

An informational meeting was held by the Red Hook Town Board April 18, 2006 at 7:30 p.m. at the Town Hall 7340 South Broadway.

Present: Supervisor Marirose Blum Bump
Councilwoman Sue Crane
Councilman Harold Ramsey
Town Clerk Susan McCann

Absent: Councilwoman Jean Bordewich and Councilman James Ross

Also present: Agriculture & Open Space Chairman Robert McKeon, MaryAnn Johnson, Deputy Supervisor Bill O'Neill and Honorable Marc Molinaro

The meeting was opened with the Pledge of Allegiance.

Supervisor Blum Bump read the news brief, and then read the draft enactment of a moratorium on subdivisions within a proposed agricultural reserve district.

Supervisor Blum Bump introduces Robert McKeon, MaryAnn Johnson, Bill O'Neill, and the Honorable Marcus Molinaro. Mr. McKeon introduces committee members, MaryAnn Johnson, Beth Mead, Craig Vogel, Ken Migliorelli, Rich Biezinski and Miriam Latzer. He then introduces MaryAnn Johnson who notes past accomplishments. She points out the benefits of farms, locally grown food; financial benefit provides open space, rural character. Reads information from survey sent to some residents. We must implement the tools to get the land use planning job done. Agriculture is a defining feature in our landscape. The committee has been working with the Red Hook School District and the Glynwood Center's Keep Farming Program.

Robert McKeon talks about the amount of money farms bring into the community. What is the value to a developer to a community that has open space and preserved land. Discusses preservation and protection.

- In 2003 83% votes for 3.5 million PDR
- Town has instituted a Conservation Easement Program,
- The Town Board sent a request to Albany to vote for a real estate transaction fee to go to a community preservation fund.

What are our protections in the mean time? There are almost 700 lots in our reserve district. The Town of Red Hook has a legal obligation to ensure that its zoning complies with the Comprehensive Plan. Red Hook must do one of two things. It must change its comprehensive plan to say, "OK let's be a bedroom community" or have zoning come into compliance. This committee has felt that the best way to work with private landowners to achieve public policy is by creating as many options as possible. Now we are looking at TDR as a solution (TDR- transfer of development rights). What we are trying to do by establishing an agriculture reserve area is further define where we should protect and preserve our agricultural land. Transfer doesn't have to be residential to residential, in can be residential to commercial. Want to finalize this.

Inter-municipal Task Force – Bill O'Neill Chairman – in March of 2004 the Town Board created the Land Use Conservation Development Working Group. In July of 04 reported 54 recommendations protecting rural character and farmland. By the end of 2004 they began a series of reports on the implementation of the working group. We created an Inter-municipal Task Force met for the first time in July of 2005. The town and two villages along with Dutchess County Planning's (John Clarke) three goals have been:

- To address the issue of directing development in and adjacent to the Village of Red Hook – the Village of Red Hook had lots of great ideas and energy about concentrating development in the Village of Red Hook.
- What type of development in respect to the Village of Tivoli
- To address the issue of the hamlets. Possibly directing development into the hamlets in order to protect the farm land.

Most of the focus of the task force is in the village of Red Hook. Looking at two projects, the development in the northern portion and portion that branches off into the Town of Red Hook. Discusses South Broadway area, both residential and commercial areas. Working Group Committee is trying to address both tax base and protecting rural space at the same time.

There are four aspects of work for the Task Force:

1. Fiscal Impact Study
2. Feasibility Study
3. Allow for creation of a central sewer system
4. Aquifer – Dutchess County is preparing a study on aquifers – hopefully in within the next 2 to 3 months.

The Transfer of Development Rights – the concept is what we need to accomplish.

Marcus Molinaro ... The Inter-Municipal Task Force meets every Friday to discuss development ideas and strategies.

- It is necessary to protect the rural character, but we also need to talk about change and growth. Where do we want it and how do we implement the kind of growth. If growth is going to happen, where do we want it? Around the villages makes sense, even Annandale and Upper Red Hook. Is necessary to sustain economy and protect from growth. We need both residential and commercial growth. 40% of Town of Rhinebeck population live in the Village limits – commercial is sustained by that population as well as some tourism. The Village of Red Hook residential is only about 10% concentration too small to sustain commercial.
- Aquifer will be protected with a central sewer system. Developers building around the village can help pay for a central sewer system. Give enough incentive to developers in and around the villages to put some money towards sewers so property owners don't carry the brunt.
- The Task Force will continue to work on this and open dialog with the community, developers, etc.
- Fiscal Impact Study – what is the true cost of any kind of development? We are moving quickly for that process and we need a dialog from the community. There is a grant through the Lieutenant Governors office called the Quality Communities Grant for \$32,000 to be matched by the Town of Red Hook, Villages of Red Hook and Tivoli, and the Red Hook School District. They are a paying partner in this project.

