

APPROVED
Town of Red Hook Planning Board
Meeting Minutes
June 6, 2011

CALL TO ORDER/ DETERMINATION OF QUORUM

The meeting was opened at 7:38 p.m., and a quorum was determined present for the conduct of business.

Members present — Chair Christine Kane and members Charlie Laing, Sam Harkins and Pat Kelly. Members Kris Munn, Wil LaBossier, Sam Phelan and alternate Brian Walker were absent. Planner Michele Greig was also present for the entire meeting.

BUSINESS SESSION

Christine Kane said that surveyor Bob Zimmerman had some questions and so had been added to the agenda. The May 16, 2011 draft minutes had been circulated among the members and reviewed. Charlie Laing made a motion to adopt those minutes. Pat Kelly seconded the motion, and all members present voted in favor.

There was one announcement. Christine Kane said that the Association of Towns had scheduled its Planning and Zoning Summer School. The closest sites were Albany and White Plains.

OTHER BUSINESS

Robert Zimmerman – question about lot line alteration in Upper Red Hook.

Surveyor Robert Zimmerman asked whether the Planning Board could approve a lot line alteration between two substandard-sized lots in Upper Red Hook. He said that Lot A was approximately 1.6 acres in size and Lot B was approximately 0.8 acres in size. Lot A had a house and a barn, and the owners of Lot B wished to purchase the barn and the land on which it was located. Mr. Zimmerman said that he had been told that that a standard-sized lot in Upper Red Hook was 2.0 acres.

The Board determined that the lots were in the Hamlet District and that a conforming lot in that Zoning District was 1.5 acres. Christine Kane said that since the desired lot line alteration would cause Lot A to become a non-conforming lot, the Planning Board would be unable to approve such an application without an area variance giving relief from the lot size. The Board noted that most of the lots in Upper Red Hook were smaller than 1.5 acres and that an argument could be made that a lot smaller than 1.5 acres would not be out of character with the hamlet.

Michele Greig said that Mr. Zimmerman should look carefully at the proposed plat since the desired lot line alteration could create setback problems. She said that the applicants might need additional area variances.

Robert Zimmerman – other questions

Mr. Zimmerman also described his problems creating a farmland protection plan for James and Pamela Sheehan's property on Hapeman Hill Rd. Michele Greig said that he should refer to Section 143-47D(4)(e) (pages 144161.1 and 144161.2) of the Zoning regulations for guidance on locating lots so that they would have the least impact on valuable farm soils.

He also discussed an agricultural property on Guski Road. He said that the owner wished to subdivide off a small lot for himself and sell the remaining land. Michele Greig referred him to Section 143-47D(4)(h)[2] (page 14416.3) of the Zoning regulations for information about the "one lot exception" under the Important Farmlands Law.

Revisions to the Centers and Greenspaces proposed zoning amendments – review and comments

Michele Greig reviewed the latest revisions to the proposed Centers and Greenspaces Zoning Amendments. Some members had concerns about the new provision that would allow the owner of an agricultural parcel of 100 acres or more to subdivide off a minimum forty acre parcel, provided a conservation easement was placed on that parcel, and to retain the right to develop the remaining land without a Farmland Protection Plan. The provision would also give the landowner sole discretion to determine where that forty acre parcel was located. These members said that this provision ran counter to the Town's goal of keeping large parcels of valuable soil available for farming and that the last few large pieces of valuable farmland in the Town might be lost. Other members noted that some of the Town's most successful farmers have several non-contiguous parcels under cultivation and also that many agricultural businesses need only forty acres, especially if the soil is prime or of statewide importance. Despite the concerns of some, the members generally agreed to support the proposed zoning amendments.

The members also found two sections in the revisions that needed clarification.

The Board generally agreed to send a letter to the Town Board with these comments.

Revisions to the Centers and Greenspaces proposed zoning amendments – consistency with the Town's Local Waterfront Revitalization Program

The Board considered whether, with the latest revisions, the proposed zoning amendments were still consistent with the Town's LWRP. After the members' review, Charlie Laing made a motion that the Board confirm its previous determination that the proposed amendments are consistent with the program. Pat Kelly seconded the motion, and all members present voted in favor.

Since there was no more business to come before the Board, Charlie Laing made a motion to adjourn. Sam Harkins seconded the motion, and all members present voted in favor.

Respectfully submitted,

Paula Schoonmaker