

the Board to look at the map to see if anything stands out. She referred to a memo from Attorney Chale which discusses the process by which the actual acceptance or adoption of the scenic corridor will take place. The steps include reviewing the draft, the SEQRA review, consistency review, a Planning Board referral, an agriculture date statement, and notice of intended public hearing. The process could take about six months from beginning to end.

Attorney Chale explained that we could overlap some of the stages and perhaps the length of time could be shortened.

Councilman Ross feels that verbiage explaining what you can and cannot do on a scenic road should accompany the map.

Attorney Chale agreed that is a very good point and she thinks we need to do that. She also thinks there has been some discussion about modifying the language to allow the Planning Board to more closely align the site plan with exactly the reason for this designation.

CAC Chair Brenda Cagle said that right now the Planning Board has two options regarding scenic roads, either a double setback or a buffer. The Planning Board would like to have the ability to protect those characteristics.

Councilman Ross suggested having information available at the public hearing so that everyone knows exactly what the implications are.

Attorney Chale agreed that it is important to have a context. The idea they have is to make the tool a little more flexible and work a little better for both those seeking to develop and those seeking to protect the scenic resources.

Councilman Ross questioned the Route 9 designation. He thought that it had already been treated as a designated scenic corridor.

Marcy Appell explained that what is in the code is the double setbacks if practical.

Councilman Ross agreed that is the way it has been handled and his concern is that it is not listed on the maps he has.

CAC Chair Brenda Cagle explained that this is an effort to make things more harmonious.

Marcy Appell explained that the code regarding double setbacks does not refer to State designated roads.

Councilman Ross would like consistency regarding the scenic map. He would like to see the verbiage accompany the map in order to avoid confusion.

Attorney Chale agreed it should.

Supervisor Crane asked if the Board should move ahead considering the language and the map married to it before the next meeting so they can draw conclusions as to what they all agree on. They can then move ahead to get the planner to put together language they can adopt.

On a motion of Councilman Colgan, seconded by Councilman Ross, move to have the planners start to work with the CAC to put the language together.

Adopted Ayes 5 Crane, Ross, Strawinski, Colgan, Latimer
 Nays 0

CAC Chair Brenda Cagle suggested having a Planning Board member help also.

WINNAKEE LAND TRUST

Supervisor Crane referred to a previous presentation from Winnakee Land Trust regarding the establishment of an Intermunicipal land trust service. They wanted the Board to endorse that early on as one of the model communities who would join them in the concept. She referred to a resolution sent to the Board by Winnakee and asked the Board to discuss participating and whether they see merit in the idea.

Councilman Colgan has several questions. Sometimes the Planning Board requests a conservation easement. The Town Board then had to approve that easement and it was considered a burden to the Town. So is the intent for this to have Winnakee step up and take those easements without further discussion or perhaps even the involvement of the Town Board?

Attorney Chale explained that they will develop criteria for the program that would be consistent with the Town's.

Marcy Appell doesn't think the Town Board will be involved.

Councilman Ross feels this is very confusing.

Marcy Appell explained that Winnakee would have to increase its staff so it would cost \$5,000 for that. Other costs like the stewardship cost would be paid for by the developer.

Councilman Ross has a problem with a developer being forced to set aside money to pay for the conservation easement that his is forced to provide. In a PDR not only is it voluntary, but the landowner gets paid and gets a much reduced tax burden. Here they are being forced to do an easement and we are telling them that they have to pay for that easement.

Marcy Appell said the developer always pays for monitoring. The land trust is not making any money on it.

Councilman Ross doesn't understand the costly need for monitoring. We pay two people in our Building Department and with computers tied into everything, why can't anyone coming in to apply for a building permit have their information punched in and right there be told if there is an easement on the property? He doesn't feel right subscribing to \$5,000 a year then have all the people forced to have an easement on their land have to pay so much to a land trust for that same easement.

Councilwoman Strawinski asked if we talked to our Building Department employees about this program and if it would ease a burden to monitor these properties?

Councilman Ross said we pay for computers which everything should be kept track on. It is a duplication of services that is costing taxpayers and costing developers. It is further driving up development costs whether we like it or not which is making affordable housing more out of reach.

Marcy Appell explained that the alternative to using a land trust is the Town holding the easement which gets to be a burden. They would have to go out to the property every year to make sure the easement doesn't get violated.

Councilman Ross asked how that is any different than going out on anybody's property to make sure they haven't built an illegal barn or garage.

Councilman Latimer believes we have a tool in place with our zoning code and we have two able body people in the Building Department that can enforce zoning. He thinks that putting an unfair financial and fiscal burden on people is ridiculous.

