

RED HOOK TOWN BOARD MEETING

September 2, 2008

PUBLIC HEARING

A continuation of a Public Hearing 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.

Supervisor Crane explained that this meeting is a continuation of the Public Hearing regarding proposed Local Law #7 amending Chapter 143 of the Code of the Town of Red Hook entitled "Zoning". She asked if anyone present had a comment that wasn't mailed in.

Jason Francis feels that this sets precedence for what can change Red Hook forever. It will affect many people, raise taxes and affect traffic. He's lived here for about five years and thinks it's sad that someone can build a big development next to his home.

Ron Rhynders agrees with Mr. Francis and doesn't want it in his back yard. The ramifications are road maintenance, increased taxes and asked how much more enrollment our schools can take.

Fran Donahue has lived in Red Hook for 42 years. He hasn't seen anything in the newspapers regarding this issue. He hasn't seen a copy of it. He comes to a meeting and it seems that the Board is ready to vote on it. He asked if information regarding this zoning change has been in the newspapers.

Town Clerk Sue McCann responded that the Public Hearing notice was in the newspapers, posted on the official town web site and copies of the proposed Local Laws are always available in the Town Clerk's Office.

Fran Donahue suggested the Public Hearing remain open and that more information be given to the public other than a legal notice.

Robin Groves is a 23 years resident and has never driven down Norton Road without being aware of and taking in the beauty of the road. It's an extraordinary road and she doesn't want increased traffic. It is not a safe road. Townhouses would abut her land but it is the road that concerns her.

Jonathan Becker did submit something in writing but has done more research. The zoning proposal deals with the code. The issue of bedroom count and the issue of water density are loopholes which allow increased density beyond that which is normal. They are closing loopholes which allow for added density. Added density causes problems for the Town in terms of traffic, taxes, school pressure and the demands on water. If you adopt these modifications to stop density, multifamily dwellings can still be built but it doesn't allow multifamily dwellings at immense density which is inconsistent with Red Hook's rural character. We do have affordable housing. None of the changes prohibit the development of low cost housing. By adopting these changes you are not prohibiting multifamily dwellings or affordable housing. Lawyer's threats have no basis.

Arlene Becker explained that we live in a place with such great beauty and she would hate to lose that.

Supervisor Crane read e-mail correspondence she received from residents who wish to be on record regarding the proposed law. The following residents wrote letters of support for the proposed zoning local law: Dale and Heather Starry, Robert Wise, Laurie and Roger Husted, Alvin and Arlene Becker, Phoebe Prentice, Sheila Lynch and Thomas Mills.

Supervisor Crane referred to a FOIL request from Mr. Neil Alexander who requested all documentation, correspondence, letters, reports, etc. prepared for and/or submitted to the Town Board relative to proposed Local Law #7. He asked for the information in order to prepare remarks at the Public Hearing. She asked if Mr. Alexander picked up the information.

Town Clerk Sue McCann responded that he did not come in to pick up the information.

Supervisor Crane referred to a document from our planner, Michelle Greig from Greenplan who discussed each of the segments of the Town Law changes. Supervisor Crane will make the document in its entirety available. To summarize, they recommend the Town eliminate the provision that bases permitted density for multifamily units on bedroom count. On the second item regarding central water, they recommend the density bonus be eliminated because it permits too much building potential in areas beyond walkable distance from the Village center which could result in increased traffic congestion and other impacts. In regard to setback requirements for accessory structures, they recommend the Code Enforcement Officer review the setback recommendations to ensure they are consistent with the requirements of the New York State Uniform Fire Prevention and Building Code, particularly with regard to the six foot setback between an accessory structure and another structure. If the Town decides to proceed with adoption of the proposed zoning amendments this action will be subject to SEQRA and other requirements including a required review by the Town's Planning Board and by Dutchess County Department of Planning and Development under General Municipal Law 239M.

