

A workshop 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 7:45 p.m.

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

Also Present: Town Attorney Christine Chale

Supervisor opened the meeting with the Pledge of Allegiance.

On a motion of Councilman Ross, seconded by Councilman Ramsey move to approve Nathan Kalina's request for a hardship from the moratorium.

Councilman Ramsey said it appears the Planning Board wants this clustered and has approved it to this point. It does not directly affect farmland and heard that they do have a financial hardship. I believe they've met the criteria for a hardship clause.

Councilwoman Bordewich said she can't vote tonight based on the information she has. She doesn't feel the hardship clause has been met because this is an 8 lot subdivision. I know Nathan has worked very hard on this with the Planning Board and I hope they can continue working on this for what is good for the community and get the Planning Boards approval; I don't think it has that approval yet. Maybe if we delay the vote I can be persuaded, but I don't feel he has met the criteria.

Councilman Ross disagrees with Councilwoman Bordewich and feels Mr. Kalina has more than proven hardship. He's paid taxes for more than 50 years and it's adjacent to an existing development which fits with the master plan with the open farmland to the back of it. It more than meets the criteria.

Supervisor Blum Bump said she'd like to hear from the Ag & Open Space Committee as well as the Planning Board.

Councilwoman Bordewich feels we should be allowed to reflect for a week or two before we make a decision.

Adopted	Ayes 3	Ross, Crane, Ramsey
	Nays 2	Blum Bump, Bordewich

Mr. Kalina has been granted relief from Local Law #2, 2006.

Supervisor Blum Bump introduced Mr. John Clarke from Dutchess County Planning & Development who presents "The Vision: The Red Hook Centers and Greenspace Plan" for the benefit of the Town Board and to elicit the Boards questions and comments. John recaps the major goal information which was presented at the August 7th community meeting.

Michelle Greig of Greenplan gave a summary of the various groups from the first community meeting. She passed out extra copies of her summary, and gave a power point presentation.

Councilman Ramsey thanked Michelle Greig and told her he thinks the plan should move forward. His concern is the tax problem in the town and is not sure that the plan has enough commercial retail type growth to balance out our tax problems. Has anyone looked at this at all?

Deputy Supervisor Bill O'Neill, Chairman of the Intermunicipal Task Force, gave each Board member a copy of a memorandum from the Economic Development Committee. It summarizes the actions of the EDC. Mr. O'Neill invites the Board to review the memo because it addresses the same issue that concerns Councilman Ramsey.

Councilman Ramsey addressed affordable housing. He feels this community needs affordable housing. It should be built into this plan. It should be part of the inclusionary zoning. The market is driving out our seniors and young people.

Councilwoman Bordewich asks Michelle Greig to explain inclusionary zoning.

Michelle answers that inclusionary zoning is a type of zoning which stipulates that a certain percentage of new housing must be affordable units. 10% to 15% should be locked in as affordable. HUD says its 80% of the median income.

Councilman Ramsey adds that when we say affordable homes in an area like that, all the homes have to be similar on the outside.

John Clarke said all different kinds of houses in a neighborhood are a good mix. All homes would have to have similar finishes, etc.

Councilman Ramsey asks why we haven't looked east and west of the Village of Red Hook.

John Clarke answered that north and south is optimum. It is the best location for development because commercial development already exists there and there is traffic in that area already. Commercial is more viable in that area.

Councilman Ramsey asks if they have looked at growth in Annandale and Barrytown.

Michelle Greig answers that the hamlets don't have the facilities the villages do.

John Clarke looked at the traffic signal at Kelly Road. He doesn't envision any major development center in that hamlet area. Maybe make that more of an entrance to Bard College.

Councilman Ramsey asks when we are going to see the layout in regard to Tivoli and Upper Red Hook area and possibly Annandale.

John Clark answers hopefully in the middle of September. I envision making Upper Red Hook more cohesive rather than adding a lot. They will be meeting with Tivoli soon.

Councilman Ramsey...I think you are moving in the right direction; I have concerns that this will be fully accepted and I say that because over the past few years a couple of plans that I think fit with what we are trying to do here and have been brought forward to us, Hardscrabble Commons and Anderson Commons. Hardscrabble Commons a commercial type village center has been delayed for two years as has Anderson Commons. These same concerns should be addressed before we move forward with this. We should make sure all the concerns are taken care of first. Councilman Ramsey thanked them for all their work.