Councilman Colgan asked if the easements enhance the value of land so that the owner is gaining financially.

Robert McKeon explained the taxation point of view. That is when a land owner puts a conservation easement on their property in New York State they are entitled to a 25% credit on that portion of the property and there are some Federal tax implications too. It's with a deed restriction on zoning which prohibits development. The landowner would not be able to enjoy any of those benefits.

Councilman Ross explained as an example if a person is forced to put a deed restriction on seven acres, he might get a few dollars off his taxes. It is nothing compared to having something like

an agricultural exemption and it wouldn't even come close to paying them what it is going to cost them with this program for this forced easement.

Marcy Appell explained that a lot of towns are doing cluster zoning and having some space left open. The towns don't want to monitor and can we trust Town Boards 100 years from today to be sure the easement is held. What happened is a few communities said they want open spaces but don't want to hold the easements. They went to Winnakee and asked if they would. She explained that this is really a service to the Town and Winnakee doesn't get anything out of it. The Planning Departments are involved and Greenway is interested too. That's why they started in the northern part of the County. If it works Winnakee would sit down with the other parts of the county.

Councilman Ross just wants everyone to think about this.

Councilwoman Strawinski asked if there was ever an occasion when an easement was developed on.

Councilman Ross answered no, not in Red Hook. There was one case in Wappinger's long before computers were in use.

Councilwoman Strawinski asked if the towns interested want this to be a consortium.

Marcy Appell answered that Winnakee would like all the towns to get involved, but if a town doesn't want too, the whole plan is muddled. Milan is the town that started this because they were seeing a lot of conservation easements and didn't want to hold them.

Supervisor Crane suggested that if any of the Board members have questions, that they pass them on to her. She'd like to have the questions to her by next Monday and she will contact Lucy Hayden.

REORGANIZATION

Conservation Advisory Council – Supervisor Crane referred to the vacancy and a nomination for the position from the CAC.

On a motion of Supervisor Crane, seconded by Councilman Ross move to appoint Jane Ferguson to the open seat on the CAC term to expire December 31, 2008.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, Latimer
	Nays	0	

Community Preservation Advisory Committee –

Councilman Colgan spoke to Rich Biezynski who would be happy to serve on the committee with the understanding that he would recuse himself when necessary.

Councilman Ross agrees with appointing Rich Biezynski.

Councilwoman Strawinski believes that if Mr. Biezynski has to recuse himself from discussion of his property, he would also have to recuse himself from discussion of all the properties because he has been so involved.

Supervisor Crane believes that since in the past the court decided that if there is no personal gain to you or anyone in your family than you do not have to recuse. She thinks regarding his property he would have to recuse, but not regarding the others.

Councilman Ross reminded everyone that the Community Preservation Fund and Community Preservation Committee are two separate committees.

Councilwoman Strawinski advocates for one of our younger farmers, Miriam Latzer.

The Board discussed various letters of interest for serving on the committee. The question arose about experience of interested parties.

Attorney Chale said that as long as we have language that says “demonstrates experience with conservation or land preservation activities”, she thinks as long as the Board makes some reasonable findings they will be given some deference determining what that means in meeting those criteria. You cannot disregard the criteria. You have to take that into account. Farmers have a lot of experience with conservation activities.

Supervisor Crane told the Board that we are faced with a number of people who, while they were willing to serve, have recused because of their involvement in land conservation work. She feels we need other representation beyond the Planning Board. She thinks that Peter Hubbell falls within the range of experience. Rich Biezynski is another. She doesn't agree with Councilman Colgan regarding Charlie Laing because he works for Scenic Hudson.

Councilwoman Strawinski is not comfortable that some of the applicants meet the criteria.

Councilman Colgan said the primary job of this group is to write the plan of how this money is going to be used. They are not going to be selecting people to receive the funds. For that purpose we really need people who can provide good input for this plan.

Councilman Ross asked who Councilman Colgan and Councilwoman Strawinski have in mind.

Councilman Colgan is thinking of Charlie Laing who is professionally linked to land preservation who is highly qualified in land use.

Councilman Ross explained that he looks at it differently. He would like them to be aware of land preservation and the Town of Red Hook and its growth patterns. We pay a planner very dearly to guide them when they need guidance. Councilman Ross wants independent thinkers. We want people with open minds and let the planner guide them when they come up with the plan.

Attorney Chale reminded the Board that there is a distinction between writing the plan and allocating the funds.

Supervisor Crane is hoping for a cross section of the community who can sit down with the planner and say here is what is important as we allocate funds for the Community Preservation Fund.