Supervisor Blum Bump thanks all the presenters, volunteers, speakers and residents. Opens for questions.

Councilman Ramsey thanked everyone. We have to make sure not to overburden tax payers protecting farmland. Believes that protecting our farm land is very important. It is vital to our town. We are adding to our commercial – is liaison to the Economic Development Council - and our affordable housing. EDC can attest to the fact that commercial can help our tax base. Councilman Ramsey questions the Ag Committee – how many parcels are actually farmlands and how many are adjacent and open space parcels.

Robert McKeon... according to GIS data there were 659 parcels – 207 over 10 acres and are already included with conservation easements on them. Approximately 175 parcels would be effected, and there approximately 120 separate owners. Doesn't know how many are farm and how many adjacent. Was asked if applications that are before the Planning Board able to continue? (Robert said it will apply to all applications) This will impact someone who is now before the Planning Board. Will the moratorium affect the people with applications in front of the Planning Board? Councilman Ramsey has a concern with that. Do we have any idea of the amount of parcels that are available in these receiving zones? Robert doesn't know the numbers.

Marcus Molinaro ... there are a series of steps before we decide what kind of development. We want to create a specific zoning language. Board's decision to decide the length of time of the moratorium.

Robert McKeon ... \$25.00 - \$30.00 per parcel is not really a tax burden.

Councilwoman Crane – interested in comments from the audience. Questions she has had revolve around two issues – will we allow no new applications before the Planning

Board, and the second how likely is it that we will extend the 6 month moratorium. Councilwoman Crane feels that no more than 6 months will be needed.

Chris Klose of Echo Valley Farms ... they are currently in the Agricultural district – is interested in the tax consequences.

Agricultural reserve had no impact on someone who remains in the agricultural district.

Paul Fredricks questions fiscal impact study. Are they also going to study current demographics? I don't want to see us force our seniors out. It would be a huge impact on our tax base.

Marcus Molinaro answers yes, a fiscal study will give us data that tells us that this kind of development in this way, produces "X". Then goal of Inter-municipal Task Force to design development that accommodates all residents in one faction or another. Senior Services Committee would identify current needs.

Susan Ellis thinks that a moratorium is a great idea. Questions if the Town Board will let any more applications go through.

Noreen Van Valkenburg of Tivoli asks about tax base. Religious organizations don't pay tax – why should a farmer pay for them. Why should farmers pick up the tab? We are all subsidizing them.

Not-for-profits and religions organizations – this doesn't address that at all. As far as taxation for farmers, yes, taxation is very important aspect of being profitable. Maybe in the future it will be addressed.

Rosemarie Zengen – MaryAnn Johnson made a statement about what residents felt. Wants to know what percentage of the surveys were sent out and how many came back. She was never sent a survey.

MaryAnn responds with data. We had a 20% return rate which in the planning world is phenomenal.

Rosemarie Zengen ... was the cost to the taxpayers addressed in the survey? What constitutional authority does the Town have to stop someone from building?

Al Trezza ... as long as the Town is working towards a goal the state allows a moratorium.

The courts have looked upon it as a short term thing as Councilwoman Crane pointed out she's not in favor of more than 6 months. Town and State law allows it.

Supervisor Blum Bump reads Statement of Authority and Supercession of Town Law.

Drayton Grant from Rhinebeck... applauds all the levels of information. She has questions about Aquifer protection. If Dutchess County Wastewater is in on the beginning of the sewer system, they are more willing to take over said system.

Marcus Molinaro ... Sewer system would be developed in a strategic way - the town would call on the county to allow for creative sewer implementation.

Al Trezza ... is it the proposal of the Ag Committee to change the density of the zoning in the Ag preserve?

Robert McKeon ... tries to ascertain what would be a compatible density within an Agricultural preserve area. Want to achieve a specific goal to protect farm land. PDR drawback is to sell all at once. TDR – may not need to cash out all at once.

Al Trezza ... There would be greater density on transfer rights. What happens now if no one buys the transfer of development rights and we don't have enough in the coffers or we don't get enough from potential tax (real estate transfer fees) we're trying to impose?

Robert McKeon ...we are jumping the gun. Is being discussed and bantered about.

Al Trezza ... the receiving areas – will they be large enough to handle the number TDR's you envision?

Marcus Molinaro ... goal is to create receiving zones. Can't give percentage, we won't know until we're done. First have to meet with the people making these decisions.

Ronnie Jones owner of Panorama Farms on West Kerley Corners Road asks about a hardship clause. Hard to maintain a farm, can her son build a home on the property he will eventually inherit.

Robert McKeon ... this is a moratorium on subdividing the land. It is not our intention to impede agricultural property which hers is.

Patricia Sepesi ... how many people are affected by this moratorium?

