcels contiguous to active agricultural parcels. He said some unanticipated agricultural business have sprung up recently, such as the horse farms on Lasher Road, which did not involve valuable agricultural soils.

Returning to the inventory, Ted said that he had found eight (8) parcels in the section he surveyed that could be included on the inventory. He said he had added several additional "resource" lines to the table and that one or more photos should be included with each parcel. He said that each site had been given a number and that each number would correspond to a numbered parcel on the final map. He said that the land owner's name had not been included either on the inventory or on the map.

Pete noted that prioritizing parcels would not be easy. For instance, he said, Sky Park had a large number of value points, but inventory site 1 A&B was an active agricultural parcel. He wondered how the Board would decide which was more important. The Board generally agreed that it would tackle the job of prioritizing after the inventory was complete.

Phil suggested that the percentage of forest on a given parcel be added as an item of data because often the valuable soils are gone once the trees are removed. Ted said that he would research managed forest land and would get the property codes from the Town Assessor. The Board discussed cluster subdivisions on land designated as "forested".

Ted said that he did not intend to include parcels that were already protected. Pete disagreed, saying that sometimes an existing easement allows two or three houses or a certain number of acres for development, so there might still be some additional acreage that could be protected.

Susan asked Ted whether the Board members could be of some help with the inventory. Ted said he would try to get an intern first and then see how much work remained. The Board suggested that each member could inventory a small section of the Town.

The Board generally agreed first that Susan would write a memo to the Town Board regarding the member vacancy and the positions of chair and deputy chair. Second, the members agreed that at the next meeting they would suggest names of people to fill the Board vacancy. Third, the subcommittee would continue to work on a monitoring policy and to finalize the definition of "stewardship".

The Board also agreed to focus on Purchase of Development Rights projects and easements for the time being and then work on how to monitor other types of resources such as historic preservation projects. Brent said that valuable information could be in the Secretary of the Interior's Guidelines, which are available online.

The Board set the next meeting for February 5, 2009 at 7:30 p.m. Pete then made a motion to adjourn the meeting. Rich seconded the motion, and all members present voted in favor.

Respectfully submitted

Paula Schoonmaker