

## RED HOOK TOWN BOARD MEETING

August 12, 2008

### PUBLIC HEARING

A meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session at the Town Hall, 7340 South Broadway, Red Hook at 7:30 p.m.

Present: Supervisor Sue Crane  
Councilman James Ross  
Councilwoman Micki Strawinski  
Councilman Harry Colgan  
Councilman Robert Latimer  
Town Clerk Sue McCann

Also Present: Attorney for the Town, Christine Chale

Supervisor Crane welcomed everyone to the meeting and opened with the Pledge of Allegiance. She then read the Public Hearing notice regarding proposed Local Law #7 amending Chapter 143 of the Code of the Town of Red Hook entitled "Zoning" and opened the Public Hearing to comments.

*Jonathan Becker* came to express his firm beliefs that the proposed amendments should be enacted. He views this as a start of a process to make the code responsible. He believes that both the issue on water and the issue on the density are very important and should be adopted to eliminate problems.

Supervisor Crane affirmed that this Public Hearing is not to address a specific project, but to hear about a change in zoning in general.

*Neil Alexander*, an Attorney from the law firm Cuddy & Feder, who represents Carella, LLC and CSI Development Holdings New York, LLC said his firm learned of the zoning amendment and had a few questions.

Supervisor Crane asked that he hold his questions until Attorney Chale returned to the meeting.

*Neil Alexander* assumed that the Board was going to issue a positive declaration and he asked where the Board intends to go with the process.

Attorney Chale responded that she doesn't know why he would assume that. She doesn't think that determination has been made so we are here at a Public Hearing to get comments on the proposed law.

*Mr. Alexander* asked if it was sent for County comments and if the Town received comments back.

Attorney Chale responded, yes, we have.

*Mr. Alexander* asked for copies of those comments.

Attorney Chale told Mr. Alexander that he can FOIL them from the Town Clerk.

*Mr. Alexander* made a point to say the Town Code was adopted on April 13, 1993 and the Town has not built a single multi-family housing unit. This proposal essentially will take property that allows multi-family, and contrary to the fact that New York State adopted a Town Law to encourage multi-family housing, you're going the opposite way by getting rid of that formula. You are going to wind up with an inability to provide multi-family housing in your community at a cost that is below the cost associated with single family residences. That is exclusionary zoning. You can talk about a myriad of cases; it is purely political exclusionary zoning. You are making it harder to build multi-family in your community. Multi-family has been determined by the Court of Appeals in the State of New York to be the litmus test for affordability. It is unconstitutional to prevent socio-economic diversity. It is inconsistent with the Town's Master

Plan, it violates the New York State and Federal Constitution and it drives questions of civil rights and other substantial issues.

*Jackie Martin* disagrees and feels our community is very diverse. We don't have a lack of diversity.

*Jonathan Becker* stated that there are multiple methods in our code which allow for multi-family housing and if these modifications occur there is still the possibility of multi-family housing. He urged the Board not to be intimidated by threats of various violations of standard. We are diverse. The primary purpose of the code is to preserve the rural character of Red Hook.

Supervisor Crane asked if there were any further comments. There were none.

On a motion of Supervisor Crane, seconded by Councilwoman Strawinski moved to leave the Public Hearing open since the Board received written documents, so the Board has a chance to consider them.

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

Supervisor Crane announced that the Public Hearing will be continued until the next meeting at 7:30 p.m. on September 2, 2008.

Respectfully submitted,

Sue McCann, Town Clerk