

Public Hearing

A public hearing 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 on August 23, 2006 at 7:00 p.m.

Present: Supervisor Marirose Blum Bump
Councilman James Ross @ 7:15
Councilwoman Sue Crane @ 7:30
Councilwoman Jean Bordewich
Councilman Harold Ramsey
Town Clerk Susan McCann

Supervisor Blum Bump read the Public Hearing Notice – Application of Nathan Kalina seeking relief from Local Law #2, 2006 for parcel #6171-00-766997-0000.

Supervisor Blum Bump read a copy of section 6 of the relief from provisions law.

Mr. Paul Freeman of the law firm Connor, Curran & Schram, is Mr. Nathan Kalina's attorney. He offered to summarize the first five questions.

Mr. Kalina's property is located between Kalina and Overlook Drive, and borders on Middle Road. The proposed development, adjacent to Forest Park has been before the Planning Board. Mr. Kalina is proposing to build a road to connect Overlook and Kalina Drive. He started the process in October 2005. Mr. Kalina has made some revisions to his plans to try and cluster to preserve a large area of the parcel as open space. There are 15.87 acres and central water is proposed. It is a vacant parcel, no one resides on it. Mr. Kalina left out a 10 acre parcel because he is actively farming it. The remaining land is either trees or too sloped. There are two parcels adjacent to Middle Road. Two parcels will be restricted to along the road. The balance will have an easement. The parcels total 9.875 acres. There are 8 lots proposed.

In terms of compliance with the existing zoning ordinance, the parcel is in compliance with no violations.

As to the proposed use, it is to continue with the Planning Board to work out an acceptable subdivision of the property for residential use.

The hardship that exists is financial. Mr. Kalina has spent about \$10,000 on surveying expenses. They've done deep hole tests for septic systems, and he's also spent \$12,000 to \$15,000 on engineering. In addition, Mr. Kalina has had several people approach him who were interested in buying the lots. The problem is, being delayed, the sales have gone elsewhere. Actually dollars and cents are between \$22,000 and \$25,000.

Supervisor Blum Bump...we have a law that says you can not offer for sale property that is not yet subdivided so that makes that irrelevant.

Mr. Freeman continues...Mr. Kalina's application is not a new application. It's been to the Planning Board. The Planning Board was looking favorably to the connection of the two roads. From the planning side it makes more sense to have the roads connected. That's where it stood until the moratorium. There is no sketch plan approval at this point. There have been formal meetings. The plans did not require a zoning variance.

Councilwoman Bordewich asked if he has received any comments from the Planning Board.

Mr. Freeman answered that the last time Mr. Kalina was before the Planning Board was at the End of December or early January.

Councilman Ross asked Mr. Kalina how long he has owned the property.

Mr. Kalina responded that he has owned it 50 years.

Councilman Ross stated that Mr. Kalina has owned the property for 50 years and has paid taxes on it all that time.

Councilman Ramsey asks Mr. Kalina if he has any farmland exemptions on this land

Mr. Kalina...there are no farmland exemptions on the property.

Privilege of the floor:

Leo Sieverding said that Mr. Kalina demonstrated his unjust result for an exemption. The unjust result is Mr. Kalina being in an agricultural reserve for which we've yet to see any criteria. He hopes that the Board approves his exemption.

Frank Vosburgh lives adjacent to the property and said that Mr. Kalina has been working on this for a long time. Mr. Vosburgh feels that the Board should approve the exemption and let Mr. Kalina move forward.

Councilwoman Bordewich...you started in October but you were not at sketch plan approval in May. This is a major subdivision have you been working with the Planning Board in the last couple of months to get a proposal ready. I think you have work to do behind the scenes before you come back to the Planning Board.

Mr. Freeman answered they were putting together a plan, but after the moratorium, nothing further has happened.

Supervisor Blum Bump comments that she isn't sure that his application has been referred to the Ag and Open Space Committee or Planning Board, and sees it as a problem.

Councilman Ross...that's not Mr. Kalina's problem if that's the case if we have no comments from them that's our problem. The Planning Board is aware they are here and they had no comments.

Mr. Freeman...no where in the moratorium law does it say it has to be referred to the Planning Board or the Agricultural and Open Space Committee.

On a motion by Supervisor Blum Bump, seconded by Councilman Ross move to close the Public Hearing at 7:40 p.m.

Adopted	Ayes 5	Blum Bump, Ross, Crane, Bordewich, Ramsey
	Nays 0	

Supervisor Blum Bump requests a 3 minute break before the workshop meeting.

Respectfully submitted

Susan McCann, Town Clerk