John Clark worked with the property owners of Hardscrabble and for that to happen you need a sewer system.

Councilwoman Bordewich said that the Task Force deserves credit and thanked them too. As far as Annandale, Bard is one of the biggest economic engines in our town. It is clearly growing as an attraction. I would like to be invited to meetings the EDC has with Bard since she is the liaison to Bard. I think it is very important to look beyond traditional hamlet of Annandale and look at 9G properties as to whether or not we want to zone that for either certain kinds of commercial development not owned by the tax free entity; but maybe hotels, amusement facilities or some other kinds of housing for people who want to be close to the campus. We need to look at the economic activities that will be productive such as the healthcare field, Bard, agriculture and food, building on what we have so far. We should look at other types of commercial business, retail is a small piece. The east side is a small commercial area and I think we should look at the east side before we finish the plan.

Village Trustee Dave Seymour said the east side has a unique situation. It has a high water table and would be hard for a developer to do anything with.

Village Trustee Ed Blundell thinks that north and south is better, I don't see any reason to go east and west right now.

Councilwoman Bordewich a resident of Barrytown doesn't feel there is growth potential there.

Michelle Greig doesn't think there will be much development there. They'd be happy to meet with Barrytown people, but I don't see the development.

Councilwoman Bordewich ...when we get to the next phase green building requirements need to be addressed.

John Clarke ... green building isn't so effective when you live way out and have to drive your car everywhere you go.

Councilwoman Bordewich asks what happens when a community reaches its limit for growth.

John Clarke...I don't get involved in 50 year plans. I plan for the foreseeable future a 10 year window is adequate for planning.

Councilman Ross thanked John Clarke and Michelle Greig for the plan. The plan makes a lot of sense. In Annandale the sewer and water is available with the Bard system. East of the Village there is not much left because the rest is residential or wet so therefore we have the north and south side of the village which is already developing commercial. We should make commercial more friendly for the commercial we want. Right now we are zoned for retail commercial. He also feels we should phase in development, rather than all of a sudden build 500 homes. We as a municipality have to look into a grant for a sewer system to help pay for it. If you are going to phase in the homes a lot of the money for a sewer system will have to be shared by the municipality not just the developer. We need to look at the TDR our zoning already takes care of the possible development in the north and south. I don't see where the TDR comes in especially forced TDR if someone wants to volunteer that different.

Michelle Greig...you're right in the north area the plans show the same number of units as would be permitted on those lands. In the southern area there is a lot more residential and commercial planned than the zoning would allow.

John Clarke said that the County has a PDR fund as well, and the purchase of development rights is one of the best tools you can use, but it is hard to believe that you would be able to buy up all the farms in Red Hook. You need a variety of scenarios, options and techniques so that you can do something more land based than property based.

Councilman Ross said he likes the direction they are moving.

Councilwoman Crane asks how you qualify commercial space. Retail commercial space is not the only or the best commercial space that we should be looking to attract.

Michelle Greig answered that we aren't talking just retail commercial; we are also looking at office, services, light industrial and medical, etc.

Councilwoman Crane said that in a past presentation the Board was told that retail commercial was least tax beneficial to a town. We need to direct our attention to other areas of commercial if we are going to be successful. It troubles her that there has been no targeting for specific areas. An example is Sky Park. Our EDC could target it for marketing to assist us in tax relief. We have the right tools to move forward. We need to protect farming itself in order to protect farmers. I don't know how to protect farming. It

gets to be more that we are using farmland to maintain open space. What is it that is standing in the way of farmers making a living in Red Hook? In many cases practical services are not here to help the farmers succeed. I love the inclusionary zoning. I don't know what the optimum percentage of affordable housing would be but she would like a benchmark for that. As far as architectural standards, I think it would make it easier for developers to get through the planning process. I would not vote for mandatory TDR's either. I also like the sewer possibility. I'm troubled by the inequity that comes to the Red Hook taxpayers quite accidentally and I realize there is a benefit also. Bard is an economic engine however there is no payment in lieu of taxes paid by Bard or any other institutes in the area and that's troubling. Can we look at some way of qualifying the institutional zone for a different kind of development fee? We should look and see if that is a possibility. There is a huge amount of land including residential buildings owned by Bard College that are totally tax exempt, which pay nothing at all. It might help allay the tax burden that residential taxpayers have to face. We should see what NY State would allow in institutional zoning.