Councilman Ross feels the six we have provides a good cross section.

Supervisor Crane agreed. Susan Ezrati is a Tivoli Trustee, Brent Kovalchik a Village Trustee, Pete Hubble does appraisals all over the County, and Rich Biezynski has been involved in farming for twenty years or more. Victor Behoriam is a business man who was involved in the Community Preservation Fund in Long Island and understands it from that point of view. The two farmers we spoke with, either one of the two seem to have proven themselves.

Attorney Chale clarified that Victor Behoriam, Brent Kovalchik, and Pete Hubble are members the Board considers as having land preservation experience.

Councilman Ross feels that Phil Seymour should be put into the group with land preservation experience. He was on the Master Plan Committee for years. The idea of zoning is to preserve the land.

Supervisor Crane agreed that he does qualify as a farmer too.

Councilman Colgan would like to get some comments from the public.

Councilman Ross asked Supervisor Crane to read off the names of the seven people the Board discussed most seriously.

Supervisor Crane read the names of Richard Biezynski, Victor Behoriam, Susan Ezrati, Peter Hubble, Brent Kovalchik, Phil Seymour and Miriam Latzer.

Councilwoman Strawinski has concerns over two of them. She would like to speak to Victor Behoriam and Phil Seymour.

Planning Board Alternates – Supervisor Crane referred to a letter she received today from Planning Board Chair Christine Kane who said she was surprised that the Town Board was moving ahead with the action of appointing alternate members to the Planning Board. She said they have not had problems with attendance or quorums nor are their agendas burdensome at this time. Christine Kane said since the Board is soliciting letters of interest for the alternate she is taking the opportunity to suggest the Board appoint Rob Tourtelot and Will LaBossier to the alternate positions. Some of the Planning Board members spent a good deal of time interviewing candidates for the Planning Board before the appointment of Sam Harkins. Both gentlemen would make good additions to the Planning Board. Their letters of interest are still on file.

Supervisor Crane suggested holding off until another meeting.

Zoning Board of Appeals Alternates – The Board reviewed letters of interest for the alternate positions for the ZBA.

Councilwoman Strawinski wants representation from all the diverseness from the Town. We wanted to recruit new volunteers to serve. She recommended appointing people who are not already on boards.

The Board discussed letters of interest for the ZBA alternates.

Councilman Ross said that Craig Christensen and Trilby Sieverding are the two people who expressed the most desire to fill the position that was filled by Nick Annas. He feels most strongly about appointing them as the two alternates.

Councilman Colgan has a problem with appointing Trilby Sieverding because he said she comes from a family in the development business.

Councilman Ross said that is not true at all. Her husband is an architect. They subdivided their own land and put a lot of it into preservation. It is hardly a development business.

Councilman Colgan said he sees it as a development business and an inclination that should not be added to the ZBA.

Councilman Ross disagreed with Councilman Colgan.

On a motion of Councilman Ross, seconded by Councilman Latimer, moved to appoint Craig Christensen and Trilby Sieverding as alternates to the Zoning Board of Appeals.

The following discussion took place before the vote.

Councilwoman Strawinski admitted that Trilby Sieverding has an impressive resume. She thinks that there is some divisiveness in our Town and she thinks that appointing her will further aggravate the situation. It feels like the ZBA is tilted in the developers favor.

Councilman Ross took exception to her accusations and said she is speaking untruths. She's never been to their meetings and looked at their decisions. Don't even say things like that.

Councilwoman Strawinski said she doesn't know the people; she had conversations with residents and brings them to the table.

Councilman Ross has taken a lot of Councilwoman Strawinski's recommendations for committee members that he doesn't know and gone with them. He knows them as honest, decent people that don't sway their decisions regardless of their own personal feelings.

Councilwoman Strawinski said there will be some people in our community that will have a problem with that appointment. She thinks we should consider Craig Christensen, Pete Fenaroli and Paul Merianthal.

Councilman Latimer asked Councilwoman Strawinski if she is saying that Trilby Sieverding should be excluded based on the fact that her husband is an architect.

Councilwoman Strawinski answered yes.

Supervisor Crane knows Trilby Sieverding to be a really straight shooter. She can't follow Councilwoman Strawinski's line of thinking. Trilby Sieverding would be the most balanced and straight down the middle voter when it comes to the Zoning Board. Supervisor Crane feels we are lucky to have so many interested people. Having decided to have the alternates, she thinks the Board should move ahead. She can support Craig Christensen, Trilby Sieverding and several others for that matter.

Councilman Colgan repeated that he has concerns about Trilby that he doesn't have about other candidates. That is why he'd want someone else.