Supervisor Crane referred to a letter from Dutchess County Senior Planner Noela Hooper dated 8/11/08. Under "comments" Ms. Hooper wrote that they recognize that the provisions represent a step toward reducing dispersion of housing throughout the existing residential districts, which extend beyond the areas deemed suitable for higher density. However, without additional provisions permitting higher density in those suitable areas, the proposed amendment has the immediate effect of reducing opportunities to provide sufficient multifamily housing for Red Hook residents. If the Town's goal is to conserve outlying open space, areas adjacent to or in close proximity to the Villages should be allowed to absorb more than the density permitted by this amendment. They encourage the Town to adopt alternative strategies that permit more compact, Village scale development in those sections of the R1, R1.5, and B1 districts determined to be appropriate locations based on their proximity to the Villages. In conclusion, the recommendation is that the Town Board rely on its own study of the facts in the case with due consideration of her comments.

Supervisor Crane asked the Town Board to comment.

Councilman Colgan said we heard a consistent message from the public tonight that they support this proposed local law. It has been in discussion for some time. The increased density allowed under the current zoning flies in the face of our efforts with the Centers and Greenspace Plan which will provide a new type of density in a very specific area which also preserves open space at the same time. We also have included affordable housing. It is a very specific plan to provide affordable housing based on income of specific categories of people (teachers, firemen, etc.) There is a plan in place that would answer the concerns from Dutchess County Planning who has been very much a part of the Centers and Greenspace Plan. They will be overseeing the affordable housing plan that we have. It will be maintained and run by the County after we implement it. He feels we should move forward with the zoning amendments in light of the fact that it supports the intent of how we see the Town moving. He thinks the public strongly supports it.

Councilman Ross believes the bedroom count is excessive, however he feels the density for central water and/or central sewage was the correct thing to do for our zoning. The proposed Centers and Greenspace Plan wouldn't fit if the density bonus and all of these were eliminated.

That might be what Ms. Hooper is getting at with the County Planning Board comment. We should look very closely at how this might change that. He is not in favor of eliminating the bonus for central water and sewer. As far as setback requirements he doesn't have a problem with that.

Councilman Colgan agrees with the setback requirements. He suggests discussing it with Code Enforcement Officer Steve Cole.

Councilman Latimer said when he was on the ZBA it seemed they were often issuing setback variances for sheds. There was rarely, if ever, opposition to those requests for variances. It seems to be a natural progression. There has been an outpouring of support for change in the density regulations and water bonuses. No one has come in favor of maintaining the status quo. He's read Noela Hooper's opinion and it seems we have to be cognizant of what Centers and Greenspace is trying to achieve so that we accomplish what the people want, while at the same time not shooting down the intent of Centers and Greenspace before its had the opportunity to be presented to us. With that in consideration we need to make certain that we protect everyone from saturation while at the same time not killing the upcoming project before it gets to our table.

Councilwoman Strawinski appreciates hearing from the public. Zoning should be in keeping with our comprehensive plan and she thinks this zoning change brings the Town up to speed. Michelle Greig is involved with the Centers and Greenspace Plan and is familiar with how the zoning changes will affect that. There is some question about the water density and how that will apply to the Centers and Greenspace Plan. She asked about the requirement to have this reviewed by the Town Planning Board and if it's been presented to them.

Town Clerk Sue McCann responded that yes, the proposed Local Law was referred to them at the same time it was forwarded to Dutchess County Planning.

Supervisor Crane explained that it is important to recognize that if this Local Law is passed, whether tonight or a future night, it should be understood that it applies to the entire Town not just to one significant area. She asked if the Board wanted to close the Public Hearing or keep it open. She would like to meet with Michelle Grieg and our Town Attorney and review Michelle Grieg's comments before she closes the Public Hearing.

Councilwoman Strawinski said we've been wrangling with this since May and we've had quite a few discussions. She would consider voting this evening.

Councilman Colgan asked what steps of the SEQRA process we would have to go through after the Board votes.

Attorney Chale responded that if the Board closes the Public Hearing, they can't vote on the Local Law until they go through the SEQRA process

Councilman Latimer is in favor of closing the Public Hearing.

Councilman Ross sees no reason not to close the Public Hearing.

Attorney Chale informed the Board that they would have to begin the environmental assessment review. The process has already been started by completing the first part of the full EAF. The process would need to be completed by reviewing the potential impact.

On a motion of Councilman Ross, seconded by Councilman Colgan, moved to close the Public Hearing and have a seven (7) day period to receive any written comments.

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

Respectfully submitted,

Sue McCann, Town Clerk