

**DRAFT**

**Community Preservation Fund Advisory Board  
Meeting Minutes  
September 2, 2010**

Members present: Chair Susan Ezrati, Rich Biezynski, Pete Hubbell, Brent Kovalchik, Robin Logan  
Also present: Town Board Liaison Harry Colgan  
Absent: Phil Seymour

The meeting was called to order at 7:40 P. M. A quorum was determined to be present for the conduct of business. Susan noted that the June 3, 2010 Minutes could not be approved at the August meeting as a quorum was not present. She asked if there were any corrections or additions to these Minutes. Hearing none, Brent made a motion to accept the Minutes as written. The motion was seconded by Pete and all were in favor. The August meeting notes were distributed and read by those present.

Susan said that she has mapped the parcels in Tivoli and will send the map to the CPF Ad Board before the next meeting. She and Brent have talked to Ted Fink. Ted agrees that in order for Fund monies to apply to a façade easement, the building must be on the National and State Register of Historic structures. Susan said there are about 12 buildings in the Town of Red Hook which are designated as historic landmarks and the Board will be getting a full list.

Susan and Ted discussed which properties in the villages should be preserved as wet lands. Properties which preserve the gateway or scenic view sheds could be eligible for a conservation easement at some time. Susan and Brent have developed a list of such parcels in the Villages of Tivoli and Red Hook. Pete verified that they only looked at the parcels which are on the State Registry. Susan said that the law does say that the Board can attempt to protect scenic view sheds, wetlands, aquifers and gateway greenbelts. She has developed a list which she will discuss with Ted Fink and submit to the Board before the next meeting.

The issue of wetland eligibility was brought up. Brent said that the pond behind the library is actually a stream, but also qualifies for aquifer protection because it is in the Village. Pete asked if it was privately owned and Brent said that it is. He said that the intent of the Board would be to secure an easement. Susan said that the owners would have to come forward to request protection of that property just as the farmers do. Pete asked if the financial resources of the Fund could then be used to upgrade, maintain or clean the pond. Brent said the property would have to be in the public realm. The biggest problem with the pond is that public money cannot be spent on private property unless the owners turn over their rights and obtain an easement. He said that he had done a walk-through about a year ago with Dutchess County Soil and Water Conservation District to determine what it would take to mediate the problems at the pond. The property owners would have to show that they are willing to donate it or give up the rights. He talked to Scenic Hudson and Winikee about purchasing the rights; however they felt that not only was the property small, but the issues were complicated by the fact that there are seven owners.

Susan cited Montgomery Place as an example of land which, if it were not already protected, should be kept from being developed. It has view sheds, contiguous land that belonged to a historic personage and agricultural land which is under cultivation. Susan said Ted Fink gave a couple of

examples of where a view shed to the river was protected in Rhinebeck. Land on the other side was treated to maintain the open space along the river.

Returning to the issue of the pond, Pete said that the property owners might be persuaded to donate an easement if they realized that in doing so their property value would be increased because funds might be made available to clean the pond and make it attractive. Brent said that there are septic systems near the pond and if a right-of-way around the edge of the pond were secured, those septic systems might present a problem. From the point of view of the village, he felt that it would be best if the wetland portion of the property were donated. The Village could then consider that as a park with restrictions around the perimeter and controlled access to the pond itself in one or two locations.

Susan said that these issues have to be written up. There may need to be a legal review or a law written to reflect the work of the Board. Susan will speak with Chris Chale in this regard. There was discussion regarding the necessity of having a legal review. Brent said that such a review would not come out of the Board's budget. Harry said that when the sub-committee goes before the Town Board in a couple of weeks, that question should be raised. He said that the Board should come to the Town Board with recommendations and the Town Board could then provide the financial resources to obtain legal advice.

Susan said that in two weeks the sub-committee is going to meet with Ted Fink during the day as he is not available at night. They are going to ask him to formalize the budget and set it at a maximum. Pete said that he assumes that after Susan and Brent meet in two weeks, they will have a complete package which includes all the properties in the two villages as well as all the Ag lands. Brent said that he would like to map the village properties, especially the greenbelt, and also color key the wetlands so he can double check the numbers. The town can then check this work. There was a discussion regarding possible overlapping of greenbelt and Ag property.

Susan said she hopes to tell Ted that the Board has covered the major issues and get from him a budget which will translate this work into a form which can be presented to the Town Board. Brent said that some of the historic and cultural resources in the town and the hamlets are still outstanding, e.g. St. Margaret's, which is on the registry, as well as four properties in the Village of Red Hook. In addition, there may be other properties in the town which are not on the Tivoli list, the Ag list or the Village of Red Hook list. Susan said that the Board should make sure that any property in the Town of Red Hook which is on the State Register is also on the list. Brent said that for the village he only has to coordinate with the Open Space Plan as that is the basis for the CPF. It was decided to try to get a tax map from Michelle.

Susan said she is targeting completing the work in two weeks and getting a commitment from Ted Fink as to his cost. She spoke to the Town Board liaison and found out that the Board has a budget of \$1,000.00 and additional funds may be available, even though the budget for this year has been used. Pete said that the Board should have everything ready to finalize at the next meeting. Susan said that the issue of how to share the budget between the village and the agricultural properties still needs to be resolved. If they do a 75/25 or 80/20 split, there will be years where all the funds will be used by agricultural properties because there are no applications from the village and, possibly, vice versa.

Brent returned to the issue of façade easements and said that there is a precedent from the L'Enfant Society, but it will have to be amended for Red Hook. Susan asked Brent if he would work on that and then perhaps they could speak to Chris Chale.

Brent then brought up the wall and said that if the village acquired it through CPF funds, it would become a linear park. Once it is in the public domain, it can be preserved. At that point, the village and/or the town, can apply for grants for restoration. Pete said that the original agreement clearly indicates that the Board will only acquire.

Susan said she would like to have as many of the Board members as possible come to the Town Board meeting on September 22<sup>nd</sup> at 7:30 P.M. She will be making a presentation to show the Town Board the progress made by the Board. The next sub-committee meeting will be held on Thursday, September 16<sup>th</sup> at the Red Hook Village Hall from noon to 2:00 P.M. At that time Susan will be give the Board a chance to preview the presentation to the Town Board.

Susan announced that Geoffrey Carter has resigned and said that the Board needs another member.

A motion to adjourn was made by Robin and seconded by Brent. The meeting was adjourned at 8:38 P.M. The next meeting will be held on October 7, 2010 at 7:30 P.M.

Respectfully submitted,

Sheila Franklin &  
Toni Cochran