Councilwoman Strawinski said she would like to receive resignation letter (Trilby's from the Tree Commission) before she can serve.

Councilman Ross responded that we have a lot of committee members that are on two committees, particularly a lesser committee. You appoint people that you know that you feel can serve the town justice. He doesn't feel that serving on one committee should preclude that person from being on another.

Councilwoman Strawinski isn't sure that is a good practice. She stated that a lot of people have volunteered to serve on committees who have not had the opportunity to do so.

Supervisor Crane called for a vote.

The previous motion made by Councilman Ross was modified.

On a motion of Councilman Ross, seconded by Councilman Latimer move to appoint Craig Christensen as an alternate to the Zoning Board of Appeals.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, Latimer
	Nays	0	

On a motion of Councilman Ross, seconded by Supervisor Crane move to appoint Trilby Sieverding as an alternate to the Zoning Board of Appeals.

Adopted	Ayes	3	Crane, Ross, Latimer
	Nays	2	Strawinski, Colgan

Before the vote was taken on the second motion, Councilman Colgan asked the Board to consider Rob Tourtelot as he is a successful businessman and has contributed to the economics of the Village of Tivoli and the Town.

Councilman Ross and Councilwoman Strawinski informed him that Mr. Tourtelot was interested in the Planning Board, not the Zoning Board of Appeals.

Supervisor Crane announced that the Planning Board alternate appointments will be held off until the next meeting. She asked the Board if they all had a copy of the letter from Planning Board Chair Christine Kane.

REGARDING DOG CONTROL CONTRACT

Councilman Latimer told the Board that the dog control contract is finished and is going to be submitted to the attorney tomorrow.

Supervisor Crane explained we have a time frame for the dog contract.

CORRESPONDENCE

Supervisor Crane referred to correspondence for the Board's information

- A certified letter was received from Stephen Melley, an attorney who is pursuing a lawsuit against the Town for injuries and damage to a claimant who had an accident in which they claim the Town is liable.
- A letter to Kristen Gillibrand from Brent Kovalchik thanking her regarding the central sewer and wastewater treatment system project.
- A letter from Mark Phelan reminding the coordinator of Dutchess County Department of Health Bioterrorism that the school district is embarking on a major roofing project and alternate plans for evacuation must be considered since the High School was an emergency response evacuation center.
- Supervisor Crane received a letter from the Justice Court. She spoke with Judge Triebwasser and promised she would sit with the Board at a future date after she had a chance to think about what he proposed. An audit called for security measures. She would like to meet with the Village of Red Hook Mayor regarding sharing court space. The letter refers to renovation of the Town Hall building.
- There is a drainage complaint from David Rundall about drainage on Linden Avenue. The County responded recognizing the problem but they are not the only entity concerned. They are asking the Town to also become involved. Supervisor Crane forwarded the letter to Highway Superintendent Wayne Hildenbrand and asked him to look at the letter and work with the County to resolve this situation.
- A letter from Rebuilding Together announcing on Saturday, April 26 they will rehabilitate 16 houses for more than 15 low income homeowners. If anyone is interested in helping in the effort, call David Dobson, the Executive Director at 454-7210. They welcome any help they can get. Harold Ramsey is very involved and Supervisor Crane thinks he too would be happy to take any calls.
- Correspondence from Ron Rader, Branch Officer for NY State Office of Parks & Recreation and Historic Preservation informing that applications are now available for the 2008 grant program. There is a meeting at Locust Grove in Poughkeepsie on May 13, 2008 from 10:00 a.m. to noon. Supervisor Crane will forward this to Paula Schoonmaker who has attended one of these workshops. It is for historic preservation, acquisition and heritage area projects.

Supervisor Crane asked if anyone else had any items to be discussed.

Councilman Latimer reminded her that he will not be at the May 13, 2008 meeting. He will be at a class in Watertown, New York.

Councilwoman Strawinski referred to correspondence she received from Howie Callis, Trails Chairman, regarding the quadricentennial coming up in 2009. He hopes to have Red Hook involved in it. Sheriff Bob Chandler gave Howie information regarding an amusement park he used to have and would like to see it revived during the quadricentennial. There is grant money out there so Councilwoman Strawinski will work with Howie on that.

Supervisor Crane asked if there were any other comments.

Hearing none, on a motion of Councilman Ross, seconded by Councilman Colgan move to adjourn the meeting at 9:24 p.m.

Adopted	Ayes	5	Crane, Ross, Strawinski, Colgan, Latimer
	Nays	0	

Respectfully submitted,

Sue McCann, Town Clerk