Supervisor Blum Bump thanked John Clarke and Michelle Greig for their presentation. She stated that we are trying to keep so many things in balance. We want centers that can become successful, we need to protect open space, green space, and agriculture and open space. She considers agriculture a commercial endeavor based on soils, and it is in transition. Because it doesn't work for the moment, doesn't mean we shouldn't protect it for possibilities in the future. We would like to see the protected space protected permanently. Equity is important. It's important that we are trying to keep so many things in balance. The TDR might only be of limited use, but it might work in a few incidences. We have to protect our and well heads. We have to be very conscious about where they are.

Deputy Supervisor Bill O'Neill asked if the Board would consider having their workshop on Wednesday, September 20th, at 7:30 for the second Intermunicipal Task Force meeting at Linden Avenue Middle School. Bill also said that Russell Mead would like to make a presentation to the Board specific to the aquifer, well head protection, and the impact of development on the aquifer.

Supervisor Blum Bump said that we will put Russell Mead on the agenda then the Board can decide on his proposal.

Michelle Greig said that she doesn't see the need to amend the Comprehensive Plan in order to adopt the Zoning that would allow for this kind of a plan. Your plans are consistent with the committee recommendations.

Attorney Christine Chale spoke about the Community Preservation Act. A Public Hearing will be set on September 5, 2006. There are drafts of two local laws that would implement the Community Preservation Act. She referred to a memo that highlighted the issues involved in the Community Preservation Act and what would be necessary for its adoption. The first part is an establishment of a fund, and the second part is the adoption of a tax. The establishment of a fund is not subject to a mandatory referendum, but the tax is. At the meeting on the 5th, we will be laying this on desk and calling for a Public Hearing for the 19th of September. At that point we can consider adoption. We have a tentative meeting scheduled for September 27th so you can also consider it at that point. Christine will need to have the local law approved in final form because we will need to have that to the county by October 3rd in order to get it to the Board of Elections in time to get on the ballot. The first law which we call proposed Local Law # 6 provides for the establishment of the Community Preservation Fund and outlines the list of things considered to be part of community preservation which is taken directly out of the law. It calls for an establishment of an Advisory Board and Christine needs the Town Board to decide whether this board is going to have 5 or 7 members with staggered terms. That decision has to be made by the 5th. Be prepared to appoint the initial Committee at that point. If the referendum goes forward, you have an Advisory Committee in place. The establishment of the funds and the establishment of the Advisory Committee precede the referendum. The second law proposed Local Law #7 is the law that would establish a real estate transfer tax not to exceed two percent. This is a number being determined by ORPS. This is a very new program for the County so Christine suggests changing the

effective date from February 1, 2007 to April 1, 2007. Christine points out the language in Section IV; it's the way it will appear on the ballot. She would like the Board to authorize notices of Public Hearing in advance so that we can make the publication deadline.

On a motion by Supervisor Blum Bump, seconded by Councilman Crane, move to give Town Clerk Sue McCann authority to file notices ahead of the meeting on September 5th in anticipation that we will be scheduling the hearing on September 7th.

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

The Town Board set the next business meeting for September 19th because the 12th is Primary Day. We will set a Public Hearing for September 19th at 7:00 p.m. for proposed Local Law #6, proposed Local Law #7 at 7:15 p.m. for the Community Preservation Act.

Supervisor Blum Bump...in order to apply for the third part of the Community Development Block Grant for 2007 the Board needs to move forward on the proposed highway specification revision. The county weighed in on the Morris proposal. I ask that the Board members go over the proposal so that they can vote on it soon.

Councilman Ross asked about a request for a hardship variance from Sam and Arlene Harkins. They are doing a lot line adjustment and the Planning Board said they are subject to the moratorium. We should schedule them and let them know what the status is. Supervisor Blum Bump will get a copy of the letter tomorrow.

On a motion by Supervisor Blum Bump, seconded by Councilman Ramsey, move to close the meeting at 10:45 p.m.

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

Respectfully submitted,

Susan McCann, Town Clerk