Numbers not available.

Leo Sieverding ... why do you include 1, 3 acre lots that already are build on? What were the criteria used to determine Agricultural Preserve for mapping? I don't understand your criteria. Map properties that will be impacted.

Robert McKeon... we used several criteria, soil, water, critical maps of farmland. Trying to become compliant with the comprehensive plan.

Greg Lynch... is the impact of the existing lots of one to three acres that are in the agricultural reserve negative, positive or no impact on taxes at all?

Gerard Hurley asks how many people we are talking about. 10,000, 20,000, 5,000?

Robert McKeon...we don't know the answer to that question

Jeff Ackerly comments that it's not an easy issue. Leo is right that the map is arbitrary. Listen to all sides of the story and have to have the facts. As yet, they haven't talked to developers, haven't considered market conditions, haven't considered board of health conditions, and do the people in the Village of Red Hook want to be over densified? Why do people move to the country? Why didn't the Board invite the EDC, Dutchess County Board of Health, developers, builders and planners to this discussion prior to making a proposal for a moratorium?

Mark Molinaro said the EDC will be asked to sit with the village subcommittee to start designing the criteria and defining what may or may not be feasible for commercial development within the zones we've created.

David Fell asks how many food producing farms are in the Town and how many acres?

Robert McKeon can't answer yet, are working on finding that out.

On a motion of Supervisor Blum Bump, seconded by Councilwoman Crane motion to close informational meeting at 10:04 p.m.

Adopted Ayes 3 Blum Bump, Crane, Ramsey
 Nays 0

WORKSHOP

The Town Board Workshop was opened at 10:10 p.m.

The purpose of the workshop is to consider a resolution to set a Public Hearing for May 8, 2006 at 7:30 p.m. at the Red Hook Town Hall.

Supervisor Blum Bump... read her copy of resolution -enactment of a moratorium on subdivisions within a proposed agricultural reserve for a period of 6 months.

The Board discusses the language of the resolution.
Councilman Ramsey ...should read 6 months not 12

Councilwoman Crane...third paragraph should be new applications.

Councilman Ramsey...don't stop people who are now before the Planning Board.

Supervisor Blum Bump... what does it mean to be in the works?

Councilman Ramsey and Councilwoman Crane feel that anyone in front of the Planning Board now should not be affected. The burden is to the applicant and stopping them now would put an undue burden on them.

Supervisor Blum Bump....what does that mean?

Councilman Ramsey...if the Planning Board has applications in hand, they must go forward. We are punishing applicants if we don't let them proceed. There are 5 before the Planning Board now.

Supervisor Blum Bump... what does it mean to "be in the works?" What does it mean? Legally that can be a challenge. Is endorsement the same as approval?

Robert McKeon... there are more than 5 applications before the Planning Board now. You should check with the Planning Board.

Town Clerk Sue McCann....we were given the number of the applications as 5 from the Planning Board today.

Supervisor Blum Bump asks if specific applicants were on the Planning Board agenda. Some applicants have sketch endorsement, some not. We need a cut off.

Councilman Ramsey ...not having a sketch plan endorsement could be for lots of reasons. Not accepting their applications will cause an undue burden.

Supervisor Blum Bump ... There are 17 sites within the Ag district

Councilman Ramsey ... thinks we are punishing land owners by not accepting them; they have laid out expenses already. Wants inserted "any new application". Thinks the proposal is a legitimate proposal, but thinks it too much of a hardship on certain people.

Robert McKeon...we are sympathetic to persons who spent their funds. But we continue to be non compliant with the comprehensive plan. Our Planning Board says that what we have to protect our farm land is ineffective and confusing.

Councilwoman Crane feels that applicants should come before the Board to prove hardship or financial burden if Board moves for a moratorium. I think it is a reasonable compromise to use sketch plan endorsement as a cut off.

Councilwoman Crane...we cannot control everything – it's been years that this has been going on.

Robert McKeon says that is not justification.

Councilman Ramsey, may not be a financial hardship, but is still a financial burden. This is just to set a public hearing.

Supervisor Blum Bump...if we change the wording then you will move forward?

Councilman Ramsey...it should say any new application after April 18th.

Councilwoman Crane...it should say any new subdivision applications on the agenda after April 18th.

Supervisor Blum Bump...any new applications not having been on the agenda as of April 18th of the Town of Red Hook Planning Board.

On a motion of Councilman Ramsey, seconded by Councilwoman Crane move that we set the public hearing for May 8, 2006 based on these changes to the resolution.

Adopted Ayes 3 Blum Bump, Crane, Ramsey
 Nays 0

On a motion of Supervisor Blum Bump, seconded by Councilman Ramsey the meeting adjourned at 10:50 p.m.

Respectfully submitted,

Susan McCann, Town Clerk