

**Community Preservation Fund Advisory Board
Meeting Minutes
November 5, 2009**

Members present: Chair Susan Ezrati, Rich Biezynski, Robin Logan, and Brent Kovalchik
Absent: Miriam Latzer, Pete Hubbell, Phil Seymour
Also Present: Chris Chale, Town Attorney

The meeting was opened at 7:35 p.m. A quorum was determined to be present for the conduct of business. The Board reviewed the October 1, 2009 minutes. Brent made a motion to approve the minutes as written. Rich seconded the motion and all members present voted in favor.

Susan said that the Board does not have an overlay which shows where the development rights have already been purchased and suggested that the Board review the maps which have been done to identify those properties and to assure that the maps are comprehensive. She told the Board that she has the computer file for the color map. It includes everything except the numbering.

Chris said that the point of the map is to indicate how properties fit into the Board's categories. Although according to the Plan the Board has to make agricultural properties the first priority, she said, that doesn't mean that there aren't other priorities. Therefore, even though a property is not agricultural, the Board could decide that that parcel fits some other criteria which makes it's preservation important. She asked about the base for the map and suggested that when the Board develops it's maps, the sources should be identified. E.g. the source might be a base map for zoning or Ag districts or it might simply be the opinion of the Board that this is good land to preserve.

The rankings, which were in the August Minutes, were reviewed. Susan said that the consensus of the Board was that the criteria could be ranked, but the Board was uncomfortable ranking individual properties because conditions of the parcel could change over time and not everyone would come forward and offer to sell their development rights. Brent noted that the priorities of the villages, which do not have agricultural land, must be considered. If two applications came in and one were agricultural land and the other was a cultural resource, it was agreed that the agricultural land would be the priority. However, the villages were concerned about what would happen if no agricultural land owner comes forward and there are cultural resources which are important for the villages but are at the bottom of the list. Rich said that if two or three applications are made, we have to apply the criteria, see how the parcels rank and accept the ones with the higher score.

Susan said that there is a crescent of farmland which surrounds the two villages and creates a sense of the community we are preserving. She felt that the best way to preserve this crescent would be to approve contiguous properties which have high merit. That would create a green corridor. Similarly, with the village you have the concept of gateways which are surrounded by clusters of green spaces. Chris said that if the Board thinks that the Scenic Overlay is an important part of this work, that can be in the Plan. Brent stressed that the Gateway would be more important for the villages than for the farmers and asked how this would affect priorities. Susan said that the Open Space Plan identified continuing the tradition of farming in the town of Red Hook as the first priority. However, it is certainly desirable to combine that with the things which are favorable to the villages wherever that is possible.

In response to questioning about whether each parcel must be evaluated, Chris said that the law requires that the Plan "shall list every project which the Town plans to undertake." This is what has

been done for the “green zone”, i.e. the agricultural properties. “It shall include every parcel which is necessary to be acquired in order to protect community character” and “It shall provide for a detailed evaluation of all available land use alternatives to protect community character.” Chris said that her initial reading indicated that the Board would have to identify the most highly rated properties and indicate which should be the first priority to buy and which should be preserved, if at all possible, through other strategies. The Board has taken a broader view in considering looking at every single parcel which is potentially deserving.

Rich said that that has to be done before any money can be dispensed. If a property were not listed and the property owner made an application, he would have to wait three to five years before the list could be redone. If we complete the green zone, Rich continued, and go on to the grey zone (which is the villages) we have to determine which buildings/structures have to be saved. Brent said that that is easy because as far as protection of cultural resources is concerned, the law states that they have to be listed in the Historic Register. Rich said that these sites would also have to be rated because more than one might come in at the same time. Susan said that in Tivoli they are considering zoning and other criteria to protect historic sites.

Rich asked Chris if the Board is doing this work correctly according to the law. Chris said she likes the idea of rating each property; however a list which contains important properties but does not identify those properties is troubling. The plan requires that all you might acquire and everything you must acquire be included; however this cannot include the whole town. The Plan should provide guidance as to what the town should buy. Rich said that the most important properties would be the A group, which, from the town’s point of view, would be the “breadbasket”, i.e. the flats. He identified several flat, highly productive properties.

Chris suggested that one approach to the problem might be to say that some percentage of the properties should be preserved through other means. Part of this plan is supposed to be identifying other alternatives besides money, including zoning. The list for which you are actually going to spend money, at least in the first three years, should be smaller than the present list; it should not be the whole list. The law is looking for a plan to provide guidance on how to make the evaluations. The present list itself does not satisfy the law. You could make a list of the ten or twenty properties you want to buy or you could say that this is our way of deciding what the target is. However at the end of this process, one has to be able to read the plan and know which properties are the most important. Rich said that the Board’s reading of the law was that they would have to evaluate each property in the town, at least those in the white zone.

Chris suggested that the plan could identify various categories and specify that the first category have first crack at 75% of the available money. In the three year period in which the money becomes available, that category could get first crack for the first year and then the next category could have a percentage. After a period of time, the pot could be opened up to anyone in the remaining categories. Robin said that this approach would also obviate the necessity of weighting each property.

Brent said that the plans which have been adopted, e.g. the Corridor Overlay, the EPA District, etc. are represented within the criteria which the Board has developed. There was discussion as to how to score properties in order to determine which would be the first ten properties. Susan suggested that the Board identify which properties already have an agricultural exemption as eliminating those properties would significantly reduce the size of the list. Brent said that they have already been tagged and the pages could simply be removed.

A motion to adjourn was made by Brent and seconded by Robin. The meeting was adjourned at 9:02 P.M.

Respectfully submitted,

Sheila Franklin